

COVID-19

Return to Work Employer Toolkit

AUSTRALIA

We have developed the Employer Toolkit to help our Australian clients with some of the employment law issues they may face as states and businesses begin to reopen and get back to work following restrictions imposed in response to the COVID-19 pandemic.

Please note that the information provided in this Toolkit does not constitute legal or professional advice, or legal opinion. Each employer will need to create its own plans for employees, as well as for its business at large, having regard to the nature of its business. We hope that this Toolkit will provide employers with some background information necessary to begin creating their own plans.

If you have any questions or require assistance in developing or fine-tuning your plan, please contact the [Dentons Employment and Labor team in Australia](#).

Introduction

Due to the COVID-19 pandemic, the state and territory governments have imposed various closures and restrictions in a number of different industries. In response, businesses have been required to manage their workforce by way of stand downs, redundancies or reduced hours or pay.

For other businesses that have remained open, they have had to quickly implement health and safety measures, including remote working arrangements, to comply with their workplace health and safety obligations.

Both the federal and state governments have implemented economic initiatives in an effort to support both employers and employees affected by the pandemic. Most notable is the federal government's AU\$70 billion JobKeeper program which provides employers affected by COVID-19 with a six month, \$1,500 per fortnight wage subsidy for each eligible employee in an effort to try and keep employees connected with their employer throughout the pandemic.

The federal and state governments have also made a number of changes to the industrial relations system, including amendments to the modern award system, in an attempt to address the economic and health issues faced by both employers and employees during COVID-19.

As the curve continues to flatten in Australia, the federal and state governments are considering and implementing the roadmap to reopening the economy by ending or easing the current closures and restrictions that are in place.

Employers will soon face new considerations as we enter the next phase of getting business back to work.

This toolkit addresses many of the issues that employers will likely face over the next few months as lockdown restrictions ease and employees return to work.

In this toolkit, we will discuss the following topics:

1. The easing of restrictions:
When can businesses reopen?
2. Stand downs, redundancies and getting employees back to work
3. Managing workplace health and safety
4. JobKeeper and managing cash flow

COVID-19 return to work employer checklist

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Closures and restrictions

- Check ability to reopen/expand the operations of your business for each relevant state/territory
- Check the extent to which the operations can reopen/expand under the different stages in the plan for each state/territory
- Assess the viability of reopening/expanding operations under the current and future conditions under each relevant state or territory's plan.

Reengaging the workforce

- Assess any employee currently stood down and the lawfulness of the stand down in light of the removal of restrictions
- Assess the future demand of services from the business' operations and the extent to which you will need to reengage your workforce including those currently stood down, made redundant or on leave
- Assess whether and to what extent you direct any employees back to the workplace who are currently working from home, or how you stage that process

Health and safety

- Conduct and document a thorough risk assessment of the risks of COVID-19 on your worksite(s) and your employee(s) and other persons who may come into contact with the worksite(s)
- Implement appropriate measures relating to:
 - Working from home arrangements
 - Physical distancing requirements
 - Hand and respiratory hygiene standards
 - Cleaning
 - Monitoring and responding to symptoms
- Consult with employees (including any health and safety representative) of the outcomes of any risk assessment and proposed measures to implement
- Identify any vulnerable workers within your worksite(s) and implement appropriate measures
- Familiarise yourself with any state/territory requirement to become a COVID-19 compliant business

Cash flow

- Assess whether the business may be eligible for JobKeeper and whether it is economically viable for the business to register
- Assess whether the business may be eligible for any other government initiatives that may assist cash flow
- Conduct a financial check-up of the business, taking into account current and predicted cash flow over the short and long term.



The easing of restrictions: when can businesses reopen?

Introduction

On 8 May 2020, the National Cabinet (which consists of the federal Prime Minister and each state/territory Premier/Chief Minister) discussed options for easing restrictions over the coming months, to help prepare Australians to go back to work and to get the economy back up and running.

The National Cabinet delivered a three step plan as a guideline for each state and territory to move towards. Each state and territory has implemented the plan differently and on different timeframes and some jurisdictions are still in the process of mapping out the final phases of their individual plan.

Each juncture in the roadmap will be subject to review based on updated health advice. It is anticipated that as restrictions lift, there may be a corresponding increase in COVID-19 cases, which may cause the restrictions to remain or return for some states and territories.

