REDUNDANCY POLICY

Human Resources
YASC POL 17 – V7

2026

YARRABAH ABORIGINAL SHIRE COUNCIL
56 Sawmill Rd Yarrabah, QLD 4871

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1. LEGISLATION AND AUTHORITY

The Local Government Act 2009 (Qld)
Local Government Regulation 2012 (Qld)
Industrial Relations Act 2016(Qld)
Queensland Local Government Industry (Stream A) Award – State 2017
Queensland Local Government Industry (Stream B) Award – State 2017
Queensland Local Government Industry (Stream C) Award – State 2017
YASC Code of Conduct

2. COUNCIL'S STATEMENT

Yarrabah Aboriginal Shire Council ('YASC') conducts its business with integrity, honesty and fairness. All employees are expected to work within the rules and actions of YASC will comply with all relevant laws, regulations, codes and corporate standards.

Everyone representing YASC must reflect the highest standards of behaviour. Our relationships are critical to the ongoing success of our organisation. Our leaders have responsibility for fostering a culture where ethical conduct is recognised, valued and applied at all levels.

This policy is to be read in conjunction with the Code of Conduct, which outlines our standards of behaviour and workplace culture are in accordance with YASC's principles.

3. PURPOSE

From time to time, it may be necessary for YASC to declare a position redundant and exit an employee from the organisation. This Policy is intended to set out YASC's policy when redundancy occurs and benefits that may be provided in the event of redundancy.

4. COMMENCEMENT OF POLICY

This Policy replaces all other policies relating to redundancy (whether written or not).

5. APPLICATION OF THIS POLICY

This policy only applies to genuine redundancies. The Policy is not intended to create or confer any entitlement on an Employee. It does not form part of any Employee's contract of employment. Any payments made under this Policy are made in accordance with provisions relating to redundancy as identified by the *Industrial Relations Act 2016 (Qld)- (Division 13 of the QES)* and the *Queensland Local Government Industry (Steams A, B & C) Awards – State 2017.*

In addition to other legislative exclusions this Policy does not apply in the following circumstances:

- The employment is terminated as a consequence of misconduct, performance issues, negligence, abandonment, neglect or refusal of duty, or voluntary resignation on the part of the Employee at any time prior to the expiry of the notice of redundancy; or
- The employment is terminated due to the ordinary and customary turnover of labour, such as, but not limited to, circumstances in which YASC loses a contract or funding, upon which the continuing employment of certain Employees in the organisation is reliant; or
- The employee is employed on a casual basis; or
- The employee is engaged for a specific period and/or task; or
- During an employee's probationary period; or

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- Where YASC cannot pay the amount.

6. REDUNDANCY

'Redundancy' refers to a situation where an Employee is identified as surplus to the needs of YASC as a result of the Employee's duties no longer being required due to economic, technological or structural changes, such as:

- the financial demands within an organisation unit;
- a decrease in consumer/customer demand;
- a decision to close or transfer a part of the organisation to another entity;
- changes in work methods arising from the introduction of technological development.

7. CONSULTATION

YASC shall consult with the employee/s directly affected and, where relevant, their union/s, as soon as it is practicable after YASC has made a decision which will invoke the provisions of this policy.

YASC shall, as soon as practicable, provide in writing to the employee/s concerned and, where relevant, their union/s, all relevant information about the proposed terminations including:

- the reasons for the proposed terminations,
- measures to avoid or minimise the terminations and/or their adverse effects on the employee/s concerned,
- the number and categories of employees likely to be affected,
- the number of workers normally employed and the period over which the terminations are likely to be carried out.

Notwithstanding YASC shall not be required to disclose confidential information, the disclosure of which would be adverse to YASC's interests.

8. VOLUNTARY REQUESTS

YASC may consider any requests for voluntary redundancy in line with the needs of the organisation. However, there is no requirement on YASC to consider or accept voluntary applications as it is important for YASC to retain the most competent and productive Employees.

9. PERIOD OF NOTICE

In order to terminate the employment of an Employee YASC will give to the Employee notice in accordance with the following table:

Period of Continuous Service	Period of Notice
Less than 1 year	1 week
1 year and less than 3 years	2 weeks
3 years and less than 5 years	3 weeks
5 years and over	4 weeks

In addition to the notice above, Employees over 45 years of age at the time of the giving of the notice with not less than two years continuous service, shall be entitled to an additional week's notice.

