

Coronavirus (COVID-19): Advice for Employers

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Updated 20 March 2020

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Background

Australia is continuing to closely monitor an outbreak of respiratory illness caused by a novel (new) coronavirus (COVID-19).

On 11 March 2020, the World Health Organization ([WHO](#)) declared COVID-19 a pandemic (an infectious disease outbreak that spreads on a global scale).

Increasing cases of COVID-19 are now being confirmed in Australia. The situation is changing rapidly. You can access the latest information on COVID-19 from the Australian Government [Department of Health](#).

M [anaging the risks from COVID-19](#)

The model Work Health and Safety laws

The model Work Health and Safety (WHS) laws require employers * to ensure, so far as is reasonably practicable, the health and safety of their workers and others at the workplace. This includes providing and maintaining a work environment that is without risk to health and safety and adequate facilities for workers in carrying out their work, so far as is reasonably practicable.

To comply with the model WHS laws, you must identify risks at the workplace, and do what is reasonably practicable to eliminate those risks, or where this is not reasonably practicable, to minimise those risks.

Whether a control measure is reasonably practicable to implement involves considering what can be done to control a risk and whether it is reasonable in the circumstances to do so. Key considerations in determining what measures are reasonable include:

- the likelihood of the risk occurring
- the degree of harm that might result
- the availability and suitability of a control measure

The likelihood of the risk occurring, the degree of harm that might result and the availability and suitability of a control measure are key considerations in determining what measures are reasonable. Further information is available in the [model Code of Practice: Managing the work environment and facilities](#).

What should an employer do to protect workers and others at a workplace?

Under the model WHS laws, employers must have measures in place to eliminate or manage the risks arising from COVID-19.

To do this, you should keep up to date with the latest COVID-19 information and advice to ensure that any action taken is appropriate. This includes closely monitoring the information provided by the Australian Government [Department of Health](#), the [Smartraveller website](#) and advice from state or territory government agencies, including health departments and WHS regulators. See the Information and Resources section below for links to these agencies.

You will not be able to completely eliminate the risk of workers contracting COVID-19 while carrying out work. However you must do all that is reasonably practicable to minimise that risk.

What control measures will be reasonably practicable will depend on the work being carried out by workers and particular workplaces. Generally, you should:

- determine appropriate control measures in consultation with workers, their representatives and taking account of official information sources (see below for further information on consultation)
- implement those measures and clearly communicate them to all workers, including providing clear direction and guidance about what is expected of workers
 - workers should know when to stay away from the workplace
 - what action to take if they become unwell
 - what symptoms to be concerned about

- continually monitor relevant information sources and update control measures when and if necessary
- employers should continue to provide information to workers, including changes to control measures, as the situation develops
- provide workers with continued access to official government sources for current information and advice
- provide workers with appropriate personal protective equipment and facilities, and information and training on how and why they are required to use them
- require workers to practice good hygiene, including:
 - frequent hand washing
 - limiting contact with others, including through shaking hands
 - covering their mouths while coughing or sneezing
- require workers to stay away from the workplace if they are unwell and not fit for work, and encourage them to seek medical advice as appropriate
- seek advice from health authorities immediately if there has been a confirmed case of COVID-19 in your workplace
- limit access to the workplace by other people, unless necessary
- reconsider work-related travel and implement other methods of communication
 - for example, rather than requiring employees to undertake air travel to attend face to face meetings, facilitate attendance by tele or videoconference
- remind workers that they have a duty to take reasonable care for their own health and safety and to not adversely affect the health and safety of others
- provide workers with a point of contact to discuss their concerns, and access to support services, including employee assistance programs
- allow workers to access available entitlements in line with obligations under any applicable enterprise agreement, award, employees' contracts of employment, and workplace policies

For information about workplace entitlements and obligations, go to the Fair Work Ombudsman web page [Coronavirus and Australian workplace laws](#), or call the Fair Work Ombudsman on **13 13 94** - select the prompt for the Coronavirus hotline.

Do I have to consult my workers about measures I put in place to minimise the risk of COVID-19?