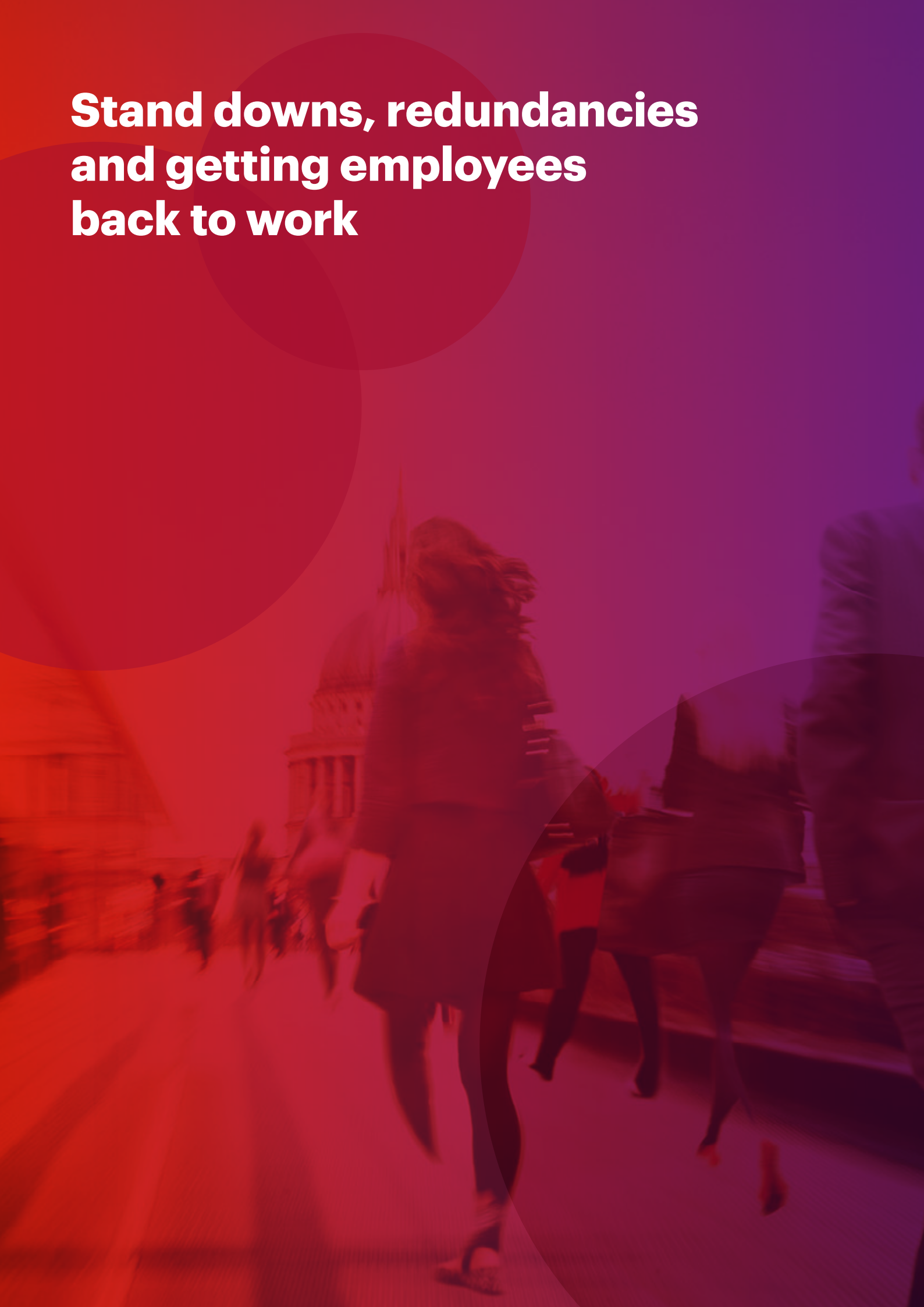
For businesses planning to reopen or expand business operations as restrictions begin to lift, it is vitally important that employers are aware of the evolving circumstances in each state and territory for each of their businesses both in the short and long term.

Current announcements

Each state and territory have recently made announcements on how it plans to implement the roadmap plan.

Full summaries of the announcements are listed at annexure A.

Stand downs, redundancies and getting employees back to work



Introduction

As the economy starts to reopen and government restrictions lift, businesses will need to consider the extent that they need to reengage their workforce.

In considering how to reengage their workforce, employers will also need to consider projected demand in their market and consider forward cash flow in managing their businesses getting back to work.

Stand downs

For employers who are not in receipt of JobKeeper payments and have stood down employees, they will need to consider a number of issues.

1. Is the stand down still lawful?

The power to stand down employees arises where the employee cannot be usefully employed in certain prescribed circumstances. In the context of COVID-19, this is usually where there has been a complete stoppage of work and work is unable to be physically continued, usually as a result of a government restriction requiring the entire business to close.

As the restrictions begin to lift and businesses begin to reopen, such businesses will need to consider whether it is possible to usefully employ those stood down employees.

If work is available or if an employer is able to obtain some benefit or value for the work that could be performed by an employee, then the stand down will no longer be legally valid and an employer will be required to consider alternate arrangements rather than stand down (such as leave or redundancy).

We expect as the economy improves there will be more legal challenges to the continuation of stand down measures, as well as challenges to measures put in place in the past. Any stand down found to be unlawful may involve a claim for wages for the stand down period which across a workforce and for an extended period could be a significant claim.

2. How do I end the stand down?

Employers will simply need to notify the employee that they are able to be usefully employed again and that the stand down is therefore no longer in operation and direct the employee back to work. This should be done in writing.

Although under the Fair Work Act 2009 (Cth), there is no strict requirement to do so, the employer should give reasonable notice. This will allow the employee to make arrangements for their return to work, including notifying other employers or Centrelink and making caring arrangements.

It is important to check any applicable employment contract or enterprise agreement as they may provide for different notification requirements.

3. Can employees come back to less hours/salary (not on JobKeeper)?

After a permanent employee returns to work from a stand down, the employer is required to employ the employee on the same conditions, such as hours/salary, as they were employed prior to the stand down.

Any changes to the pre-stand down conditions, such as reduced salary or hours, will need to be negotiated with, and genuinely agreed to, by the employee.

