

# AUSTRALIAN SERVICES UNION

## LOCAL GOVERNMENT & ENERGY DELEGATES CONFERENCE 2020

### EBA MODEL CLAUSE - INFECTIOUS DISEASE LEAVE

An employee will be granted paid leave for any period where:

- They are compulsorily isolated,
- They are required to care for a dependent or member of their household,
- They are directed to not attend work or prevented from attending work,
- They are required to care for dependents due to a closure of a school or childcare center, in relation to a notifiable disease.

#### **Exposure during course of their duties**

Where a medical practitioner certifies that an employee has contracted an illness as a direct result of exposure to a prescribed infectious disease during the course of their duties, the employee may be granted paid leave of up to three months without deduction from personal leave.

#### **Exclusion from the workplace due to legal restrictions**

Where an employee is unable to attend for duty due to restrictions imposed by law as a result of contact with a person suffering from an infectious disease, the employee may be granted leave with full pay without deduction from personal leave credits for the period the law requires that employee to be absent from duty.

#### **At risk employees**

For an employee who may be at greater risk of contracting an infectious disease (for example, a person who has a known immune deficiency) they should be advised to seek advice from their medical practitioner in relation to the risks associated with contracting the particular infectious disease.

If the medical practitioner advises that there is an unacceptable risk, Council is required to take steps to remove the person to a safe work location. When it is not possible to relocate the person to a safe work environment, the Council will provide paid leave pay without deduction from personal leave credits for the period that the employee is absent from duty.

#### **Workers' Compensation and infectious diseases**

None of the above precludes an employee from making a claim for workers' compensation in the event of contracting an infectious disease in the course of performing duties. In such circumstances, the employee must apply for infectious diseases leave in addition to lodging a workers' compensation claim.



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