

Member Alert – The Coronavirus (COVID–19)

This information sheet provides guidance and frequently asked questions regarding the effect of COVID–19 on members' staff and their entitlements.

Overview

The COVID–19 is the most recently discovered (December 2019, Wuhan, China) type of the coronavirus family and causes an illness in animals and humans.

The Department of Health has released an information sheet about the COVID–19, how it spreads, who is at risk and what can be done to prevent its further spread, which can be accessed by [clicking here](#).

Information for Employers

1. Do I need a pandemic plan in my business?

- a. Given the recent widespread of the diseases and increase in numbers of those infected, we strongly recommend the implementation of an infectious disease or pandemic plan.
- b. The plan should set out how the business will deal with its operations and what safety measures will be implemented.

2. What are my workplace, health and safety (WH&S) obligations?

- a. Your WH&S obligations require you to inform your employees about any health and safety issues in the workplace.
- b. Since the COVID–19 may impact your employees' health and safety, you should provide them regular updates.
- c. You can utilise the information released through the Department of Health's or the World Health's Organisation's website.
- d. You should consider taking this opportunity to refresh your employees' memories of good hygiene practices and precautions. You should:
 - i. re-train and re-educate your employees on or implement a hygiene policy;
 - ii. display signage about regular and thorough handwashing;
 - iii. place hand sanitiser dispensers or ensure there is plenty of handwash, disposable paper towels, tissues, closed-bins, anti-bacterial wipes around the business;
 - iv. display signage about coughing and sneezing etiquette, which should be done into one's elbows and not hands; and
 - v. request from all employees to notify the business of their recent travel to an affected area since December 2019 and whether they are suffering or have suffered from some or all of the symptoms of COVID–19.

3. An employee is exhibiting symptoms of the COVID-19, what should I do?

- a. If the employee is yet to attend the business, he or she should be reminded that they should not present at work if they are unwell and to exercise paid sick leave (if available).
- b. If an employee is exhibiting the COVID-19's symptoms at work, he or she should be asked to seek medical attention immediately, to exercise paid sick leave (if available) and provide a medical clearance upon their return.

4. An employee will be going on leave to a declared affected area, what should I do?

- a. An employee going on annual leave to a declared affected area will exercise annual leave (if available) or leave without pay (if authorised).
- b. You may discuss with the employee the possibility of cancelling or postponing their trip, particularly in light of refund policies potentially changing as the COVID-19 moves towards the status of a "pandemic".

5. An employee has returned from a declared affected area or is stuck overseas or is required to be quarantined, what should I do?

- a. If the area is declared restricted by the Australian Government (currently China, Iran and South Korea) or an employee is required to be quarantined under directions of the Australian Government or the employee is stuck overseas, then the business may rely on the stand down provisions of the *Fair Work Act 2009* (Cth).
- b. Standing down employees is without pay; however, the business must show that the employee cannot be usefully employed due to circumstances that are outside its control. Before standing down employees without pay, alternatives should first be considered such as allowing the employee to work from home (if possible) or exercising annual leave.

6. An employee has returned from a non-declared affected area, what should I do?

- a. If the area is not declared restricted by the Australian Government, but you are concerned about the employee's wellbeing, you should request a medical clearance first and to have them not work during the risk period. However, by directing a permanent (full or part time) employee not to work, he or she may be entitled to be paid during such period.

7. An employee wants to stay at home as a precaution, even though they are not sick, what should I do?

- a. Such employee can request to work from home (if possible) or exercise either paid leave or leave without pay (if authorised). All leave applications must be treated in line with the business' internal policies/procedures.

Please note that there may be further rules that apply to you under a Modern Award, registered Enterprise Agreement or contract of employment that requires consideration in addition to the above.

For more information, please contact MGA's Legal and IR team on **(03) 9824 4111** or **1800 888 479**, extension 1.