Employers should also check with any relevant modern award or enterprise agreement as to whether there are any notice/consultation requirements regarding workplace changes.



As an alternative to reduced hours/salary, employers can negotiate with employees the taking of paid or unpaid leave.

For employees covered by some modern awards, including the Clerks – Private Sector Award, this will include the ability for employees to take annual leave at half pay.

In certain circumstances, employers may be able to direct employees to take paid leave, such as when annual leave has accrued excessively (usually more than four weeks accrued).

Stand downs – JobKeeper

For employers who are in receipt of JobKeeper payments and have stood down employees, as the employees have been given a guarantee of at least \$1,500 per fortnight, employers are able to manage their employees slightly differently.

1. Is the stand down still lawful?

If an employer is in receipt of the JobKeeper payment, then they are able to give directions referred to as JobKeeper enabling directions.

This includes directing an employee not to work and stand down the employee if they are unable to be usefully employed because of changes to business due to COVID-19. This is different to an ordinary stand down as it does not need to be shown that there has been a complete stoppage, merely a change to business due to COVID-19. It also does not need to be a complete stand down, it can be partial (i.e. 50% of duties).

Any JobKeeper enabling direction will require:

- a. At least three days' written notice of the direction
- b. Consultation with the employee prior to giving the direction

This process will need to be complied with even if the employee was stood down prior to JobKeeper.

A JobKeeper enabling direction will only have effect up until 28 September 2020.

Employers will still need to regularly undertake assessments of whether their employees can be usefully employed as government restrictions ease and the economy starts to open.



However, employers may need to be careful in their timing in reengaging stood down employees.

If an employer reengages the stood down employee immediately after receiving the JobKeeper subsidy, it may suggest that the employee could have been usefully employed prior and that therefore the stand down was not legal, exposing the employer to potential underpayment claims.

2. How do I end the stand down?

This will be the same process as initiating it.

3. Can employees come back to less hours/salary?

If an employer is still experiencing changes to business, attributable to COVID-19, employers will be able to re-engage an employee, but direct the employee to:

- a. Not work on a day or days on which the employee would usually work
- b. Work for a lesser period than the period which the employee would ordinarily work on a particular day or days

- c. Work a reduced number of hours (compared with the employee's ordinary hours of work) to the extent that the employee cannot be usefully employed. Employers will need to adhere to the notice and consultation requirements.

Redundancies

An employer can reengage an employee they have made redundant.

If an employer has made someone redundant, they have likely paid them a redundancy payment and any accrued leave.

If an employer wishes to rehire an employee they may negotiate with them about the basis on which they are reemployed. You may agree to the repayment by the employee of the redundancy payment, but, perhaps, to allow the employee to keep their accrued leave payment (instead of crediting it back as accrued leave).

If you reemploy an employee, you will need to consider the basis on which they are reengaged. This could be on the same terms and conditions as was done previously, or you may agree new conditions with the employee.

Annual leave/long service leave

If an employee is taking a period of agreed annual or long service leave, then you are unable to recall that employee unless that employee agrees to cut their leave short and return to work.

Working from home

For employees currently working from home, an employer can direct an employee to attend work at their usual place of work provided that the direction is lawful and reasonable. The main consideration is whether it is, in all of the circumstances, safe for the employee to return to work.

Employers should conduct a risk assessment and implement a plan in line with their work health and safety obligations (discussed below) and consult with employees (including with any health and safety representatives) about requiring employees to physically return to the workplace.

What happens if employees refuse to return to work?

An employer can direct an employee to attend work provided the direction is lawful and reasonable. This will depend on the individual circumstances and will need to be assessed on a case-by-case basis.

Some circumstances where the direction could be unlawful or unreasonable include:

- Where an employer is asking an employee to perform duties contrary to government or health authority advice or directives
- Where the employee falls under an at risk category as identified by the relevant health authority
- The employer has not met their OHS/WHS obligations in providing a safe workplace



An employer is not required to pay an employee who unreasonably refuses to attend work. In certain circumstances, it could also be treated as a disciplinary issue.

However, if any employee does raise issues with respect to health and safety risks, extra care should be given in managing the concerns. An employer may contravene the general protections regime where they take adverse action against an employee for agitating workplace WHS rights or complaining about safety in light of COVID-19.

To minimise issues in the process of reengaging employees, employers should ensure they have a robust consultation process, including that the health and safety measures implemented are adequately communicated to employees.

During the consultation process, an employer could offer options including paid or unpaid leave or change in duties in certain circumstances, for example, moving a vulnerable employee away from a customer-facing role where possible.



Managing workplace health and safety

The image shows a modern office environment with several desks, each equipped with a computer monitor and office chair. There are several indoor plants scattered throughout the space, including a large one in the foreground. The office has large windows on the left side. The entire image is overlaid with a red and purple gradient and features large, semi-transparent circular shapes in the same colors.

Introduction

Although each state and territory have slightly nuanced schemes, generally; the legislation imposes a duty on employers (including persons conducting a business or undertaking) to, so far as reasonably practicable, provide a working environment that is safe and without risk to health, which would include exposure to COVID-19.

Where exposure to COVID-19 is unable to be completely eliminated, employers will need to implement measures to minimise the risk.

