PSLR Circular - Short Term Workforce Arrangements

Government of Western Australia
Department of Mines, Industry Regulation and Safety

Public Sector Labour Relations
Shaping a contemporary public sector workforce

Circular 2/2021 – Short-term workforce arrangements for week of 1 February 2021

Background

On 31 January 2021 the Western Australian Premier announced a five-day lockdown affecting Perth, Peel and the South West commencing at 6:00pm on that date, in response to a quarantine worker returning a positive COVID-19 test.

Lockdown rules are described in detail in the Stay at Home Directions (No 2) issued by the State Emergency Coordinator on 1 February 2021 (the "Stay at Home Directions"). Under the Stay at Home Directions, public sector employees can only attend workplaces if their work is defined as essential.

This Circular applies only during the "lockdown period", which is from 6:00pm on Sunday 31 January 2021 until 6:00pm on Friday 5 February 2021.

Workforce arrangements during the lockdown period

1. Public sector employees whose work is essential as defined in the Stay at Home Directions will be directed to attend work as usual, unless there are extenuating circumstances and alternative arrangements are entered into with the employer.

2. Public sector employees whose work is defined as non-essential will be directed to work from home.

3. Some public sector employees whose work is defined as non-essential will be unable to work from home at all, or unable to work their regular hours while at home. This may be for various reasons including the nature of the work, inability to access technology or appropriate equipment or the need to supervise children.

4. To support employees during the lockdown period, public sector employers are to pay all employees the amount they would otherwise have entitled to be paid (including allowances and penalties). The amount is to be calculated:

- for permanent employees, according to their anticipated working hours for the lockdown period;
- for fixed term contract employees, according to their contracted hours for the lockdown period; and
- for casual employees, according to their rostered hours for the lockdown period.

5. Public sector employees are not required to access any form of leave, including COVID-19 leave, to cover absences from work during the lockdown period, except as provided in clause 6 below.

6. Public sector employees already on leave, or with leave approved to commence during the lockdown period, are to remain or proceed on that leave unless the employer agrees to reverse the leave booking. There should be no expectation that extended leave will be reversed unless there are convincing operational reasons.

7. These arrangements cease to apply at the end of the lockdown period.

Future arrangements

The State Government will be revisiting planned scenarios in the event of extended or future lockdowns to determine what leave arrangements may be appropriate to implement.

Further advice

To discuss how this Circular applies in specific circumstances, employers can contact their Labour Relations Adviser Relations Adviser or email publicsectorlabourrelations@dmirs.wa.gov.au

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