



1.2.7 COVID-19 Leave

Type:	Office of the CEO – Human Resources
Legislation:	Local Government Industry Award 2010
Delegation:	
Other Related Document:	

Objective

The objective of this Policy is to outline the terms and conditions associated with leave related to the COVID-19 pandemic. This policy covers provisions that are in addition to other leave provisions prescribed by the National Employment Standards and the *Local Government Industry Award 2010*.

Policy Scope

This Policy is intended to supplement employment conditions contained in awards, and legislation but not to override them. To ascertain the rights and responsibilities of both the Town of East Fremantle (the Town) and employees, the parties should always refer to the primary documentation, e.g. *Local Government Industry Award 2010*.

Policy

COVID-19 Leave is being introduced to provide an additional level of assistance for employees who are affected by the COVID-19 pandemic.

With respect to workforce flexibilities available to the Town's permanent and fixed term employees, the Town will adopt the following:-

The Town will grant up to two weeks (10 working days) pro-rata of paid COVID-19 Leave to permanent employees who:

1. *have exhausted all accrued personal/sick leave and who provide evidence that:*
 - *they have tested positive to COVID-19; or*
 - *they are required to self-isolate based on an Australian Government or Health Department directive due to COVID-19; or*
 - *they are required to be the primary care giver (establishing the type of care giver role to be undertaken) for another person who has COVID-19 or is required to self-isolate and is a dependent of the employee;*
 - *cannot access school or other care arrangements because of COVID-19.*
2. *are required to self isolate based on an Australian Government or Health Department directive, whilst awaiting results of a COVID-19 test. Should a positive test result be delivered, the employee is to exhaust all personal/sick leave prior to accessing further COVID-19 leave.*

The above would not apply to casual employees.

The CEO has discretion to approve additional COVID-19 leave based on extenuating circumstances.

The Town will take a pragmatic approach to evidence requirements informed by current information about health risks and the like.

Evidence to support a claim for COVID-19 Leave includes medical evidence and/or a Statutory Declaration confirming the requirements for COVID-19 Leave to be used.

In situations concerned with being the primary care giver, employees may be asked to provide a documented explanation of the circumstances along with other evidence.

Employees may access a combination of existing leave provisions required during the pandemic, which include:

- i. Annual Leave
- ii. Personal/Sick Leave
- iii. Long Service Leave
- iv. Rostered Day Off accruals
- v. Compassionate Leave
- vi. Public Service Holidays
- vii. Unpaid Leave.

Employees who may be at higher risk than the general population in respect to COVID-19 are encouraged to continue to work, or work from home where possible.

Nothing in this policy prevents the CEO from amending work arrangements of staff in line with the Town's Business Continuity Plan and Commonwealth or State Government direction.

COVID-19 Leave will be calculated based upon the employee's contracted ordinary hours in a two week pay period in their substantive position, excluding any additional penalties, rates, allowances, overtime, etc.

National Lockdown

Should the Federal Government provide a directive that all activities are to stop (national lockdown), all permanent and part time staff (excluding casuals) that cannot work from home due to their duties (ie gardeners) will be stood down and paid at their ordinary rate (wage standard) for a period of up to 4 weeks, after which time a review will be undertaken in relation to on-going payments.

General

- COVID-19 Leave does not apply to casuals.
- Employees who are sick (excluding COVID-19) can access existing personal or sick leave entitlements.
- Employees are expected to attend work or notify the employer of reasons for not attending. Employees not attending work without notification will be deemed to be on leave without pay.
- Employees found to not have adhered to self-isolation or other requirements related to the pandemic situation may be excluded from accessing COVID-19 Leave, or be required to reimburse it to the Town if confirmed it was not used for its intended purpose
- The CEO reserves the right to make the final decision on the application of the Policy.
- This Policy remain in force until further notice and may be amended or ceased by the Town at any time.

Responsible Directorate:	Office of the Chief Executive Officer
Reviewing Officer:	Chief Executive Officer
Decision making Authority:	Council
Policy Adopted:	21/4/20
Policy Amended/Reviewed:	