Such measures include:

- Implementing working from home arrangements
- Requiring workers and other people in the workplace to practice physical distancing and good hygiene
- Requiring workers and other people to stay away from the workplace when unwell
- Cleaning the workplace regularly and thoroughly
- Restructuring the layout of the workplace to allow for physical distancing
- Limiting the number of people in the workplace at any given time
- Providing adequate washroom facilities and soap/hand sanitiser/bactericidal wipes

What specific measures employers need to take to comply with their duties will depend on the industry(s) and location(s) in which they conduct their business.

Employers may have employees across the organisation in various roles and locations, each of which will require different considerations.

Risk assessments

Employers will need to undertake a robust risk assessment to determine where employees are potentially exposed to COVID-19 which will be used to inform the implementation of safety procedures and protocols in response to the risks so identified.

Employers should document and keep a record of the risk assessment.

Employers should ensure that they appropriately engage with any health and safety representative(s) and committees in conducting the risk assessment and in introducing any new procedures in response to COVID-19.

Considerations for undertaking risk assessments

Working from home

- Can employees do their jobs from home?
- Is there a working from home policy?
- If employees are working from home, are they working in a safe environment?
- Do employees have access to/have they been provided with information and/or guidance on how to work from home safely?
- Are there processes and procedures in place to address mental health issues arising from isolation, such as regular engagement and check-ins?
- Have employees been made aware of any support through an employee assistance program?

Physical distancing

- Has physical distancing requirements been effectively communicated to workers e.g. posters, signs, notices and other communication means?
- Is there a way to limit the way workers interact with the public and each other in person?
- Can the workplace be set up or arranged differently to enable employees to work while physically distancing – including introducing floor markings?
- Is it possible to bring in shift arrangements so less staff are in the workplace at once?
- Are there alternate meeting/gathering arrangements with workers that could be put in place i.e. phone or videoconferencing?
- If, despite control measures, workers remain in close contact, is there any personal protective equipment that could be used?

Hygiene

- Is there sufficient access to hand sanitiser stations for example, at all entry and exit points?
- Are bathrooms stocked with hand wash and paper towel?
- Have hand and respiratory hygiene instructions been sufficiently communicated to all workers?
- Have workers been directed to implement physical distancing and hand/respiratory hygiene?

Cleaning

- Has a cleaning system been introduced, including that for frequently touched areas (e.g. machines, elevator buttons, handrails, handles etc.)?
- Have employees been instructed to regularly clean personal property?

Monitor symptoms

- Are employees sufficiently informed of the symptoms of COVID-19 and requirements to disclose any symptoms/contact with confirmed or suspected cases?
- Is there a robust system in place to identify and manage potential risks - employees displaying symptoms or have come into close contact with a known or suspected case?

Vulnerable workers

The advice of the Australian Health Protection Principal Committee (AHPPC), made up of the federal and state and territories' chief medical/health officers, is that the characteristics of the worker needs to be considered in undertaking risk assessments, including workers that are at a greater risk of more serious illnesses as a result of COVID-19.

The AHPPC have identified the following categories of people that are at a greater risk (which is subject to change upon the latest health advice):

- Aboriginal and Torres Strait Islander people 50 years and older with one or more chronic medical conditions
- People 65 years and older with one or more chronic medical conditions
- People 70 years and older
- People with compromised immune systems

Employers should ensure that vulnerable people can work from home or are redeployed to non-customer based roles where possible.

If risks cannot be effectively managed, then you should consult with them about alternate arrangements including taking leave.

Cleaning

General Practice

A key way employers can protect workers and others from the risk of exposure to COVID-19 is to implement an effective cleaning procedure in workplaces.

The latest advice is that a combination of cleaning and disinfecting will be most effective. Disinfectants containing $\geq 70\%$ alcohol, quaternary ammonium compounds, chlorine bleach or oxygen bleach are suitable to use.



The general benchmark is that workplaces should be cleaned/disinfected daily. However, if a workplace has many customers or others entering each day, more frequent disinfection may be appropriate. If a workplace is only attended by the same small work crew each day and involves little interaction with other people, routine disinfection may not be needed as much.

If a worker has COVID-19

If someone who has or is suspected to have COVID-19 and has come into contact with a worksite, the employer should undertake a thorough cleaning and disinfecting of the site.

Access should be prevented to the areas that were used by the suspected or confirmed case as well as any common areas (break rooms, bathrooms) and any known or likely touch points.

An employer can hire a professional cleaning service. If undertaking the cleaning themselves, the employer should follow the guidelines set by SafeWork Australia or the relevant state/territory regulator.

Obligations when there is a confirmed case

Employers should have a plan and procedure in place in the situation where a confirmed or suspected case has come into contact with a worksite.

Employers should obtain as much information as possible, such as; contact details, the areas in the workplace they have been and for how long, and persons they have been in contact with. This will inform the appropriate response.

Any areas where the confirmed or suspected case has come into contact should be immediately closed and cleaned and disinfected. This may mean in certain circumstances that certain worksites or areas of worksites may need to be closed.

Employers should also consider who the affected person may have had recent close contact with and inform them that they may have been exposed to COVID-19 and the requirements for quarantine. Employers must maintain the privacy of all individuals involved.

In addition to the relevant health authorities, some state and territory regulators have notification requirements where a confirmed COVID-19 case is work related. You should contact your local regulator if this is the case.

