



# WEDDIN SHIRE COUNCIL

**POLICY NUMBER: 14.25.2**

## **POLICY FOR LOSS OF DRIVERS LICENCE**

**Adopted: 17 August 2017**

1. **Title:** Policy for Loss of Drivers Licence
2. **Number:** Policy Number 14.25.2
3. **Purpose:**  
The purpose of this policy is:
  - To outline Weddin Shire Council's position with respect to the loss of a driver's licence by any employee of Council.

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- To outline the implications of a breach of this policy and what action is to be undertaken.
- To outline what procedures are in place with respect of ongoing counselling and assistance.

### **4. Application:**

This policy applies to all employees of Weddin Shire Council.

### **5. Associated legislation and other references (as amended):**

Local Government Act 1993

Local Government (State) Award 2010

### **6. Policy Statement**

- The focus of this policy is to outline the manner in which the loss of an employee's driver's licence affects the ability of that employee to perform his or her duties.
- This policy will set out what courses of action are available to Council and the extent to which they shall be applied.
- This policy shall extend to all employees of Weddin Shire Council and shall include contractors, contractors' employees and volunteer workers who undertake works on behalf of Council.

### **7. Obligations under this policy**

#### **Management (including supervisors)**

- Has the responsibility to ensure that each employee, who is required to have a licence, maintain a current driver's licence.
- Has the responsibility to take the appropriate course of action should an employee have their licence suspended, cancelled or its use restricted.

#### **Employees**

- Have the responsibility to ensure that they maintain a current and appropriate licence to perform the duties associated with their position.
- Have the responsibility to advise their supervisor or General Manager, of the actual or impending suspension, cancellation or imposition of restrictions of or on their licence.

#### **Contractors and Contractors' Employees**

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- Have the responsibility to ensure that the appropriate licence is obtained, remains current and to advise Council of any change that may arise.

### **Volunteers**

- Have the responsibility to ensure that the appropriate licence is obtained, remains current and to advise Council of any change that may arise.

**All employees of Council shall be responsible for any civil or criminal penalty that may be imposed following the suspension, cancellation or restrictions placed upon the use of their licence.**

**Any loss of, or damage to Council or private property as a result of civil or criminal negligence following the suspension or cancellation of the licence shall be the responsibility of the employee.**

Council may sponsor an Employee Assistance Program which, among other things, assists employees of Council who voluntarily seek help for any condition that may result in the suspension or loss of an employee's driver's licence. Participation by any employee in this program will be regarded with the strictest of confidentiality.

### **8. Policy Implementation**

The implementation of this policy will be communicated to all staff, contractors, contractors' employees and volunteers following its endorsement by Council.

### **9. Delegation**

The General Manager, in accordance with the Local Government Act 1993, shall have delegated authority to implement this policy.

### **10. Policy Procedures**

Under delegated authority the General Manager, in conjunction with senior management, shall decide upon what course of action is to be undertaken following the suspension, cancellation or restrictions placed upon the use of an employee's driver's licence.

Upon notification the General Manager shall determine the outcome upon consideration of the following points:

- The need for the employee, etc to have an appropriate driver's licence to perform the duties associated with their position.
- The availability of alternative duties where the current position requires a licence; the level of remuneration shall be adjusted if the employee is required to perform duties associated with a lower paid position.
- The availability of leave to that employee.

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- The period of time the licence is suspended, cancelled or its usage is restricted.
- At all stages during this evaluation period the General Manager shall, upon request by the employee, consult with the appropriate union or nominated employees' representative.
- The General Manager may consult with Local Government NSW.

### **11. Policy Outcomes**

Following the evaluation and notification of the loss of the employee's licence Council shall take one or more of the following outcomes (actions):

- No action to be taken.
- Transfer the employee to other duties.
- Reduction in pay if performing lower paid duties.
- Employee to take leave (annual, long service leave, leave without pay) for the defined period.
- Suspension of employment for the defined period.
- Termination of employment.

Should the period of suspension, cancellation or restrictive usage be in excess of six months the person's employment may be terminated by Council.

If the employee is convicted of a driving offence, whilst disqualified during that six month period, and the defined period is extended in excess of six months Council may terminate the employment of that person.

### **12. Variation**

Council reserves the right to review, vary or revoke this policy as circumstances warrant, after consultation with the Consultative Committee and the various unions and employee associations.

### **13. Adoption**

This policy commences as from the date of adoption by Council, being 17 August 2017 and replaces any previous policy.

### **14. History**

Version	Consultative Committee	Council
Original	Adopted 8 March 2000	Adopted 16 March 2000
14.25.1	(re-formatted only)	Adopted 18 July 2013
14.25.2		Adopted 17 August 2017