- When discussing health and safety matters with workers, a consultative approach must be taken to allow workers to express views before any decision is made.
- Participation of your workers in discussions about health and safety is important, as they are most likely to know about the risks of their work. Joint involvement in identifying hazards and assessing and controlling workplace risks will help build worker commitment to this process and any changes that may result.
- The [model Code of Practice: Work health and safety consultation, cooperation and coordination](#) can
 - you more information about your duties to consult.



What are my privacy obligations to workers?

The Office of the Australian Information Commissioner has published [guidance](#) on how to protect privacy while ensuring safety.

What should an employer do if they cannot get supplies of real or perceived necessities (e.g. hand sanitiser, masks)?

Under the [model WHS laws](#), employers must do everything that is reasonably practicable to eliminate the risk of a worker contracting COVID-19 at the workplace, or where this is not reasonably practicable, they must minimise the risk of a worker contracting COVID-19 at the workplace. This means employers must provide a work environment that is without risk to health and safety, including access to facilities for good hygiene such as adequate supply of soap, water and toilet paper; and make sure these are kept clean, properly stocked and in good working order.

If those supplies are not available, for the purposes of the [model WHS laws](#), it would not be reasonably practicable for an employer to provide them. For example:

- If there are no supplies of masks in Australia, an employer cannot be required, to provide a mask. In those circumstances, an employer should consider what alternative measures or approaches can be taken to eliminate or minimise risk.
- If there are no supplies of hand sanitiser, a [PCBU](#) should consider providing access to soap rather than hand sanitiser.

Ultimately however, if an employer is unable to obtain necessary supplies to provide a work environment that is without [risks](#), they should consider whether the [risks](#) posed to workers and others at the workplace are so great that workers should not be required to attend the workplace and perform work. This will need to be determined on a case by case basis.

Do workers need to wear surgical masks?

General COVID-19 information on surgical masks and who should use surgical mask has been published by the Australian Government [Department of Health](#). Current advice from Department of Health is that surgical masks in the community are only helpful in preventing people who have coronavirus disease from spreading it to others. Surgical masks are not currently recommended for healthy members of the public to prevent COVID-19.

My workers may come into close contact with suspected or confirmed cases of COVID-19. Should the workers use personal protective equipment (PPE)?

If a worker may come into close contact with suspected or confirmed cases of COVID-19, employers must put in place [control measures](#) to eliminate or minimise the risk of a worker contracting the virus so far as reasonably practicable.



Risk management may involve the use of personal protective equipment (PPE) including gloves, eye protection and face masks. However PPE must not be the only control measure that employers consider. By itself PPE will not control the transmission of COVID-19.

PPE should supplement higher level control measures such as isolation controls (e.g. Rideshare services requiring that passengers sit in the rear seat to maintain social distancing, or removing the requirement for people to sign for deliveries).

For further information on risk management, see the [model Code of Practice: How to manage work health and safety risks](#). For further information about PPE including additional employer obligations can be found at [personal protective equipment](#).

When can an employer direct a worker to stay away from their usual place of work under the model WHS laws?

There is nothing in the [model WHS laws](#) that deals expressly with when an employer may direct a worker to stay away from their usual place of work. This includes when you can direct a worker to work from another workplace, including from home. Note: the [model WHS laws](#) have been implemented in all jurisdictions except Victoria and Western Australia.

However, the [model WHS laws](#) require you, so far as is reasonably practicable, to ensure the health and safety of their workers and others at the workplace. To meet this duty, you must identify [risks](#) at the workplace, and do what is reasonably practicable to eliminate those [risks](#), or where this is not reasonably practicable, to minimise those [risks](#).

For example, you may undertake a risk assessment and form the view, based on all the available information from health authorities and having consulted with your workers, that an appropriate [control measure](#) to eliminate or minimise a risk to workers and/or other people at the usual workplace, is to require workers and other people to stay away from the usual place of work. Depending on the circumstances, you might also determine that it is appropriate for workers to work from another location, including their home.

