



Christian Porter
Attorney-General, Minister for Industrial Relations

Via email: Christian.Porter@ag.gov.au

3 August 2020

Dear Attorney,

Re: Federal Paid Pandemic Leave Scheme

We write to urge your Government to move quickly to introduce a paid pandemic leave scheme that supports all workers to comply with the applicable State and Territory public health directives around Covid-19 testing and isolation.

Paid pandemic leave is now an essential public health measure that will combat the recent spike in workplace transmission in Victoria. Regrettably, recent events in Victoria have demonstrated that there are insufficient measures in place to enable workers who should not be attending their workplaces to stay home.

Business and unions are committed to ensuring that work is healthy and safe for all workers, customers and visitors. The recent outbreaks in Victoria have highlighted that there are still a number of workers who are attending work whilst infectious or at risk, which is accelerating the rate of community transmission. This is both harmful to the health of the community and disruptive to businesses that are now closing in increasing numbers following workplace transmission.

For many workers who have no or inadequate sick leave, that the cost of isolation can be particularly burdensome. Furthermore, whilst many businesses have implemented policies to provide for paid pandemic leave, not all are able to do so given the cost, especially in the current circumstances where workers are often required to isolate and get tested on multiple occasions.

We acknowledge the efforts of the Victorian Government to introduce its own scheme. This scheme is available to all workers who are required to isolate and do not have access to leave. Unfortunately, the mechanisms available to state governments to effectively implement and administer such a scheme are inadequate and consequently we have seen minimal take up over recent weeks.

It is for these public health reasons that business and unions believe the Federal Government, together with relevant States, must urgently provide for and fund a national Paid Pandemic Leave Scheme. This scheme should include the following principles in its design:

1. Amend the Fair Work Act to incorporate a leave entitlement consistent with the decision of the Fair Work Commission in relation to the Aged Care Awards,

2. Provide for reimbursement to business to facilitate the leave entitlement. Mechanisms such as those used for JobKeeper or the Paid Parental Leave payment appear appropriate,
3. Funded by the Federal Government and where necessary the relevant state governments.

Unions and business have shown an extraordinary level of cooperation and we welcome the opportunity to jointly discuss this scheme with you and work together to suppress this wave of infections.

Yours,



Jennifer Westacott
Chief Executive
Business Council of Australia



Sally McManus
Secretary
Australian Council of Trade Unions



CC: Prime Minister