Requirements of individual states and territories

As a measure in introducing the lifting of restrictions, some states and territories have introduced requirements for businesses to identify and report on their safety plan in response to COVID-19 to become COVID-compliant businesses.

Currently, Western Australia, Queensland and the Northern Territory have introduced safety plans. Other states and territories may follow in due course.

Where can I find more information?

Contact your local Safe Work regulator:

Jurisdiction	Website
Federal: Safe Work Australia	https://www.safeworkaustralia.gov.au/covid-19-information-workplaces
Western Australia: Work Safe WA 1300 307 877	https://www.commerce.wa.gov.au/worksafe/covid-19-coronavirus
South Australia: Safe Work SA 1900 365 255	https://www.safework.sa.gov.au/workers/health-and-wellbeing/infectious-diseases/coronavirus-covid-19
Northern Territory: NT Work Safe 1800 019 115	https://worksafe.nt.gov.au/forms-and-resources/news-and-events/news/2020/advice-on-coronavirus-covid-19
Queensland: Work Safe QLD 1300 362 128	https://www.worksafe.qld.gov.au/coronavirus
New South Wales: Safe Work NSW 13 10 50	https://www.safework.nsw.gov.au/resource-library/COVID-19-Coronavirus
Australian Capital Territory: Work Safe ACT 13 22 81	https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/5015/~/_work%2C-health-and-safety-and-covid-19---what-you-need-to-know
Victoria: Work Safe Victoria 1800 136 089	https://www.worksafe.vic.gov.au/coronavirus-covid-19
Tasmania: Work Safe Tasmania 1300 366 322	https://worksafe.tas.gov.au/topics/Health-and-Safety/safety-alerts/coronavirus

JobKeeper and managing cash flow



Introduction

COVID-19 has devastated the economy and has impacted a large number of businesses across various industries. In response, both the federal and the various state and territory governments have introduced a number of different measures to try to soften the blow.

The most prominent of which is the AU\$70 billion JobKeeper package which provides employers with \$1,500 per fortnight wage subsidy for each eligible employee from 30 March 2020 to 27 September 2020.

Although the end to these measures is some months away, employers will need to start considering and implementing measures to manage their cash flow now for when these measures come to an end.

JobKeeper

When it comes to managing cash flow, employers will need to consider whether JobKeeper is right for them, especially where they have a number of employees on low hours or have let go or stood down their workforce. Please refer to our article: [“JobKeeper and the Reemployment / Reengagement of Employees”](#) for more information.

The ATO is currently making retrospective payments to eligible employers for the first two fortnights (30 March to 26 April 2020). For subsequent fortnights, payments are required to be made by the ATO within 14 days after the end of the calendar month in which the relevant fortnight ends.

Although employers will have up until 31 May 2020 to enrol with the ATO, in order to claim the payment for the first two fortnights, employers will need to ensure that each eligible employee is paid in full by 8 May 2020. To be eligible for each subsequent fortnight, each eligible employee will need to be paid by the end of the relevant fortnight.

State initiatives

In addition to JobKeeper and other federal initiatives, each of the state and territory governments have introduced measures to assist employers, including:

- Waivers and deferrals of payroll tax
- Waivers and deferrals of various fees and charges (including for licensing/registration)
- Electricity rebates
- Various special access funds and grants designed primarily for small and medium sized enterprises

Employers should check with their respective state or territory government for more information on these initiatives.

States and territories have also introduced a number of new initiatives with respect to commercial tenancies, including eviction moratoriums and new codes of conduct relating to negotiations between landlord and tenants for freezes on rent increases or rent reduction.

Debt recovery and insolvent trading

In managing cash flow through the current pandemic, employers will be entitled to some temporary relief with respect to incurring and managing debt.

The measures that have been introduced include:

- Increasing the minimum for issuing a statutory demand from AU\$2,000 to AU\$20,000
- Increasing the minimum for issuing a bankruptcy notice from AU\$5,000 to AU\$20,000

- Increasing the period for responding to a creditor’s demand of a bankruptcy notice from 21 days to six months
- Granting company directors temporary relief from trading while insolvent for a period of six months

These changes will be in effect from 25 March 2020 until 24 September 2020 (unless extended).

The changes to the statutory demand and bankruptcy process will not in any way waive or freeze any debt, but will enable employers to manage its debt by temporarily extending those final debt recovery mechanisms. Creditors will still be able to deal with any security or seek other enforcement processes.

In relation to directors’ liability for insolvent trading, the changes will not protect a director in respect of debts already incurred but will only for debts incurred within the six month period in the company’s ordinary course of businesses.

Directors will still need to prudently consider whether incurring a debt will be in the ordinary course of business. For example, taking out a loan to pay employees whilst waiting for the JobKeeper payments from the Australian Taxation Office (ATO) will likely be considered in the ordinary course of business.