For other employers this approach may not be reasonably practicable (e.g. a workplace that relies on specialised plant or equipment) but there might be other controls that would minimise the risk of infection such as implementing other forms of social distancing or delaying non-essential tasks. There is no one size fits all approach.

The important thing is that you actively consider the context of your business or undertaking, the specifics of your workplace and all the workers and others to whom you owe a [WHS duty](#) and take every step you reasonably can to eliminate or minimise any [risks](#) to health and safety.

Of course, if you know a worker is confirmed to have COVID-19, you should ensure that the worker does not return to work while they are infectious. If you notice a worker exhibiting other signs they may be unwell (e.g. frequent sneezing) and you consider they are unfit for work, you should follow your usual workplace [policy](#) and procedures. This may include directing the worker to go home.



What else should an employer take into account when deciding whether a worker or other people need to stay away from their usual place of work?

To inform any decisions about attendance at the usual place of work, you should:

- consult with affected workers and their representatives and, where relevant, Health and Safety Representatives
- consider what workplace or other laws might prevent the action being taken
- keep up-to-date with information about the risk and appropriate control measures such as official information sources and guidance materials
- seek advice specific to your circumstances, including from employee and employer organisations and legal providers

Sometimes controlling or minimising one risk to health and safety may mean that additional safety risks emerge that must also be eliminated or minimised. For example, if you direct workers to work from home, consider what other steps you may need to take to keep workers safe because your WHS duties will still apply if your workers are performing work at home. The [Managing the work environment and facilities Code of Practice](#) contains a work environment and facilities checklist (see Appendix B) that you may wish to use to ensure any alternate work environment and facilities are suitable.

What are the WHS risks an employer should consider if workers are working from home?

In Australia, the model WHS laws still apply to all businesses if workers are required to work somewhere other than their usual workplace, for example, working from home. In this instance employers must still ensure, so far as is reasonably practicable, the health and safety of their workers. The worker also has a responsibility to take reasonable care for his or her own health and safety, including complying with reasonable instruction given by the employer or any policy and procedures provided.

Even in challenging circumstances such as this pandemic there are still measures employers can take to minimise physical and psychosocial risks when workers are working from home. For example:

- providing workers with guidance on what a good workstation set-up looks like
- requiring workers to familiarise themselves with good ergonomic practices, and requiring them to comply with them, for example by referring to a self-assessment checklist
- maintaining daily communication with workers through phone, email or skype, and
- providing continued access to an employee assistance program and appointing a contact person in the business that workers can talk to about any concerns.

Working from home may change, increase or create work health or safety risks. Consultation with workers about working from home and the home environment is important.

Risks that an employer should consider include:



- workstation set up
- work hours and breaks
- physical environment such as heat, cold, lighting, electrical safety, home hygiene and home renovations
- psychosocial risks such as isolation, reduced social support from managers and colleagues, fatigue, online harassment, domestic violence.

For more information about how to work safely from home, please refer to the following links:

Comcare - [Telework](#)

New South Wales

- [Remote and isolated work](#) (includes those who work from home)
- [Design and layout of work environment](#)

Queensland

- [Safe telecommute to work](#)
- [Office ergonomics](#)
- [Setting up work stations](#)
- [Info sheet for working alone](#)

Victoria - [Using office areas](#)

Australian Capital Territory - [Home based work](#)

Northern Territory

- [Strata bodies and WHS](#)
- [Isolated work](#)

Western Australia

- [Office safety overview](#)
- [FAQ on working from home and use of mobile and laptop devices](#)
- [How to set up your workstation](#)
- [Toolkit and information resources](#)

Do workers or other people need to comply with a direction from an employer to stay away from their usual place of work?

The model WHS laws require workers and other people at workplaces to comply, so far as they are reasonably able, with a reasonable instruction given by an employer to allow the employer to comply with the WHS laws. This means that workers are required to comply with a direction by their employer to remain



away from their usual place of work, if they were reasonably able to and the instruction was reasonable in the circumstances.

