

SUPPORTING YOUR EMPLOYEES TO RETURN TO THE WORKPLACE

Frequently Asked Questions (FAQs) about COVID-19

With COVID-19 restrictions easing, many businesses are planning for their staff to return to the workplace. Whether your business requires the presence of physical staff or not, it helps to understand your employer obligations. Here are some FAQs to get you started thinking about how to manage going forward.

1. When can we ask our employees to return to the workplace?

When contemplating the return of staff to the workplace, health and safety is paramount. It is not so much a question of, *when can they return* but rather, *is it safe for them to do so*?

You need to ensure your employees are returning to a safe place of work which complies with current public health orders, social distancing regulations and hygiene practices. This also includes ensuring employees can commute safely to work!

Individual employee situations must be considered. Employers are obligated to consider any special circumstances that may impact upon them returning.

2. Consider implementing a COVID Safe Plan!

We appreciate this sounds like just one more thing for employers to have to consider in these challenging times but a Plan is a great way to work through in a systematic way how you will manage your employees return to work. A COVID Safe Plan is basically an assessment of your workplace and the implementation of appropriate systems and processes to ensure your staff can both commute and 'be' at work safely.

3. How do I develop a COVID Safe Plan?

It all starts with conducting a risk assessment followed by developing appropriate systems complete with some processes and implementing changes to ensure your workplace is safe. Remembering of course that each workplace is unique and potentially different.

When putting together a COVID Safe Plan for your business, we recommend you consider the following:

- Proper systems for monitoring and maintaining health, cleaning and effective hygiene.
- An assessment of each employee's circumstances and roles, and the appropriateness of their return including the consideration of any special circumstances.
- The commute to-and-from the workplace and exposure to unnecessary health risks such as peak travel times and public transport. For example, you might like to consider staggering start and finish times for employees.
- A response plan in the event a case of COVID-19 occurring in the workplace.
- Development and communication of standards if a staff member is unwell. This includes entering the office, working from home and/or taking personal leave.
- Communication for staff about new policies and procedures, and how to be safe on their way to-and-from, and at work (i.e. re-orientation).
- A response plan for ongoing going communication. This includes internal announcements and responding to state and federal updates/changes.
- Redeployment of personnel or redesign of roles to better focus on priority tasks.

When supporting your staff to return to work, you may choose to adopt a staggered approach— varied start/finish times, rotation of a work-from-home roster or extension of office hours. You may also opt to simplify some tasks or relocate workspaces. All of these actions can help to manage risk.

4. Some employees have caring responsibilities, can I ask them to return to the workplace?

If an employee cannot return to work due to COVID-19 related caring matters this requires special consideration. In an instance where a person cannot legitimately return to the workplace, consider seeking specialist HR or legal advice. Every situation is different and you want to ensure your actions do not lead to allegations of discrimination or other adverse action.

5. I am negotiating with employees to return to the workplace, but some don't want to. Can they refuse?

If it is safe for an employee to commute to work and return to the workplace and there are no special considerations:

- it is unreasonable for the employee to refuse. By refusing, you may have grounds for pursuing disciplinary action as they have not followed a reasonable and lawful direction given to them by the employer.
- it is your discretion as to whether or not you allow an employee to continue to work from home.

For a confidential discussion about supporting your employees to return to work and navigating your COVID-19 employer responsibilities, contact Lisa Lee via lisa@classicrecruitment.net.au.