Annexure A: Summary of announcements of each state/territory

Australian Capital Territory

State/ Territory	Stage 1 – Starting 8 May 2020	Stage 2 – N/A	Stage 3 – N/A
ACT	<p>The following are permitted where, for all below gatherings and activities, physical distancing of one person per four square metres is maintained and good hygiene is practised:</p> <ul style="list-style-type: none"> • Gatherings of up to ten persons including: <ul style="list-style-type: none"> • All indoor and outdoor gatherings (including children), which includes at a person’s home (with exceptions where two households coming together results in a gathering of more than ten people) • Weddings, plus those conducting the ceremony • Religious ceremonies and places of worship, excluding those conducting the service • Outdoor boot camps and personal fitness training (non-contact), which excludes the training, with no sharing equipment • Real estate open houses and auctions • Indoor funerals of up to 20 people excluding those conducting the service • Outdoor funerals of up to 30 people, excluding those conducting the service • Public schools returning to on campus learning in stages over the coming four weeks: <ul style="list-style-type: none"> • Monday 18 May (week three of term two) to Tuesday 2 June (week six of term two) 	To be considered in due course	To be considered in due course

New South Wales

State/ Territory	Stage 1 – Starting 15 May 2020	Stage 2 – N/A	Stage 3 – N/A
NSW	<p>The following activities and gatherings will be permitted:</p> <ul style="list-style-type: none"> • Outdoor gatherings of up to ten people • Cafes and restaurants can seat ten patrons at any one time • Up to five visitors to a household at any one time • Weddings up to ten guests • Indoor funerals up to 20 mourners, outdoor funerals up to 30 mourners • Religious gatherings/places of worship up to ten worshippers • Use of outdoor equipment with caution • Outdoor pools open with restrictions <p>All persons (even those if only mild symptoms) are encouraged to get testing, stick to physical distancing rules and practice good handwashing hygiene.</p>	To be considered in due course	To be considered in due course

Northern Territory

State/Territory	Stage 1 – Starting 1 May 2020	Stage 2 – N/A	Stage 3 – N/A
NT	<p>The following are permitted where physical distancing can be maintained at all times with the advice of groups of ten (but can be larger if physical distancing is maintained):</p> <ul style="list-style-type: none"> • Attend personal gatherings including markets, weddings and funerals • Attend playgrounds, parks and campgrounds outside biosecurity areas • Participate in outdoor sports where physical distancing can be maintained including golf and tennis • Exercise with other people outdoors • Go fishing, boating and sailing with other people • Conduct and attend a real estate open house inspections or a real estate auction • Have visitors to your home • Go shopping at leisure 	<p>Must be undertaken in less than two hours:</p> <ul style="list-style-type: none"> • Serve and consume food or beverages in a shopping centre food court • Operate and attend restaurants, cafes and bars with the consumption of food, excluding gaming activities • Participate in organised outdoor training activities for sporting clubs and teams • Operate or attend an indoor market • Operate or attend a beauty therapy salon for (non-facial) services, such as nails, massage and tanning • Operate or attend a studio that provides yoga, pilates, zumba, barre, dance classes etc. • Operate or attend physical training activities indoors such as crossfit • Operate and attend a gymnasium • Visit a public library, toy library or indoor playground • Operate and attend a place used for religious worship • Attend an art gallery, museum, public memorial, public historic site, zoo or wildlife facility 	<p>Activities and services resume with retention of key principles (physical distancing, hygiene):</p> <ul style="list-style-type: none"> • Operate all licensed gaming activities including a TAB • Resume officiating, participating and supporting the playing of team sports such as football, basketball, soccer and netball • Attend any cinema or theatre, concert hall, music hall, dance hall, nightclub or any other similar entertainment venue in approved configuration • Attend an amusement venue • Attend a bar without food being consumed • Operate and access all previously restricted services at a place that provides beauty therapy and/or cosmetic services including facial care • Operate and access all previously restricted services at a place that provides tattooing or body art such as branding and piercing • Attend an amusement park, community centre, recreation centre or play centre • Attend an arena, stadium, sporting facility including community and sporting competitions with spectators in approved seating configuration. However, if above 500 people the event requires a separately approved COVID-19 safety plan • All businesses, facilities and services previously restricted can now resume ensuring adherence to key principles <p>All businesses are required to have a COVID-19 safety plan by 5 June 2020</p>

