



COVID-19
Work and Leave Options

Work Options

Working from Home

Wherever possible, working from home should be your first option for employees. You will need to consider various things including technology, a policy, OHS/WHS and ways to keep everyone in touch. Total HRM has Fact Sheets and resources to help.

Working in the Workplace

Some work can only be undertaken in the workplace. If this is the case, and you continue to operate, then there will be employees who continue to come into the workplace. Your priority and obligation as an employer is to provide the safest possible work environment for these employees. Things you should consider implementing:

- Social distancing – at least 4 square metres space around each employee. More space is better.
- Regular cleaning of all hard surfaces and often touched surfaces, e.g. door handles, desks and work surfaces etc.
- Provision of plenty of soap and hand sanitiser with lots of posters around the workplace highlighting handwashing techniques etc. You can find a range of resources from the Federal Health Department here: [Coronavirus COVID-19 Resources](#)
- Stagger start times, including considering shifts, to minimise the number of employees in the workplace at any one time.
- Clear guidelines on what employees should do if they feel unwell or they have had contact with a suspected COVID-19 case.

Employee Leave Scenarios

An employee wants to stay home as a precaution against potentially catching COVID-19

Where an employee wants to stay home as a precaution, employers are encouraged, where possible and practical, to let their employees work from home.

If working from home is not an option, then the employee and employer need to come to a written agreement on what will occur. This agreement may include taking paid leave (where available) or unpaid leave, utilising normal leave application processes and approval. If an agreement isn't entered into with the employee or paid leave is not used, an employee is not entitled to be paid while staying home as a precaution.

Please note that an employee should not use Personal or Carer's Leave unless the employee is unwell or has caring responsibilities.

An employer wants an employee, or employees, to stay home as a precaution

Under workplace health and safety laws, employers must ensure the health and safety of their workers and others at the workplace as far as is reasonably practicable.

If an employee is at risk of infection from COVID-19 (for example, because they've been in close contact with someone who has the virus), employers should request that they work from home (if this is a practical option) or not work during the risk period.

Where an employer directs a full-time or part-time employee not to work due to workplace health and safety risks, but the employee is ready, willing and able to work, the employee is generally entitled to be paid while the direction applies.

However, if an employee cannot work because they're subject to an enforceable government order or direction requiring them to self-quarantine, the employee isn't ordinarily entitled to be paid (unless they use leave entitlements).

What if an employee has to quarantine or self-isolate due to COVID-19?

If an employee is unable to attend work because they are required to self-isolate or quarantine themselves due to COVID-19, there are a range of options available.

If the employee is not sick, they can:

- Where possible, be allowed to work from home.
- Take annual leave.
- Take other paid leave, e.g. Long service leave.
- Take unpaid leave by agreement between the employer and employee.

If the employee becomes unwell, then they should take personal leave.

What happens if an employee is sick with COVID-19?

Employees who are sick with COVID-19 MUST NOT come to work.

If an employee who has COVID-19 wants to come to work, employers can direct them not to.

For full-time and part-time employees who cannot come to work because they're sick with COVID-19 can take paid sick leave. Full-time and part-time employees can take unpaid sick leave if they have no paid sick leave available.

Please note that an employer cannot require an employee to take personal leave. However, if an employee has COVID-19, the employee isn't entitled to be paid unless they use their paid leave entitlements.

What if an employee can't come to work because their child's school has closed due to concerns about COVID-19?

Employees who cannot come to work because they need to care for a child whose school or preschool is closed should be offered the option of working from home where practical and possible.

If that is not an option for the employee to work from home, then for full-time or part-time employees, they should use paid carer's leave. If this is unavailable or runs out, they can take annual leave, other leave such as long service leave or any other paid or unpaid leave as agreed between the employee and employer. Casual employees are entitled to two days of unpaid carer's leave per occasion.

What happens if an employee's family member is sick with COVID-19?

If an employee needs to look after a family member or a member of their household who is sick with COVID-19, they're entitled to take paid carer's leave (personal leave) if they have it available.

Full-time and part-time employees can take unpaid carer's leave if they have no paid carer's leave left.

Australian Government advice is that those who have been in close contact with a confirmed case of COVID-19 must self-isolate for 14 days and not attend work. See section above "What if an employee has to quarantine or self-isolate due to COVID-19?" for details on the type of work or leave arrangements that you should follow.

More information?

There is more information for employers and workplace laws here:

<https://www.fairwork.gov.au/about-us/news-and-media-releases/website-news/coronavirus-and-australian-workplace-laws>

Website information:

<https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/coronavirus-covid-19-resources>