

SOUTHERN MALLEE DISTRICT COUNCIL

CONFIDENTIAL MINUTES

OF THE ORDINARY MEETING HELD ON WEDNESDAY 14th MAY 2008

080506

CHIEF EXECUTIVE OFFICER'S REPORT

5. Into Confidence – Employment Matter

Moved Cr. Pfeiffer/Seconded Cr. Sexton that subject to Section 90 (2) of the Local Government Act, 1999, an order be made that the public be excluded from attendance at the meeting in order for Council to discuss this matter in confidence pursuant to Section 90 (3) (a) and that the Chief Executive Officer and Minute Secretary be permitted to remain in the meeting.

That accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.

CARRIED.

Employment Matter

The Chief Executive Officer advised that this matter related to a current workers compensation claim by Kevin Sherman in relation to his knee. Kevin is unable to have the operation on his knee, due to being overweight and Kevin has also advised that he is unable to lose weight. The Chief Executive Officer reported on the history of the claim whereby Kevin has advised that he currently has no intentions of retiring when he turns 60 next month and that he will continue to work as long as he can as he enjoys the work.

The Chief Executive Officer further advised that the LGA Workers Compensation Scheme and he have been working together on a redemption offer, so Kevin can leave employment with Council and have no further claim on his knee injury.

Earlier this year Kevin was offered \$15,000 (LGA Workers Compensation Scheme to pay \$10,000 and Council to pay \$5000) to leave employment and have no further claims. Prior to Kevin incurring this injury he was employed for approximately 25 hours per fortnight. Currently Council have to pay him 28 hours per fortnight for light duties only (not getting value for money).

Kevin has recently advised that it would cost him over \$18,000 to have surgery on his knee. The Chief Executive Officer advised that an ambit offer has been made to Kevin Sherman of \$25,000 (LGA Workers Compensation Scheme to pay \$10,000 and Council \$15,000) and verbal advice has been received that Kevin is willing to accept this offer.

The Chief Executive Officer sought endorsement from Council on the \$15,000 payout figure to Kevin Sherman. (LGA Workers Compensation to pay \$10,000).

Moved Cr. Hancock/Seconded Cr. Toogood that Council endorses the actions of the Chief Executive Officer in regard to the \$25,000 (LGA Workers Compensation to pay \$10,000 and Council \$15,000) payout to Kevin Sherman plus two weeks wages.

CARRIED.

Moved Cr. Sexton/Seconded Cr. Dunsford that the matters remain confidential until reviewed in December 2008.

CARRIED.

Out of Confidence

Moved Cr. Sexton/Seconded Cr. Dunsford that the public be readmitted to the chamber and all discussions and decisions remain in confidence.

CARRIED.