Constant communication between you and your workers will help to ensure that everyone understands the policies and procedures you have put in place and what is required to keep all workers safe at work.

Can a worker refuse to come to work?

In some circumstances a worker has the right to stop or refuse to carry out unsafe work. A worker has this right to cease work if there is a reasonable concern that the worker would be exposed to a serious risk to their health and safety from an immediate or imminent hazard. A worker must inform you as soon as they can that they have ceased work. A worker must also then be available to carry out suitable alternative work, such as working from home.

Health and Safety Representatives (HSRs) can direct a worker in their work group to cease unsafe work. HSRs can do this if:

- they have a reasonable concern that a worker would be exposed to a serious risk to health and safety from an immediate or imminent hazard, and
- they have already consulted and attempted to resolve the issue with the business or undertaking for whom the workers are carrying out work (unless the risk is so serious and immediate or imminent that it is not reasonable to consult first).

HSRs must inform the workplace of any direction that has been given to cease unsafe work. HSRs can only direct that unsafe work cease if they have completed their initial training under the model WHS laws.

People at my workplace are feeling stressed and anxious because of COVID-19. How do I meet my work, health and safety duties when it comes to risks to psychological health?

The presence of COVID-19 in the community may create risks to psychological health through:

- risk of workplace exposure, or
- changes in work or duties because of the risks from COVID-19.

The presence of physical risks, such as work-related exposure to COVID-19, can cause work-related stress, as can changes in work such as high job demands and exposure to violence for health professionals and retail workers or low work demand for small businesses. Poor support and isolated work (e.g. if working at home) are other examples of risks you may need to manage.

If COVID-19 is creating a psychosocial risk in your workplace you, as an employer, have a duty to ensure, so far as is reasonably practicable, that workers and other people are not exposed to psychosocial health and safety risks that arise from your business.



Th psychosocial risks you need to manage are anything in the design or management of work that increases the risk of work-related stress. Stress itself is not a physical or psychological injury but if work-related stress is prolonged and/or severe it can cause both psychological and physical injury.

More information about work-related psychological health and safety and how to meet your duties can be found in the Safe Work Australia Guide: [Work-related psychological health and safety A systematic approach to meeting your duties](#).

Some of the most important steps you can take as an employer to eliminate or minimise workplace stress are to:

- be well informed as an employer with information gained through authoritative sources
- regularly communicate with workers and share relevant information as it comes to hand
- consult your workers on any risks to their psychological health and how these can be managed
- determine appropriate control measures taking account of official information sources and workplace consultation
- provide workers with a point of contact to discuss their concerns and to find workplace information in a central place
- inform workers about their entitlements if they become unfit for work or have caring responsibilities
- proactively support workers who you identify may be more at risk of workplace psychological injury (e.g. frontline workers or those working from home)
- Refer workers to appropriate channels to support workplace mental health and wellbeing such as employee assistance programs.

Seek assistance if you need to in order to maintain and promote a positive safety culture in your workplace. Find contact details for your state or territory work health and safety regulator on the [WHS authorities' contact information page](#).

Some resources about caring for mental health during the current outbreak include :

- Beyond Blue – [Looking after your mental health during the coronavirus outbreak](#)
- Australian Psychological Society – [Tips for coping with coronavirus anxiety](#)
- Headspace – [How to cope with stress related to coronavirus \(COVID-19\)](#)

Workers' Compensation and COVID-19

As a national policy body, Safe Work Australia does not have a role in determining coverage or eligibility for benefits in workers' compensation schemes. This is the responsibility of the Commonwealth, states and territories. Workers' compensation arrangements differ across schemes however there are common threshold requirements that would apply in the case of COVID-19:

- that the worker is covered by the scheme, either as an employee or a deemed worker
- that they have an injury, illness or disease of a kind covered by the scheme, and
- that their injury, illness or disease arose out of, or in the course of, their employment.



