

CORONAVIRUS (COVID-19) AND THE WORKPLACE

COVID-19 is a health and safety risk. Employers have obligations to ensure the health and safety of workers and others. They must have a plan on what will be done to protect and support workers and workers and health and safety representatives (HSRs) must be consulted on this plan.

We know that the best way to protect workers and the public is to:

1. Make sure anyone returning from overseas self-quarantines as required.
2. Identify those who are potentially infected early and support them to isolate whilst waiting for test results
3. Minimise the potential of spread, isolate and support those who are at higher risk for COVID-19. For example, close contact of someone with COVID-19 or someone who has returned from travel in certain locations
4. Quarantine and support those who are infected early until they are healthy and no longer contagious (for at least 14 days).

Why is support important?

It is essential that workers are supported to take the measures necessary to help control the spread of the virus. Workers who are not supported to isolate are at great risk of not identifying themselves. **All workers need access to paid special leave and be supported to identify potential exposure and isolate at home.**

The ASU supports the ACTU call for 2 weeks paid special leave to be granted to any worker impacted by COVID-19 that is required to isolate or is unable to work.

Work, Health and Safety Laws are clear [WHS Act s47-49, Victoria OHS Act s35-36,] employers must consult with Health and Safety Representatives and workers.

A workplace plan for dealing with COVID-19 must include the following:

- the information, training and support and local measures for infection control including:
 - o appropriate hygiene,
 - o social distancing and isolation, and
 - o work from home arrangement where practicable

- o how to report any concerns in a way that encourages workers reporting and ensures they are not discriminated against or suffer any adverse consequences Supporting workers to take the necessary precautions is essential. Misinformation or the poor or adverse treatment of workers identifying exposure will increase the risk of spread

- arrangements for those required to be away from work, as a result of infection control measures.
 - o paid special leave for confirmed cases,
 - o paid special leave for self-isolation as a result of contact with confirmed cases, or whilst awaiting test results
 - o paid special leave for self-isolation if returning from travel to certain locations
- what to do if there is a suspected case or a person with COVID-19 has been at the workplace. In some circumstances this will require relocating workers from the impacted area until a deep clean is undertaken
- the contingency plans for leave, reallocation and re-organisation of work, if health authorities shut down schools, public events, work sites to ensure workers can meet requirements to care for children or other dependent family members.

There are sectors within ASU membership where the Plan will need to have more precise arrangements; for example

- Health and community sector and cleaners – All of these workplaces must practice universal infection control measures. All workers should have been trained and have access to the appropriate protective equipment and appropriate free testing.
- Public facing workers – Workers dealing with public, who are at increased risk of exposure and will be likely to be very anxious, are provided with a working environment free from harassment and bullying, are supported at their workplace to minimise the effects of heightened anxiety and aggression from clients and customers. Employers are required to ensure their health, including psychological health, and further steps may be required to ensure that psychosocial hazards are identified and controlled appropriate.

Legally, consultation on Work Health and Safety is not just talking –workers and Health and Safety Representatives' views must considered before a decision is made.

Information—to all workers and everyone who is in the workplace,

1. Provide information and training – clear, concise health information needs to be easily available, in many forms and languages e.g. posters, leaflets, emails, small video clips.
2. Work must make it easy for everyone to practice good hygiene
 - a. easy access to water and soap
 - b. easy access to hand sanitisers (60% alcohol)
 - c. easy access to rubbish disposal for tissues, disposable hand towels [hand dryers are not recommended]
 - d. household disinfectant for hard surfaces especially where members public are involved.
3. What to do if a “suspected or confirmed case” has been in the workplace. Contact with a confirmed or suspected case may require people to go into self-isolation and to seek medical assistance. However, casual contact, where there has been less than 15 minutes face-to-face contact or less than 2 hours in a shared closed space with the symptomatic person, will only require them to monitor their health.

Employers have a duty to provide and maintain a working environment that is safe and without risks to the health of employees. This includes identifying risks to health or safety associated with potential exposure to the coronavirus.

With this in mind, employers may request that you stay home or seek medical clearance before returning to work (due to perceived or real risk). However, they must continue to pay you and you are not required to take sick leave or any other form of leave. Of course, if you are subsequently diagnosed with coronavirus, that’s what your sick leave entitlements are for, so you would take sick leave, just as you would if you contracted the flu.

The ASU will advocate for workers’ health and safety foremost, along with maintenance of rights, entitlements and job security.

Information on what to do if people are feeling unwell

Employers have a duty to monitor conditions at work, this includes making sure people know how to report and what to do if they are feeling unwell.

First Aiders and First Aid Kits

First Aiders are likely to be asked for general health information and should ensure they are practicing infection control measures when giving first aid.

Contingency plans

Preparedness and making information available to everyone improves infection control, decreases stress and anxiety and helps everyone make plans. This will be exceptionally important if health authorities shut down schools, public events, work sites etc.

Influenza vaccines

The risk of COVID-19 will start to coincide with the flu season. There is no vaccine for COVID-19 but there is one for Influenza. Employers need to be making arrangements to provide the flu vaccine free of charge – it is likely to become available during April 2020.

Workers and HSRs have rights

If your employer does not do all of the above, then workers HSRs need to consider exercising their rights to:

- Get information from the employer and health authorities [WHS Act s68; OHS Act s21]
- Request review of control measures [WHS Regs 38; OHS Act s21]
- Get outside assistance such as contacting your union [WHS Act s68; OHS Act s58]
- HSRs may consider issue a Provisional Improvement Notice (PIN) about lack of consultation or effective measures to control COVID-19 in their workplace [WHS Act s90; OHS Act s60]
- Cease work [WHS Act s85; OHS Act s74]

For further information please contact:

ASU Member Contact Centre | 1300 855 570 | info@asuvictas.com.au

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