

## FREQUENTLY ASKED QUESTIONS FACE COVERINGS, MASKS AND SHIELDS/VISORS

This information sheet will provide Members guidance about the use of face coverings, masks and shields/visors in their workplaces.

### ***What are the benefits of using a face covering?***

The Australian Government and the World Health Organisation have recommended the use of face coverings as they provide an added layer of protection to individuals and helps reduce community transmission.

### ***Do my employees have to use a face covering, mask or shield/visor?***

Your employees are not obligated to use a face covering, mask or shield/visor in the workplace unless you have directed them to do so.

However, in Victoria (Metropolitan and Michell Shire only), all employees must use a face covering as directed by the State Government, which commenced after 11:59pm, 22 July 2020. The Department of Health and Human Services has noted that a “fine of \$200 may be issued to people who do not wear a face covering and do not have a valid reason for exception.”

Some employees may have exceptional circumstances that prohibit them from wearing a face covering, mask or shield/visor. If an employee advises you that they cannot follow your direction, request evidence in support from the employee.

### ***How can I direct my employees to use a face covering, mask or shield/visor?***

You can direct your employees to use face covering, mask or shield/visor provided such instruction is *lawful and reasonable*. Please utilise the available policy in our website.

To implement the policy in your workplace, please follow the below steps:

- notify your employees and their representatives who will be affected by the proposed policy;
- discuss with your employees and their representatives the changes;
- ensure that you give adequate consideration to the views and concerns raised by your employees and their representatives; and
- after consulting with your employees and their representatives, provide them in writing:
  - the nature of the changes,
  - the effects of the changes on them, and
  - the methods you will take to reduce or mitigate the negative effects of the changes.

**Disclaimer:** The above is intended to provide general information in summary form. The contents do not contain specific legal advice and should not be relied upon as such. Formal specific advice should be sought by members with respect to particular matters. © Master Grocers Australia

When considering the views and concerns of your employees and their representatives, you are not obligated to implement their suggestions and you do not have to get their consent to implement the policy.

If you have a registered enterprise or collective agreement in your business, a different consultation process may apply.

***My employees are choosing to disobey my or the Government's directions, what can I do?***

Whether you have directed your employees to wear a face covering or the Government has mandated their use, if an employee fails to abide by such direction, they may be subject to disciplinary action.

The extent of the action depends on the circumstances, so please contact MGA on (03) 9824 4111 or 1800 888 479 and speak to the Legal and IR team.

***Who is responsible for the purchase and supply of a face covering?***

In Victoria (Metropolitan and Mitchell Shire), individuals are responsible for the purchase and supply of a face covering.

If you choose to implement a policy (whether in Victoria or otherwise), we encourage you to consider providing face masks to your employees, in light of employer obligations to provide a safe working environment.

***My employees are using face coverings that are inappropriate for the workplace, what can I do?***

"Face coverings" are not defined by law and can be a bandanna or even a scarf. However, should an employee wear a face covering that is inappropriate for the workplace, they may be subject to disciplinary action, particularly if they are in breach of the business' dress code policy.

A face mask policy may assist in ensuring consistency amongst employees.

The extent of the action depends on the circumstances, so please contact MGA on (03) 9824 4111 or 1800 888 479 and speak to the Legal and IR team.

If you wish to maintain a standard of face coverings in the workplace, we can assist you to amend MGA's provided policy.