

# Working through the COVID-19 crisis

Immediately addressing risks of exposure and spread

Effective and lawful management of staff throughout the crisis

Implementing measures to ensure business continuity

Addressing & mitigating post-crisis risks

**Reasonable steps by business** to meet WHS duties:

- ensure the workspace and equipment are clean & hygienic
- monitor government sources for updates
- clear lines of communication with staff
- direct staff on risk management practices, including remote working and hygiene
- plan for staff shortages, service outages
- access support services, including mental health
- direct domestic/international travel
- review and implement health and safety regulator recommendations

**Reasonable steps by workers:**

- take care of own and others' health and safety
- comply with business directions (including policies)
- practice good hygiene (hands, cough, sneeze)
- observe "social distance"
- if symptomatic, seek medical help
- immediately inform business if they are a COVID-19 risk

Employees can be **effectively managed** by:

- addressing inappropriate behaviour, including with policies, and investigations (remotely if required)
- issuing and enforcing clear guidelines about when to attend work and when to work remotely, the use of leave entitlements (including notice and evidence requirements), permitted travel (work and non-work)
- ensuring there is a remote working policy which addresses: online access, WHS, intellectual property, confidentiality of information and security of IT systems
- supporting COVID-19 workers compensation claims
- complying with privacy requirements for sensitive information, such as medical info or domestic violence
- ensuring that there is no wage theft or underpayments

**Labour force measures** (with notice, consultation and agreement as required) to support business continuity:

- forgo bonuses and salary, especially senior staff
- decrease costs - changes in rostering, reduced hours and overtime prohibitions
- move staff to respond to demand
- stand down employees for part/fixed periods
- use accrued leave - offer special paid leave

Consider reducing **contingent workforce**, including labour hire and contractors and casuals

**Implement redundancies** – lawful selection, notice and consultation, fair process and correct redundancy and termination payments. Notify Centrelink and representatives.

**Commercial measures:**

- consider "force majeure" clauses in supply chain agreements and alternative suppliers
- review insurance coverage for business
- more generous payment terms for clients
- liaise with bank regarding credit and loans
- consider lease for business premises and liaise with landlord regarding approach to rent default

Employers can take steps to **mitigate post-crisis risks:**

- audit payroll to ensure correct payments of entitlements and wages during the crisis (and address grievances)
- implement PR measures to promote positive publicity around steps taken during crisis, i.e. special paid leave, no redundancies, correct payment of entitlements
- plan around scaling back remote working, including managing any potential ill-injured worker issues
- address underperformance issues in remote workforce
- implement social and workplace re-engagement plans with staff
- restructuring – layoffs, rehiring and increasing contingent workforce