

18 March 2020

Managing your employees in the context of COVID-19

ACSA is recommending employers seek disclosure from employees, volunteers and consumers regarding any recent travel to any destination outside Australia, contact with a confirmed coronavirus (COVID-19) case or if they are experiencing flu-like symptoms.

If an employee or volunteer has visited any destination outside Australia or had contact with a confirmed coronavirus case and is engaged in a non-consumer facing role and can reasonably and practically perform their work safely at home, we recommend that the employer make the direction for the employee to work from home.

If an employee has visited any destination outside Australia or had contact with a confirmed coronavirus case and is engaged in care work or other work involving direct contact with consumers or other staff and volunteers etc., employees must self-isolate for a period of 14 days after leaving the destination or coming into contact with a confirmed case of coronavirus.

On 15 March 2020, the Australian Government advised against overseas travel due to the global prevalence of COVID-19. On 18 March, the advice was upgraded to **“Regardless of your destination, age or health, our advice is do not travel at this time.”** Anyone travelling or returning to Australia and arriving from 12am on 16 March, has been directed by the Department of Health to self-isolate. It would be reasonable for an employee in this situation to access their annual leave or long service leave (where allowed by the relevant state legislation) entitlements or take unpaid leave. If they are symptomatic, they should be able to access their personal leave entitlements.

If an employer elects to direct a worker not to work in order to reduce the risk to the health and safety of the worker, other staff or consumers, we recommend employees be paid their normal pay for the shifts they would have otherwise worked if it had not been for the direction to not come to work. Should the employee become symptomatic, they should be able to access their personal leave entitlements.

We recommend that employers have conversations with affected workers to discuss their individual circumstances and assess the prevailing industrial instrument/s which applies in the workplace in order to determine whether or not an employee can access leave entitlements. Some employers have decided to pay at-risk employees outside of leave entitlements and to pay casual employees for periods of self-isolation due to contact with known cases or travel prior to the advice from the Government on 15 March, even though they have no access to leave entitlements. This may be a way to reduce the risk of at-risk employees feeling as though they have to work because they have no other or limited source of income.

We recommend providers seek disclosure from volunteers regarding recent travel to destinations outside Australia or contact with a confirmed coronavirus case and exclude them from volunteering activities for 14 days after leaving the destination or following contact with a confirmed case of coronavirus.

We also recommend assessing the risk of exposure of your employees and volunteers to the coronavirus in the community, i.e. community aged care employees visiting consumers in their own homes. As a precautionary and health and safety measure, it would be reasonable for providers to ask questions of consumers regarding any recent travels outside Australia or contact with a confirmed coronavirus case.

At all times, providers must implement risk assessment and management strategies in order to reduce the likelihood of exposure of employees and volunteers to coronavirus.

Please do not hesitate to contact the ACSA Employee Relations team to discuss any aspect of managing your employees: employeerelations@acsa.asn.au or 1300 877 855.