

# IR POLICY AND GOVERNANCE UPDATE



## INTRODUCTION

In this week's bulletin, we look at the extension of the pandemic leave payments, some COVID update here and in New Zealand, Queen Elizabeth II memorial public holidays, and summer is coming so it's time to consider if solar UV radiation is an issue in your workplace.

## PANDEMIC LEAVE DISASTER PAYMENT EXTENDED

The National Cabinet has agreed to extend the Pandemic Leave Disaster Payment at current rates beyond 30 September 2022. It was also agreed that the payment will remain payable for as long as mandatory isolation periods are applied by all states and territories.

However, National Cabinet agreed to cap at three the maximum number of Pandemic Leave Disaster Payment claims an individual can make in a six month period, with Canberra and the states/territories to continue 50:50 cost-sharing arrangements. Services Australia data also indicated that, over the six months to June 30 this year, 60% of claims involved individuals who claimed more than once, with about 13% claiming four or more times, which worked out to a claim every six and half weeks or more.

The payments can be claimed by workers who have no sick leave entitlements, including pandemic sick leave, personal leave or leave to care for another person, and who have liquid assets of less than \$10,000. Eligible claimants can obtain \$450 if they have lost at least eight hours or a full day's pay, but less than 20 hours; or \$750 if they lost 20 or more hours of work. The National Cabinet will have a further discussion about mandatory isolation rules at a meeting on 30 September.

## NZ PUBLIC HOLIDAY - QUEEN ELIZABETH II MEMORIAL DAY

New Zealand will mark the passing of Queen Elizabeth II with a one-off public holiday on Monday, 26 September 2022. Normal public holiday requirements under the Holidays Act will apply on the day. Essentially, employees get a paid day off on a public holiday if it's a day they would otherwise have been working.

## QUEENS MEMORIAL PUBLIC HOLIDAY

As previously advised, the Federal Government announced this Thursday, 22 September 2022 as a national public holiday in Australia. The public holiday will be a one off, and not occur in future years.

This means if your business remains open on that day, you will need to pay your employees in accordance with their relevant modern award for working on a public holiday:

- > Employees under the Graphic Arts, Printing and Publishing Award 2020, will be entitled to 250% for all hours worked, and with a minimum 4 hours' pay.
- > Employees under the Clerks – Private Sector Award 2020, will be entitled to 250% for all hours worked, and with a minimum of 4 hours' pay.
- > Members with enterprise agreements or IFA's should refer to the relevantly specific terms.

Please note, employees are entitled to be absent from work on a public holiday however employers can reasonably request that an employee performs work. Factors that determine reasonableness of

# IR POLICY AND GOVERNANCE UPDATE



such a request include the personal circumstances of the employee (such as any caring responsibilities if schools/childcare centres are closed), whether the employee is paid at a higher rate for the public holiday and the amount of notice given to the employee about working on the public holiday.

## **Closing for the day**

If you decide to close your business on that day, permanent employees are entitled be paid at their base rate of pay for all ordinary hours they would have worked that day had the business not been closed. Casual employees will not be entitled to any payment for that day if the business is closed.

## **Other considerations.**

- > As the public holiday falls on a Thursday, it may be the case that employees request leave on the following day (Friday, 23 September) to make a four-day weekend.
- > Friday, 23 September is also a public holiday in Victoria for AFL Grand Final Weekend. Therefore, in all states and territories other than Victoria, employers should look at their annual leave policy to ensure all leave requests for the Friday are managed fairly.
- > If an employee applies to take personal/carer's leave on Friday, 23 September, it would be reasonable to request a medical certificate from that employee for that absence.

## **NZ COVID-19 RULES UPDATE**

New Zealand's COVID-19 Protection Framework (traffic lights) ended at 11.59pm on Monday 12 September. With case numbers falling, a highly vaccinated population, and increased access to antiviral medicines to treat COVID-19, public health experts say it is safe to remove most COVID-19 rules and end border restrictions. Please note that the following requirements still apply:

- > You must still isolate for 7 days if you have COVID-19.
- > You must wear a face mask in healthcare facilities, such as hospitals.

## **NSW, QLD and SA COVID UPDATE**

This week the NSW, Queensland and South Australian state governments determined that facemasks will no longer be mandatory on public transport from this week. This includes in rideshare services and taxis. Facemasks will still have to be worn at public hospitals and nursing homes.

Western Australia, Tasmania and the Northern Territory have already removed mask mandates on public transport.

## **WORKING IN SUN**

With summer coming (we hope), it is an appropriate time to remind members that solar ultraviolet radiation is a significant risk. Although most of your production workers are likely stationed inside a factory style setting, this is not always the case for transport, warehousing and sales staff. As a result, and as part of your WHS risk assessment, you should consider and assess the risk of solar UV radiation exposure.

# IR POLICY AND GOVERNANCE UPDATE



If the risk is identifiable and relevant to any worker, consider how your business might best manage that risk. These management steps could include working outdoors earlier or later when the risk is lower, shade structures, or window tinting. There may be the need to implement a company related policy on the issue, supervision of the policy and ensuring PPE is supplied where necessary.

---

## CONTACT

Any Industrial Relations Member who has a related query should contact Charles Watson, GM – IR, Policy and Governance at The Real Media Collective via email [charles@thermc.com.au](mailto:charles@thermc.com.au) or mobile:+61 428 568 032.

## DISCLAIMER

*The content of this update, current at the date of publication, is intended to provide general guidance and consideration for TRMC Members only. The content does not constitute advice and should not be relied upon as such. Specific advice about your circumstances should be sought separately before taking any action. TRMC recommends Members ensure any related decisions are made on current and up to date information.*