

Responsible Directorate	Executive Services
Responsible Business Unit/s	People, Development and Wellbeing
Responsible Officer	Chief Executive Officer
Affected Business Units	All

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 2020.

Scope

This Policy is intended to supplement and summarise employment conditions contained in awards, legislation and enterprise agreements but not to override them. To ascertain the rights and responsibilities of both the Shire and employees, the parties should always refer to the primary documentation, e.g. Local Government Industry Award 2020.

Policy

1. COVID-19 Leave

1.1 Objective

This policy outlines the provision of additional paid leave for employees in response to the COVID-19 pandemic under circumstances where an absence from the usual workplace is unforeseen and the conditions under which it may be taken.

1.2 Policy

- a) Full Time and Part Time employees are entitled to up to 5 days COVID-19 leave (38 hoursⁱ for a full time employee, pro rata for part time employees) for each occasion following an applicable confirmed diagnosis of COVID-19, a positive PCR or Rapid Antigen Test or in the event that they are mandated to quarantine or self-isolate by the WA Department of Health in the case of exposure to a locally transmitted case. Other circumstances related to COVID-19 and the application of this leave may be granted or declined at the CEO's discretion. Each 'day' of COVID-19 leave will be calculated according to the rostered or ordinary hours an employee would have worked on that day.
- b) Working from home is encouraged where it is available and where you feel it is safe to do.
- c) COVID-19 leave will be available under the circumstances outlined in this policy as agreed by the CEO and Council.
- d) COVID-19 leave will not affect existing annual leave, personal leave or long service leave accruals.
- e) The following circumstances will provide access to COVID-19 leave:
 - i. Employees who have received a confirmed diagnosis of COVID-19.
 - ii. A direct member of the household where the employee permanently resides has received a confirmed diagnosis of COVID-19.



- iii. Employees who receive a confirmed diagnosis of COVID-19, may access the leave provisions of this policy in the first instance. If ongoing leave is required, employees may access existing personal or sick leave entitlements.
 - iv. Employees who are not sick but have been notified to self-isolate by the WA Department of Health or the Public Health Emergency Operations Centre due to being in close contact with a person who is positive. Leave will be approved on providing evidence of either a positive PCR or Rapid Antigen Test or confirmation notification to quarantine from the Department of Health.
- f) Leave will be approved on providing evidence of either a positive PCR or Rapid Antigen Test or confirmation of notification to quarantine from the Department of Health.
 - g) Employees will continue to be able to apply for all existing leave provisions as per the National Employment Standards, for all other leave required during the pandemic.
 - h) Employees who may be at higher risk due to illness or treatment making them more vulnerable than the general population in respect to COVID-19 are encouraged to work from home if their role provides for this, where possible. A choice not to be vaccinated against COVID-19 other than an exemption as recorded on the Australian Immunisation Register is not considered as vulnerable for the purposes of this Policy.
 - i) Nothing in this policy prevents the CEO from amending work arrangements of staff in line with the Shire's Business Continuity Plan and Commonwealth or State Government direction.
 - j) If employees are travelling outside of Western Australia, either interstate or international they need to monitor the WA Department of Health website for up-to-date information and will be required to ensure they have sufficient leave for any mandatory quarantining period before returning to work. Employees will be asked to provide details of planned trips outside of Western Australia to their managers to ensure contingency measures are in place in the event of the employee requiring unplanned time off.

1.3 Procedure

- a) Employees should read this policy and discuss it with their Manager and/or their People and Development representative.
- b) The employee requesting COVID-19 leave must submit a leave request through OneComm, and include the required evidence as outlined in 1.2 (g).
- c) A leave type is available for use in OneComm for COVID-19 leave.

Definitions

COVID-19 leave means to allow an employee to be paid while having time off from work as a direct result of an unforeseen COVID-19 related situation as outlined in the terms and conditions in this policy. Employees have access to 5 daysⁱⁱ COVID-19 leave (or pro-rated if part time).

long service leave means employee entitlement to Long Service Leave in accordance with the provisions of the Long Service Leave Regulations.



personal/carers leave means personal/carers leave covers both sick leave and carer's leave. Employees have access to 10 days per year, pro-rata.

Vulnerable person means someone who is medically vulnerable including:-

- Undergoing certain medical treatments including:-
 - immune suppressive therapy
 - chemotherapy
 - radiotherapy
 - immunotherapy
 - targeted anti-cancer therapy
- particular illnesses and conditions including respiratory illness and immune-suppress illnesses
- pregnancy.

Relevant Policies/Council Documents

- Business Operating Policy (BOP) 1.4.11 - Leave (National Employment Standards)

Legislation/Local Law Requirements

- *Fair Work Act 2008*
- *Local Government Industry Award 2020*

Office Use Only				
Relevant Delegations				
Council Adoption	Date	20/04/2020	Resolution #	OCM099/04/20
Reviewed/Modified	Date	21/02/2022	Resolution #	OCM030/02/22
Reviewed/Modified	Date		Resolution #	

ⁱ *Administrative note: When presented to Council, inconsistency in clause 1.2 (a) stated "Full Time and Part Time employees are entitled to up to 5 days COVID-19 leave (76 hours for a full time employee, pro rata for part time employees)."*

Additionally, Definitions: COVID-19 leave stated, "Employees have access to 10 days COVID-19 leave (or pro-rated if part time)."

For clarity, the specified period for COVID-19 Leave is up to 5 days (38 hours for a full time employee, pro rata for part time employees), approved by Council on 21/2/22. Inconsistencies in time periods were updated accordingly on 25/2/22.

ⁱⁱ *As per above.*