Connected to work-related injuries, it is more difficult to prove that a disease was contracted in, or caused by, particular employment. In the case of a virus such as COVID-19, establishing the time and place of contraction may become increasingly hard. Whilst the spread of COVID-19 is contained, it may be easier to establish whether contraction is work-related, for example, if in the course of their employment a worker travels to a high-risk area with a known viral outbreak or interacts with people who have contracted the virus. However, once the virus becomes more wide-spread in the local community, establishing the degree of contribution of a worker's employment to their contraction of the virus will inevitably be more difficult.

Whether a claim for workers' compensation for contracting COVID-19 is accepted will be a matter for the relevant workers' compensation authority, applying their jurisdictions' workers' compensation laws. Workers' compensation authorities will consider each claim on its merits, with regard to the individual circumstances and evidence.

Information from WHS regulators and workers' compensation authorities

WHS regulators are responsible for enforcing and regulating WHS laws.

Comcare - Comcare has issued [guidance for workers and employers](#) on work health and safety and workers' compensation in relation to the coronavirus outbreak. The information includes advice on WHS obligations, managing risks and compensation coverage.

SafeWork NSW - [Coronavirus](#)

Worksafe Victoria

- [WorkSafe Victoria - Preparing for pandemics](#)
- [WorkSafe Victoria - Exposure to coronavirus in workplaces](#)

Queensland - [WorkCover QLD- Coronavirus \(COVID-19\) workplace risk management](#)

Northern Territory - [NT Worksafe - Getting your workplace ready for COVID-19 \(Coronavirus\)](#)

NT WorkSafe - [advice on coronavirus \(COVID-19\)](#)

Tasmania - [WorkSafe Tasmania - Novel coronavirus \(COVID-19\)](#)

South Australia - [SafeWork SA - Coronavirus \(COVID-19\) workplace information](#)

Western Australia - [Coronavirus - What can be done to prepare for the possibility of a viral outbreak in the workplace](#)

State and territory health departments and other agencies

New South Wales

-  [Health - COVID-19](#)

- [V Health - Coronavirus FAQs](#)

Victoria - [Department of Health and Human Services - Coronavirus disease \(COVID-19\)](#)

Northern Territory - [Department of Health - Novel coronavirus \(COVID-19\) latest updates](#)

SecureNT - [Coronavirus \(COVID-19\) updates](#)

Australian Capital Territory - [ACT Health - Latest information about novel coronavirus \(COVID-19\) in the ACT](#)

Western Australia

- [Department of Health - Coronavirus \(COVID-19\)](#)
- [Department of Mines, Industry Regulation and safety - Novel coronavirus and absence from work](#)

Queensland - [Queensland Health - Novel coronavirus \(COVID-19\)](#)

South Australia - [SA Health - Coronavirus disease 2019 \(COVID-19\)](#)

Other sources

- [Australian Council of Trade Unions - Coronavirus updates](#)
- [Ai Group - Coronavirus – Preventing infection](#)
- [Fair Work Ombudsman – Coronavirus and Australian workplace laws](#)

World Health Organization

- [Coronavirus disease \(COVID-19\)](#)
- [Coronavirus disease advice for the public – Myth busters](#)

*Please note. To ensure this webpage is as accessible and easy to understand as possible this web-page talks about employer responsibilities. Under the [model WHS laws](#), duties apply to a broader range of people than just employers. Any person conducting a business or undertaking (PCBU) is covered by the [model WHS laws](#). For more information see the [Interpretive Guideline – model Work Health and Safety Act – the meaning of ‘person conducting a business or undertaking’](#).

Please note the [model WHS laws](#) have been implemented in all jurisdictions except Victoria and Western Australia. For information specific to your location of work, please contact the relevant [WHS regulator in your state or territory](#).

Downloads

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Document type: [Fact sheets](#)
Tag by Category: [Workers](#)
Tag by Topic: [Disease and illness](#)

This site is undergoing constant refinement. If you have noticed something that needs attention or have ideas for the site [please let us know](#).

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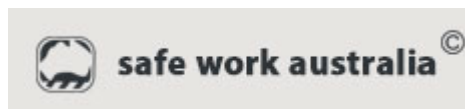
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