State/ Territory	Stage 1 – Starting 1 May 2020	Stage 2 – Starting 12 June 2020	Stage 3 – Starting 10 July 2020
<p>QLD</p> <p>Physical distancing of four square metres per person when indoors and hand and respiratory hygiene to maintain</p>	<p>Family, friends and community</p> <ul style="list-style-type: none"> Gatherings in homes (up to five visitors allowed) Gatherings of up to ten people: Outdoor, non-contact activity Personal training Pools (indoor and outdoor) Public spaces and lagoons (e.g. South Bank Parklands, Cairns, Airlie Beach etc.) Parks, playground equipment, skate parks and outdoor gyms Libraries Weddings Hiking and other recreational activities in national and state parks Places of worship and religious ceremonies Funerals (up to 20 indoors or 30 outdoors) Recreational travel (day trips up to 150km from your region) <p>Businesses and economy</p> <ul style="list-style-type: none"> Retail shopping Ten people permitted at any one time for: <ul style="list-style-type: none"> Dining in restaurants, cafés, pubs, registered and licensed clubs, RSL clubs and hotels (with COVID-19 safe checklist) – no bars or gaming Open homes and auctions Beauty therapy and nail salons (with COVID-19 safe checklist) 	<p>Family, friends and community</p> <ul style="list-style-type: none"> Gatherings of up to 20 people: <ul style="list-style-type: none"> Homes Public spaces and lagoons (e.g. South Bank Parklands, Cairns, Airlie Beach etc.) Non-contact indoor and outdoor community sport Personal training Gyms, health clubs and yoga studios Pools (indoor and outdoor) and community sports clubs Museums, art galleries and historic sites Weddings Parks, playground equipment, skate parks and outdoor gyms Libraries Hiking, camping and other recreational activities in national and State parks Places of worship and religious ceremonies Funerals (up to 50) Recreational travel, camping and accommodation, including caravan parks (up to 250kms within your region) <p>Businesses and economy</p> <ul style="list-style-type: none"> Retail shopping 20 people permitted at any one time for: <ul style="list-style-type: none"> Dining in restaurants, cafés, pubs, registered and licensed clubs, RSL clubs, hotels and casinos – no bars or gaming Indoor cinemas Open homes and auctions Outdoor amusement parks, tourism experiences, zoos and arcades Concert venues, theatres, arenas, auditoriums and stadiums Beauty therapy, nail salons, tanning, tattoo parlours and spas Tourism accommodation <p>Outback</p> <ul style="list-style-type: none"> Dining in restaurants, cafés, pubs, registered and licensed clubs, RSL clubs and hotels (up to 50 people) for locals only (must show proof of residence) – no bars or gaming Recreational travel (within the outback if you live in the outback) 	<p>Subject to further review, interstate and further intrastate travel will be permitted and a maximum of 100 people will be permitted for:</p> <ul style="list-style-type: none"> Gatherings in public spaces and homes Dining in restaurants, cafés, pubs, registered and licensed clubs, RSL clubs, food courts and hotels Indoor cinemas Places of worship and religious ceremonies Museums, art galleries and historic sites Pools and community sports clubs Community sport Gyms, health clubs and yoga studios Outdoor amusement parks, zoos and arcades Concert venues, theatres, arenas, auditoriums and stadiums Weddings Funerals Saunas and bathhouses Open homes and auctions Casinos, gaming and gambling venues Pubs, registered and licensed clubs, RSL clubs and hotels Nightclubs Beauty therapy, tanning, nail salons and spas, tattoo parlours and non-therapeutic massage parlours Libraries Hiking, camping and other recreational activities in national and state parks <p>Some businesses will be required to undertake COVID-19 safe plans</p>

South Australia

State/Territory	Step 1 – Starting 11 May 2020	Step 2 – Starting 8 June 2020 (Subject to public health assessment)	N/A
SA Only a two stage process	<p>All gatherings of maximum of ten people (unless otherwise indicated) adhering to social distancing of one person per four square metres:</p> <ul style="list-style-type: none"> • Regional travel allowed • University and TAFE face-to-face tutorials • Outdoor dining for restaurants and cafes (changes to indoor dining (up to ten) and alcohol service allowed from 22 May 2020) • Community, youth and RSL halls • Auctions and inspections • Local government libraries • Sport training (outdoor only) • Funerals (up to 20 indoor and 30 outdoor) • Worship, weddings and ceremonies • Pools (other limits apply) • Campgrounds and caravan parks 	<p>All gatherings of a maximum of 20 people (unless otherwise indicated) adhering to social distancing of one person per four square metres:</p> <ul style="list-style-type: none"> • Cinemas and theatres • Seated dining • Galleries and museums • Beauty, nails, tattoo, massage (non-therapeutic) • Driving instruction lessons • Gym and indoor fitness • Funerals (up to 50) • Sport transition to competition without spectators, including indoor 	

Tasmania

State/Territory	Stage 1 – Starting 11 May 2020	Stage 2 – Starting 15 June 2020 (Subject to public health advice)	Stage 3 - Starting 13 July 2020 (Subject to public health advice)
TAS	<ul style="list-style-type: none"> • Funerals: 20 attendees • Aged Care: one visit per week and no more than two visitors, managed by the facility • National parks and reserves: open to residents for exercise within 30km of their home • TAFE campuses and training facilities: open for invited small groups of students only attending practical learning and assessment session 	<ul style="list-style-type: none"> • Gatherings of up to 20 people at a time for indoor and outdoor, including restaurants/cafes, cinemas, museums, galleries, theatres, performance venues, historic sites, religious gatherings and weddings • Funerals up to 50 people • Accommodation: unlimited 	<ul style="list-style-type: none"> • Gatherings: 50 - 100 (indoor/outdoor) with the maximum allowable number to be determined by public health • Aged care homes: five visitors and multiple visits • Border controls to remain in place • Consider opening bars, night clubs and casinos/gaming • Markets to open, subject to public health advice • Food courts and food vans at markets may open

