



COVID-19

U da ed info ma ion

26 Ma ch 2020

General

1.

Given that (in most cases) you will not be required to pay them during the 14-day self-isolation

7. One of my employees has asked to leave work early to pick up their partner who is feeling ill and has been sent home suspected of having COVID-19, should I let them go?

You should deal with this just like any other request from an employee to urgently assist a partner or family member. However, if the employee is asking for leave because they are required to provide care or support to their partner or family member, then they may take carer's leave. Where an employee qualifies for carer's leave, they may access their accrued paid personal/carer's leave.

An 'immediate family member' is:

- a spouse or former spouse, de facto partner or former de facto partner, child, parent, grandparent, grandchild, sibling;
- a child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner.

A 'household member' is any person who lives with the employee.

The employee should be paid as if they were taking personal (sick) leave, the minimum requirement

Working from home

10.

14. If an employee elects to withdraw their child from school does the business have to give them paid carer's leave?

Strictly speaking unless the school has been closed the answer to this question is no.

If the school was closed during the normal school term the answer would be yes.

An employee may take carer's leave to provide care or support to an immediate family or household member, where the care or support is required because of an unexpected emergency.

Simply electing to withdraw a child from school would not constitute an unexpected emergency in the usual case.

15. If an employee elects to withdraw their child from school because they are in a high-risk category does the business have to give them paid carer's leave?

This is a different issue to the one in question 14.

If the child was immune compromised, have a cardio vascular issue or some other similar high-risk group (but not actually ill or injured) then the current situation would likely be an unexpected emergency and an employee may take carer's leave to provide care or support to an immediate family or household member, where the care or support is required because of an unexpected emergency.

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16.

For Award Free employees, an employer may require them to take a period of paid annual leave if the requirement is reasonable.

The Fair Work Act notes that it may be reasonable if the employee has accrued an excessive amount of annual leave. We would recommend that strong guidance can be taken from the

If redundancies are implemented, you must consider your obligation to provide:

- redundancy pay;
- notice of termination (or payment in lieu); and
- other statutory or contractual entitlements.

19.

From 12:00am on 26 March, these restrictions will extend to the following facilities:

- food courts (except for take away)
- auction houses, real estate auctions and open houses
- personal services (beauty, nail, tanning, waxing and tattoo salons)
- Spa and massage parlours, excluding health related services such as physiotherapy
- amusement parks, arcades and play centres (indoor and outdoor)
- Strip clubs, brothels and sex on premises venues.
- galleries, national institutions, historic sites and museums
- Health clubs, fitness centres, yoga, barre and spin facilities, saunas, bathhouses and wellness centres and swimming pools
- community facilities such as community halls, libraries and youth centres, RSL and PCYC
- Gaming and gambling venues
- Indoor and outdoor markets (excluding food markets). States and territories will make their own announcements about this.

22. If Qantas can stand international flight employees down without pay surely my business can stand employees down without pay?

23.

Options to consider

30. What more creative things might I do to get through this with my employees?

There are a lot of things that might be worth considering at different times. For instance:

- Split rosters to reduce who is in the office at any one time.
- Working from home.
- Moving to virtual meetings with customers or clients.
- Incentivising annual leave; “take thee weeeeeee”
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These questions are intended to help you navigate this difficult time and decide what is right for your business. Please get in touch if you have a specific question or are uncertain with anything mentioned above.



NIGEL WARD
CEO AND DIRECTOR
02 9458 7286 | 0405 539 172
nigel.ward@ablawyers.com.au



JOE MURPHY
MANAGING DIRECTOR
- NATIONAL WORKPLACE
02 9458 7034 | 0407 045 189
joe.murphy@ablawyers.com.au



LUIS IZZO
MANAGING DIRECTOR
- SYDNEY WORKPLACE
02 9458 7640 | 0408 109 622
luis.izzo@ablawyers.com.au



DIANNE HOLLYOAK
DIRECTOR
07 3218 0960 | 0418 691 104
dianne.hollyoak@ablawyers.com.au



KYLE SCOTT
ASSOCIATE DIRECTOR
02 4989 1010 | 0422 286 133
kyle.scott@ablawyers.com.au



LOUISE HOGG
ASSOCIATE DIRECTOR
07 3218 0905 | 0427 364 223
louise.hogg@ablawyers.com.au