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YASC may elect to pay an Employee in lieu of part or all of the notice period. Alternatively, YASC may require an Employee not to report for work, or provide altered duties, during part or all of the notice period.

10. TIME OFF DURING THE NOTICE PERIOD

An Employee will be entitled to 1 paid day off per week of the notice period to attend to financial affairs, job interviews or other job search activities. The Employee's supervisor must consider whether the circumstances warrant the absence and the Employee must provide documentary evidence to support the absence before any payment will be made.

11. REDEPLOYMENT

During the Notice Period YASC may attempt to find Alternative Employment for the Employee both within and outside of YASC. As a guide, "Alternative Employment" includes employment on similar terms and conditions to the redundant position. The Alternative Employment does not need to be identical to the Employee's prior position, but should utilise many of the same skills and competencies and the remuneration package provided should not be substantially less than in the Employee's prior position.

Where an employee accepts an offer by YASC and is transferred to lower paid duties by reason of redundancy the employee shall be entitled to the same period of notice of transfer as the employee would have been entitled to if the employee's employment had been terminated under the redundancy pay provisions.

YASC may make payment in lieu thereof of an amount equal to the difference between the former amounts YASC would have been liable to pay and the new lower amount YASC is liable to pay the employee for the number of weeks of notice still owing.

If YASC offers an Employee Alternative Employment or obtains an offer of Alternative Employment from another employer, an Employee will not be entitled to receive a severance payment where in the opinion of YASC, the Employee unreasonably declines to accept an alternative offer of employment.

12. TRANSFER OF BUSINESS

YASC will not provide a severance payment under this Policy where an Employee's employment is transferred to another employer and the period of continuous service with the Employee and YASC is recognised by the new employer.

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13. SEVERANCE PAY

An Employee who is redundant, will be entitled to severance pay in accordance with the following scale:

Length of Continuous Service*	Severance Pay
Less than 1 year	Nil
1 year and less than 2 years	4 weeks' pay
2 years and less than 3 years	6 weeks' pay
3 years and less than 4 years	7 weeks' pay
4 years and less than 5 years	8 weeks' pay
5 years and less than 6 years	9 weeks' pay
6 years and less than 7 years	10 weeks' pay
7 years and less than 8 years	11 weeks' pay
8 years and less than 9 years	12 weeks' pay
9 years and less than 10 years	13 weeks' pay
10 years and less than 11 years	14 weeks' pay
11 years and less than 12 years	15 weeks' pay
12 years and over	16 weeks' pay

In calculating the severance payments, years of service will be calculated to include part year service rounded up to the nearest whole month.

14. CERTIFICATE OF SERVICE AND SEPARATION CERTIFICATE

A certificate of service is available to Employees upon their request. A certificate of service will outline an Employee's length of service and the positions held by the Employee during the employment.

On termination of employment, YASC will provide an Employee with an Employment Separation Certificate in the form required by Centrelink.

15. OTHER PAYMENTS

Annual Leave

Each Employee shall be paid pro rata in lieu of any annual leave accrued but not yet taken as at the date employment terminates, plus any loadings which would otherwise have been paid on that leave.

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Long Service Leave

Employees will be paid long service leave on a pro-rata basis disregarding the minimum continuous service requirements under the relevant legislation (eg, an employee in Queensland who has served 2 years will receive 20% of 8.6667 weeks long service leave).

16. VARIATIONS

YASC reserves the right to vary, replace or terminate this policy from time to time.

17. DOCUMENT CONTROL

Adoption Date:	12 January 2016	Resolution No.	Version No. 1
Amended Date:	30 January 2020	Resolution No. 03:30/01/2020	Version No. 2
Amended Date:	17 February 2021	Resolution No. 05:17/02/2021	Version No. 3
Amended Date:	18 May 2022	Resolution No. 09:18/05/2022	Version No. 4
Amended Date:	29 June 2023	Resolution No. 11:29/06/2023	Version No. 5
Reviewed Date:	26 July 2024	Resolution No. 12:26/07/2024	Version No. 6
Reviewed Date:	19 August 2026	Resolution No. 28:19/08/2026	Version No. 7
Next Review Date:	2027		
Responsible Officer:	Chief Executive Officer		

Richard Wright
Chief Executive Officer

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