

What happens if an employee or their family member is sick with coronavirus?

Employees who are sick with coronavirus cannot attend the workplace for a period due to the workplace health and safety legal obligations that both employers and employees have.

Employers can direct employees who are sick with coronavirus not to come to work. Employers can do this if they're acting reasonably and based on factual information about health and safety risks, which includes relying on the Australian Government's health and quarantine guidelines.

Full-time and part-time employees who cannot come to work because they're sick with coronavirus can take paid sick leave.

If an employee needs to look after a family member or a member of their household who's sick with coronavirus, or suffering an unexpected emergency, they're entitled to take paid carer's leave.

An employer cannot require an employee to take sick or carer's leave. However, in these circumstances, the employee isn't entitled to be paid unless they use their paid leave entitlements.

Under the Fair Work Act, casual employees are entitled to 2 days of unpaid carer's leave per occasion. Full-time and part-time employees can take unpaid carer's leave if they have no paid sick or carer's leave left.

Employers should consider their obligations under any applicable enterprise agreement, award, employees' employment contracts or workplace policies, which may be more generous.

An employee must give their employer reasonable evidence of the illness or unexpected emergency if their employer asks for it. This also applies to situations relating to coronavirus.

Under the Fair Work Act, an employee is protected from being dismissed because of their temporary absence due to illness or injury.