State/ Territory	Stage 1 – Starting 11 May 2020	Stage 2 – Starting 15 June 2020 (Subject to public health advice)	Stage 3 - Starting 13 July 2020 (Subject to public health advice)
TAS	<p>From 18 May 2020 (Subject to Public Health advice)</p> <ul style="list-style-type: none"> Gatherings of ten people (except visitors to households, which is capped at five people) for indoor and outdoor, including real estate, small religious gatherings and weddings Funerals can extend to 30 people outdoors Restaurants and cafes in all settings (including restaurants in pubs, clubs, hotels and RSLs) to open and seat patrons of up to ten people at a time - seated table service only with physical distancing Border controls remain in place except domestic travelling Tasmanian residents can quarantine in their principal residence if it is suitable - international arrival arrangements remain in place Community and local government facilities and libraries allowed opening for up to ten people Park exercise equipment and playgrounds, pools and boot camps open for up to ten people <p>Starting 25 May 2020</p> <ul style="list-style-type: none"> Kindergarten to Year 6 students and Year 11 and 12 students at extension schools and colleges return to learning at school Aged care visits permitted to two visitors, once a day <p>Starting 9 June 2020</p> <ul style="list-style-type: none"> High school students from years 7 to 10 students return to learning at school. <p>Starting 13 June 2020</p> <ul style="list-style-type: none"> Racing resumes (subject to a review and risk-assessment by public health) 	<ul style="list-style-type: none"> Open with up to 20 people: <ul style="list-style-type: none"> Camping, overnight boating and shacks Open homes and auctions Gyms and boot camps Beauty services (including tattoo, nails, waxing, facials and tanning) Park exercise equipment and playgrounds Outdoor community sport with up to 20 athletes/personnel (as guided by AIS proposed framework for rebooting community sport) Indoor sport and recreation, including pools (as guided by AIS proposed framework for rebooting community sport) Vulnerable people are encouraged to stay home and protect their health Border controls remain in place Visitors to households to be reviewed 	<ul style="list-style-type: none"> Spas and bathhouses to reopen Day trips and camping for school groups allowed Outdoor community sport and indoor sport and recreation (including pools) (as guided by AIS proposed framework for rebooting community sport) to resume, with numbers to be guided by public health Vulnerable people are encouraged to stay home and protect their health

Victoria

State/ Territory	Stage 1 – Starting 12 May 2020	Stage 2	Stage 3
VIC	<p>Victorians can leave their home to:</p> <ul style="list-style-type: none"> • Shop for food and other necessary goods and services • Access medical services or provide caregiving – for example, this includes shared parenting obligations or providing care and support to an unwell, disabled, elderly or pregnant friend or relative • Attend work or education where you cannot do those things from home • Exercise and participate in some recreational activities adhering to the rules • Visit friends, family and loved ones while adhering to the rules <p>The following are permitted where physical distancing can be maintained at all times with up to ten people (unless otherwise stated):</p> <ul style="list-style-type: none"> • Outdoor gatherings • Indoor gatherings at home (with a maximum of five visitors able to visit the normal residents of a household) • Selective outdoor recreational activities including golf, yoga and tai chi (in the park), bike riding, fishing, hunting, boating, driving, motorbike riding • Weddings (in addition to the couple and the celebrant) • Religious gatherings and ceremonies will be permitted, plus those required to perform the ceremony • Funerals (up to 20 people indoors and 30 outdoors) 	To be considered in due course	To be considered in due course

Western Australia

State/ Territory	Stage 1 – Started 27 April 2020	Stage 2 – Starting 18 May 2020	Stage 3 – Starting 15 June 2020
WA	<ul style="list-style-type: none"> Indoor and outdoor non-work gatherings of up to ten people Outdoor personal training without shared equipment Recreational activities in compliance with travel restrictions and the ten person rule, such as private picnics in the park, fishing, boating, hiking and camping Open homes and display villages open, in compliance with the ten person rule, appropriate record keeping and hygiene practices 	<p>All activities must adhere to the social distancing four square metre rule and ensure good hygiene is practised</p> <ul style="list-style-type: none"> Indoor and outdoor non-work gatherings lifted to 20 people People are encouraged to return to work, unless they are unwell or vulnerable Cafés and restaurants can reopen with meal service (including within pubs, bars, clubs, hotels and casino), limited to 20 patrons and the four square metre rule applied Weddings and funerals, limited to up to 20 attendees (30 for outdoor) Places of worship, community facilities and libraries to re-open, limited to 20 patrons; Community sports (non-contact) limited to 20 people Outdoor or indoor fitness classes (minimal shared equipment) limited to 20 participants; Public swimming pools can open under strict rules (one indoor pool and one outdoor pool), limited to 20 patrons per pool <p>Businesses will be required to complete an official COVID-19 safety plan</p> <p>Some regional travel restrictions will also be lifted, going from 13 regions to four</p>	<p>(Note: expected to commence four weeks from the start of Phase 2, subject to the chief health officer's advice)</p> <p>Expected to:</p> <ul style="list-style-type: none"> Further increases in the number of people allowed at indoor and outdoor non-work gatherings, including patrons at cafés and restaurants, weddings and funerals Possible further relaxation of regional travel restrictions Restrictions further relaxed for gyms, health clubs and indoor sport centres Contact community sport (indoor and outdoor) permitted, with gathering limits; beauty therapy and personal care services permitted Auction houses and real estate auctions (not just online as it is currently) Public playgrounds, outdoor gym equipment, skate parks, zoos, cinemas, galleries, museums and concert venues permitted to open, with gathering limits <p>WA plan to implement a Phase 4, however this is yet to be announced</p>

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Dentons, which has offices in 184 locations in 76 countries, has been at the forefront of the global legal response to COVID-19 since the beginning of 2020. For further information on COVID-19 legal matters around the world, our Dentons COVID-19 (Coronavirus) Hub can be found here: <https://www.dentons.com/en/issues-and-opportunities/covid-19-coronavirus-hub>. Our employment and labour lawyers around the world are ready to assist with your global concerns.

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