

Going to work during coronavirus

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While Australia is managing the impact of coronavirus, many employers and employees have changed their usual working arrangements, including working from home.

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- [Protecting employees and customers during coronavirus \(www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/health-and-safety-in-the-workplace-during-coronavirus/protecting-employees-customers-during-coronavirus/protecting-employees-and-customers-during-coronavirus\)](#)
- [Work-related travel during coronavirus \(www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/health-and-safety-in-the-workplace-during-coronavirus/work-related-travel-during-coronavirus/work-related-travel-during-coronavirus\)](#)

Directing employees to stay away from work under workplace health and safety laws

If an employee has symptoms [☞](https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert#symptoms) (https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert#symptoms) of coronavirus, employers should:

- direct the employee not to work, or to work from home if the job can be done safely from home and the employee is well enough to work
- ask the employee to get urgent medical advice as recommended by the [Department of Health ☞](https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert) (https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert) .

If an employer directs an employee to work from home they need to be paid their normal pay for the work they do.

More information:

- [Safe Work Australia – COVID-19 information for workplaces ☞](https://www.safeworkaustralia.gov.au/covid-19-information-workplaces) (https://www.safeworkaustralia.gov.au/covid-19-information-workplaces)
- [Department of Health – COVID-19 fact sheet for employers ☞](https://www.health.gov.au/sites/default/files/documents/2020/04/coronavirus-covid-19-information-for-employers_2.pdf) (https://www.health.gov.au/sites/default/files/documents/2020/04/coronavirus-covid-19-information-for-employers_2.pdf)

More information:

- [Safe Work Australia ☞](https://www.safeworkaustralia.gov.au/covid-19-information-workplaces/preparing-workers-covid-19) (https://www.safeworkaustralia.gov.au/covid-19-information-workplaces/preparing-workers-covid-19) – for information about when an employer can direct employees to stay away from their usual workplace under workplace health and

safety laws.

- [List of State or Territory workplace health and safety bodies \(https://www.fairwork.gov.au/website-information/related-sites#workplace-health-and-safety\)](https://www.fairwork.gov.au/website-information/related-sites#workplace-health-and-safety) – for information on state and territory workplace health and safety.

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Employees who want to stay home as a precaution

Some employees may want to stay at home as a precaution. We encourage employees to discuss their level of risk of contracting coronavirus with their:

- doctor
- workplace health and safety representative
- workplace health and safety body.

Employees who haven't been directed to stay home by either their employer or because of an [enforceable government direction \(www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/stand-down-during-coronavirus#enforceable-government-directions\)](http://www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/stand-down-during-coronavirus#enforceable-government-directions) will need come to an arrangement with their employer.

This could include requesting to work from home (if this is a safe and practical option) or taking some form of leave, such as annual leave or long service leave. Normal leave application processes still apply.

If an employee doesn't come to an arrangement to work from home with their employer, or doesn't use paid leave, then they aren't entitled to be paid for choosing not to work.

Employees who stop work because it's unsafe aren't taking industrial action. Employees need to comply with directions from their employer to perform other appropriate and safe work, if that direction is reasonable. For more information about employees' rights to stop work see [Workers' Rights on the Safe Work Australia website](https://www.safeworkaustralia.gov.au/covid-19-information-workplaces/industry-information/general-industry-information/workers-rights) [↗ \(https://www.safeworkaustralia.gov.au/covid-19-information-workplaces/industry-information/general-industry-information/workers-rights\)](https://www.safeworkaustralia.gov.au/covid-19-information-workplaces/industry-information/general-industry-information/workers-rights).

Employers may be able to take disciplinary action against an employee who refuses a legal and reasonable request. Resources for employers include:

- [Ending employment \(https://www.fairwork.gov.au/ending-employment\)](https://www.fairwork.gov.au/ending-employment) – information about notice, final pay and unfair dismissal (including the Small Business Fair Dismissal Code)
- [Managing performance \(https://www.fairwork.gov.au/how-we-will-help/online-training/online-learning-centre/managing-performance\)](https://www.fairwork.gov.au/how-we-will-help/online-training/online-learning-centre/managing-performance) – online course
- [Difficult conversations in the workplace \(https://www.fairwork.gov.au/how-we-will-help/online-training/online-learning-centre/difficult-conversations-in-the-workplace-manager-course\)](https://www.fairwork.gov.au/how-we-will-help/online-training/online-learning-centre/difficult-conversations-in-the-workplace-manager-course) – online manager course.

More information:

- [Alternative working arrangements during coronavirus \(www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/alternative-work-arrangements-during-coronavirus\)](http://www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/alternative-work-arrangements-during-coronavirus)
- [Department of Health](https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/how-to-protect-yourself-and-others-from-coronavirus-covid-19/self-isolation-self-quarantine-for-coronavirus-covid-19) [↗ \(https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/how-to-protect-yourself-and-others-from-coronavirus-covid-19/self-isolation-self-quarantine-for-coronavirus-covid-19\)](https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/how-to-protect-yourself-and-others-from-coronavirus-covid-19/self-isolation-self-quarantine-for-coronavirus-covid-19) – for information about self-isolation and quarantine requirements.

Example: Employee chooses to self-isolate due to health concerns

Jeff wants to self-isolate as a precaution because he has a weakened immune system. He contacts his employer to discuss his concerns and asks to work from home for the next few weeks.

Jeff's employer is already aware of his condition. They check their working from home policy and conduct a risk assessment to make sure Jeff's home office will be safe for him to use. They then let Jeff know that they're happy to let him work from home for the next 2 weeks.

Jeff and his employer agree that after 2 weeks, they'll review the arrangement to make sure it's working and to discuss whether it's still necessary.

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Employers who want their employees to stay home as a precaution

Under workplace health and safety laws, employers have to do what they can to ensure the health and safety of their workers and others at the workplace. Employees also have responsibilities under those laws.

If an employee is at risk of infection from coronavirus, employers should ask them to:

- work from home or another location (if the job can be done remotely)
- not work.

Employees working from home or another location must still be paid for the work they're doing.

If an employer tells a full-time or part-time employee not to work as a precaution the employee has to be paid.

Different rules about payment apply to employees who can't work because of an [enforceable government direction \(www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/stand-down-during-coronavirus#enforceable-government-directions\)](http://www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/stand-down-during-coronavirus#enforceable-government-directions) . For information about pay, leave and stand downs during coronavirus visit:

- [Stand down during coronavirus \(www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/stand-down-during-coronavirus\)](http://www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/stand-down-during-coronavirus) – including enforceable government directions
- [JobKeeper enabling stand down directions \(www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/pay-and-leave-during-coronavirus/jobkeeper-wage-subsidy-scheme/jobkeeper-enabling-stand-down-directions\)](http://www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/pay-and-leave-during-coronavirus/jobkeeper-wage-subsidy-scheme/jobkeeper-enabling-stand-down-directions)
- [JobKeeper enabling directions and agreements for legacy employers \(www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/pay-and-leave-during-coronavirus/jobkeeper-wage-subsidy-scheme/legacy-employers/jobkeeper-enabling-directions-and-agreements-for-legacy-employers/jobkeeper-enabling-directions-and-agreements-for-legacy-employers\)](http://www.fairwork.gov.au/coronavirus-and-australian-workplace-laws/pay-and-leave-during-coronavirus/jobkeeper-wage-subsidy-scheme/legacy-employers/jobkeeper-enabling-directions-and-agreements-for-legacy-employers/jobkeeper-enabling-directions-and-agreements-for-legacy-employers) .

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