



CIRCULAR: GEN/092/NAT/092/20
DATE: 17 March 2020
SUBJECT: COVID-19 – Update # 2
ATTENTION: All Relevant Managers

The purpose of this circular is to provide you with further advice, following on from our circular of last Friday (**attached**), in respect of the proactive action(s) that have been taken by both the Federal & State governments to assist to mitigate the spread of COVID-19 within Australia.

Travel restrictions and advice

On 15 March 2020 the Federal Government announced:

- **all travellers into Australia will be required to self-isolate for 14 days;**
- a ban on cruise liners from foreign ports arriving at Australian ports for 30 days.

The above follows the earlier restrictions and bans imposed on travellers into Australia from mainland China, Iran, the Republic of Korea and Italy in February and early March 2020.

Current travel restrictions can be viewed online at the [Department of Home Affairs website](#).

Further to the above, Australia's [smartraveller website](#) recommends that all Australians **reconsider the need for any overseas travel**, based on two principal reasons:

1. There may be a higher risk of contracting COVID-19 overseas, including by coming in contact with more people than usual, during long-haul flights and in crowded airports. Health care systems in some countries are under strain and may not be as well-equipped as Australia's or have the capacity to support foreigners. Australians may not have their normal support networks overseas.
2. Overseas travel has become more complex and unpredictable. Many countries are introducing entry or movement restrictions. These are changing often and quickly. Travel plans may be disrupted. Australian travellers may be placed in quarantine or denied entry to some countries, and will need to self-quarantine on return to Australia.

Declarations by state/territory governments

[A state of emergency was declared in Victoria](#) effective noon Monday 16 March 2020, for (at this stage) a period of 4 weeks. The declaration gives the Victoria's chief health officer the power to quarantine groups of people or place areas under social distancing measures, and provides the State with the ability to enforce a ban on gatherings of more than 500 people and a mandatory 14-day self-isolation period for those returning to the country from overseas and impose fine of up to \$20,000 for individuals and \$100,000 for body corporates who fail to comply.

Similar declarations have also been made in Western Australia, South Australia and [ACT](#), whose governments have declared public health emergencies enabling them to take direct measures to enforce the social distancing recommendations.

[New South Wales has issued an order under the Public Health Act](#) to force the immediate cancellation of major events with more than 500 people. Individuals who fail to comply could face up to six months in prison or a fine of up to \$11,000, or both - Corporations face even harsher fines. While the [Queensland](#) and [Tasmanian](#) governments intends to rely upon local public health laws to allow those states to impose detention and/or fines on persons failing to comply with self-isolation requirements.

Recommendations

In light of the above we recommend that employers:

1. ***strongly reconsider any critical overseas business travel and cancel all non-critical international business travel.***
2. confirm their expectations of staff about to embark on voluntary overseas travel, in respect of their return.

For example, flag that, subject to ongoing health and travel advice, the employee is required by the Australian government to self-isolate prior to returning to work and that communication as to the employee's situation is expected immediately on their return; or expected return, to Australia.

While an employer cannot direct an employee not to travel overseas during any annual leave period, the employee should be made plainly aware of the circumstances in place with regard to the need to self-isolate on their return, including for the employee to be stood down without pay during such time.

In line with the Federal Government's directives, staff who are returning to Australia from overseas:

- Must not attend at work and must self- isolate for the mandatory (current 14 day) period;
- Should be directed to obtain appropriate medical clearance before returning to work; and
- Should be directed to comply with the notification requirements of the employer.

Whilst state and territory declarations have not resulted in school closures, employers should also be prepared for and engage with staff who, as a result of their caring responsibilities look to make a flexible working arrangement request and/or access leave under the National Employment Standards.

Full and part-time employees who can't come to work because they are sick, or caring for an immediate family or household member who is sick; or who are in self-isolation can access their accrued personal (sick/carer's) leave. Casual employees or full-time and part time- staff who have exhausted their accrued personal leave balance, are entitled to 2 days of unpaid carer's leave per occasion.

Whilst flexible work requests do not 'entitle' any employee to work from home or remotely to enable them to provide care for their child and continue to work concurrently, such requests should be managed carefully in accordance with the requirements set out at section 65 of the *Fair Work Act 2009* (Cth).

In the current climate employers and employees may also agree for full and part-time employees to access accrued annual leave (and in certain circumstances long service leave) to cover their absence.

The Information provided in this e-mail is generic advice. If you would like advice in respect of your specific situation, please contact the SIAG National Advisory Service on 03 9644 1400 or 1300 (SIAG HR) / 1300 742 447.



Brian Cook
Managing Director

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