

# Preparing workers for COVID-19

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## [COVID-19 Information for workplaces](#)

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Preparing workplaces for COVID-19



### ▶ Preparing workers for COVID-19

What to do if a worker has COVID-19

Working from home

Mental health and COVID-19

Workers' compensation and COVID-19

COVID-19 Information for workers

COVID-19 Information for small business



National Statement of Regulatory Intent - COVID-19

Other WHS and workers' compensation resources

Staying informed about COVID-19

### On this page:

↓ [What emergency planning should employers do?](#)

↓ [What employers need to consult with workers?](#)

- ↓ **What privacy obligations do employers have?**
- ↓ **Do employers need to provide personal protective equipment?**
- ↓ **Can a worker be directed to wear a mask?**
- ↓ **Can a worker be directed not to wear a mask?**
- ↓ **Can an employer conduct temperature checks on workers or others?**
- ↓ **Can a worker refuse to work?**
- ↓ **Can an employer direct a worker to stay away from a workplace?**
- ↓ **What about workplace entitlements?**

Australia is continuing to closely monitor the outbreak of coronavirus (COVID-19).

Cases of the COVID-19 virus are increasing in Australia and the situation is changing rapidly. You can access the latest information from [australia.gov.au](https://australia.gov.au).

## What emergency planning should employers do?

You should have a plan for managing COVID-19, including when there is exposure to COVID-19 in your workplace. You should communicate this clearly and honestly with workers. Provide clear direction and guidance about what is expected of workers and update them when this changes.

Workers should know:

- when to stay away from the workplace
- what action to take if they become unwell, and
- what symptoms to be concerned about.

Workers should also know they have duties too – they must take reasonable care for their own health and safety, not adversely affect the health and safety of others and follow any reasonable policies and directions you have told them about. This includes staying away from the workplace if they may have contracted the COVID-19 virus.

Workers should also know who to talk to about their concerns – provide them with a point of contact, and if you can, access to support services, including employee assistance programs.

If you need help making a plan speak to your WHS regulator. Industry and employee representatives may also be able to help. A list of unions and employer associations is available from the [Fair Work Ombudsman](#).

## Do employers need to consult with workers?

You must consult with workers on health and safety matters relating to the COVID-19 virus. Allow workers to  ss views to you and take them into account before you make any decisions.

Workers are most likely to know about the risks of their work. Involving them will help build worker commitment to health and safety and increase understanding of any changes you need to make.

The [model Code of Practice: Work health and safety consultation, cooperation and coordination](#) can give you more information about your duties to consult.

## What privacy obligations do employers have?

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

## Do employers need to provide personal protective equipment?

You should provide workers with appropriate personal protective equipment (PPE) and facilities, and information and training on how and why they are required to use them.

PPE can include gloves, eye protection and face masks. For further information about PPE including additional employer obligations, go to the personal protective equipment webpage.

The Australian Government Department of Health has published [general COVID-19 information on surgical masks and who should use them](#).

## Can a worker be directed to wear a mask?

Workers can be directed to wear a P2 or N95 mask if the employer, in consultation with workers, considers it is a necessary control measure to minimise the risk of exposure to the COVID-19 virus.

Masks can be an effective control measure for workplaces such as hospitals, medical centres or aged care facilities where workers have frequent, close contact with sick or vulnerable people and might be exposed to respiratory substances (e.g. through coughs or sneezes). These workers are specially trained in how to fit, use and dispose appropriately of masks to ensure so that they are safe to use.

The Australian Government Department of Health advises that most other people will not benefit from wearing a mask as there is little evidence supporting the widespread use of surgical masks in healthy people to prevent transmission in public.

Employers should be aware that wearing a mask may give rise to new WHS risks. Workers required to wear a mask will need to be trained in how to wear, remove and dispose of masks, including performing [good hand hygiene](#) (washing hands with soap and water for at least 20 seconds) before fitting the mask and after taking it off. Masks also need to be maintained or replaced where necessary and stocked correctly.

Masks on their own will not control the COVID-19 virus. As with all other PPE, masks must be used in conjunction with other control measures such as [physical distancing](#) – keeping everyone at the workplace at least 1.5 metres physically apart.

## Can a worker be directed not to wear a mask?

So workers may want to wear a mask even though it does not offer protection, such as a surgical mask, and even if the employer has considered that it is an unnecessary control measure.

This is a stressful time for all Australians and some workers may be wearing the mask because they feel unsure or anxious about their health. Employers should consult with workers on this issue and find out why they want to wear a mask at work. Employers should also inform workers of the control measures that have been implemented in the workplace to minimise the worker's exposure to the COVID-19 virus.

Whether an employer can direct an employee not to wear a mask will depend on whether the direction is permitted by the model WHS laws or is otherwise lawful and reasonable. This will need to be determined on a case by case basis depending on the circumstances.

However, if a worker was working on their own at home and using their own masks, it would be unlikely the direction would be reasonable. Similarly, if the worker was a frontline health worker, a direction of this kind would also be unreasonable.

The important thing is that the employer has actively considered whether a mask is an appropriate control measure in minimising exposure to the COVID-19 virus and has done so in consultation with workers, and in combination with other reasonably practicable, known control measures such as [physical distancing](#) – keeping everyone at the workplace at least 1.5 metres physically apart.

## Can an employer conduct temperature checks on workers or others?

An employer may want to monitor the health of its workers (e.g. through administering temperature checks) as a preventative measure in managing a COVID-19 outbreak in their workplace. There may be times where this is lawful and reasonable, for example, where workers live together in accommodation such as FIFO or agricultural workers.

However, for many workplaces, there may be little benefit in conducting temperature checks on workers or others. This is because temperature checks will not tell an employer whether a person has COVID-19. It is possible that a person may be asymptomatic or be on medication that reduces their temperature. It is also possible that the person may have a temperature for another reason unrelated to COVID-19. An employer should implement known controls, such as [good hygiene measures](#), [physical distancing](#) (keeping everyone at the workplace at least 1.5 metres physically apart) and personal protective equipment rather than only relying on temperature checks. An employer should also require workers to tell them if they are feeling unwell, including if they have a fever, and require them to go home when they do.

## Can a worker refuse 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 they would be exposed to a serious risk to their health and safety from an immediate or imminent hazard.



If a worker ceases work, they must inform you as soon as they can. They 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
- have already consulted and attempted to resolve the issue, 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](#).

If a worker refuses to come to work when you think they should, contact the [Fair Work Ombudsman](#) for advice.

## Can an employer direct a worker to stay away from a workplace?

You should require workers to stay away from the workplace if they are unwell and not fit for work. Encourage them to seek medical advice as appropriate.

Under the [model WHS laws](#), you can require workers to comply with a direction to remain away from their usual place of work, if they can and it's reasonable for you to require them to do so. This can be to stay at home, or work from somewhere else.

However, you also need to consider the worker's entitlements under workplace instruments, such as an enterprise agreement or award. For help, contact the [Fair Work Ombudsman](#).

## What about workplace entitlements?

You must allow workers to continue to access available entitlements, including leave, under the relevant enterprise agreement, award, contracts of employment and workplace policies.

For information about workplace entitlements and obligations:

- go to the Fair Work Ombudsman webpage [Coronavirus and Australian workplace laws](#)
- call the Fair Work Ombudsman on 13 13 94 - select the prompt for the Coronavirus hotline

## Related information

Workplace checklist - COVID-19

How to keep workers safe - COVID-19

What to do if a worker has COVID-19 - Infographic

 [Things to do in your workplace: COVID-19 - Infographic](#)

ers: WHS advice for COVID-19

Business resource kit

Industry fact sheets

**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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