

Employee leave arrangements during a health crisis

Legal information for community organisations

This fact sheet covers:

- ▶ principles to guide your organisation when considering employee leave arrangements during a health crisis, like the COVID-19 pandemic
- ▶ options to manage employee leave arrangements, including granting special leave
- ▶ different scenarios that your organisation may face in a health crisis
- ▶ links to government financial support



Note

This fact sheet provides information on managing employee leave arrangements during a health crisis. This information is intended as a guide only, and is not legal advice. If you or your organisation has a specific legal issue, you should seek legal advice before making a decision about what to do.

Please refer to the [full disclaimer](#) that applies to this fact sheet.

Principles to guide your decision making

Decide on principles to help you manage staff and refer to these to explain your decision-making to employees. **For example:**

- Staff should work from home if possible
- Managers will need to work with staff to agree on flexible arrangements (such as flexible working hours for staff responsible for caring for young children or elderly family members)
- Managers will need to be more flexible when considering requests for leave

Another option to consider – grant one week of ‘special leave’

This is a one-off additional week of paid leave. You could stipulate that:

- the week of special leave can only be accessed once by an employee, and
- an employee can’t take the paid special leave when caring for someone else and then again if infected themselves (or any other combinations of circumstances)

The employee will need to consider this when deciding when to access the paid special leave.

Scenarios you may have to consider

When your organisation faces a health crisis like the one posed by COVID-19, you may have to consider any of the following scenarios:

Scenario	Leave options
An employee is infected or suspected to be infected with COVID-19	<p>The employee should take personal leave. If this is exhausted:</p> <ul style="list-style-type: none"> • if an option – they may elect to take one week of special paid leave • they may elect to take annual leave • they may elect to take long service leave (if they are eligible for this), or • they may elect to take leave without pay <p>A medical certificate at the expiry of the self-isolation period will be required before they return to work with colleagues</p>
An employee is caring for someone infected with COVID-19	<p>Consider whether the person wants to and is able to work from home (either for their normal hours or as a temporary flexible work arrangement).</p> <p>If the person doesn't want to or is not able to work from home, or the person is not working their normal hours, the employee should take personal leave. If this is exhausted:</p> <ul style="list-style-type: none"> • if an option – they may elect to take one week of special paid leave • they may elect to apply for annual leave • they may elect to apply for long service leave (if they are eligible for this), or • they may elect to apply for leave without pay <p>If this is an option – The person may also be eligible for compassionate leave for each occasion if a member of the employee's immediate family or household has a life threatening illness or injury.</p> <p>A medical certificate on the expiry of the self-isolation period will be required before they return to work with colleagues</p>
An employee is required to care for another who is not infected (for example, because of school or child care closure)	<p>The employee should work from home if possible.</p> <p>If this isn't possible, the employee should take personal leave. If this is exhausted:</p> <ul style="list-style-type: none"> • if an option – they may elect to take one week of special paid leave • they may elect to apply for annual leave • they may elect to apply for long service leave (if they are eligible for this), or • they may elect to apply for leave without pay
An employee is: <ul style="list-style-type: none"> • unable to return from overseas or interstate • required to self-isolate under health-directions, or • has been in contact with someone who has or may have been infected with COVID-19 	<p>The employee should work from home if possible.</p> <p>If the person is cleared by a doctor they can return to work. If not, the employee should take personal leave. If this is exhausted:</p> <ul style="list-style-type: none"> • if an option – they may elect to take one week of special paid leave • they may elect to apply for annual leave • they may elect to apply for long service leave (if they are eligible for this), or • they may elect to apply for leave without pay

Government financial support

In June 2021, the **Federal Government** introduced a temporary COVID disaster payment, to be administered by Services Australia.

See the [Service Australia website](#) for more information about payments that may be available, as well as the state links below.



State and territory government financial support

- **Victoria** – [Financial and other support for COVID-19](#)
- **New South Wales** – [COVID-19 financial support for individuals and households](#)
- **South Australia** – [Financial support for individuals](#)
- **Western Australia** – [COVID-19 coronavirus: Western Australian Government response](#)
- **Northern Territory** – [Coronavirus \(COVID-19\) Wellbeing support](#)
- **Queensland** – [Support for workers affected by coronavirus \(COVID-19\)](#)
- **Tasmania** – [Coronavirus disease \(COVID-19\) Individual grants](#)
- **ACT** – [COVID-19 Financial support](#)