

COVID-19 Leave and Employment Arrangements

This advice has been developed with reference to the latest DPC advice on employment arrangements during COVID-19. Employees absent from work due to illness are required to access their sick leave entitlements.

The Department will be operating as close to normal as possible during the COVID-19 outbreak and to facilitate this will consider flexible working arrangements where practical.

As part of the public sector response if employees are unable to work due to the reasons related to isolation and interruption to services related to COVID-19, managers are to consider whether the employee is able to work remotely.

Where it is not possible to accommodate working remotely, employees may be entitled to 20 days paid special leave or may be required to take their own leave.

Depending on the scenario, employees entitled to paid special leave will be required to access their own accrued leave (that is: sick, recreation, family and community services and extended leave as applicable) once the 20 days special leave is exhausted to cover further absences from work. ***This advice will continue until further notice.***

Ongoing/Permanent/Temporary Employees		
Scenario	Response	Leave
<p>1. Employee required to isolate due to return from overseas travel.</p>	<p>Employees in this circumstance are required to contact their manager/principal to advise and discuss.</p> <p>The option to work remotely will not apply unless the employee's pre-approved leave is exhausted during the isolation period.</p> <p>Managers/principals are to consider if employees required to isolate can work remotely during the isolation period.</p> <p>Please note it may not be practical for some employees to work remotely.</p>	<p>Employee continues on pre-approved leave until approved period of leave is exhausted. During the pre-approved leave period the employee will not be required to work remotely.</p> <p>Where it is not possible to accommodate working remotely, employees will be granted up to 20 days special leave to cover the required absence from work until the isolation period is concluded.</p> <p>To apply for leave in the ESS Portal, employees should select the leave type 'Special Leave' and then select the reason code "Departmental Determined".</p> <p>In cases where the employee develops COVID-19 symptoms and/or tests positive for COVID-19 the employee will revert to sick leave in accordance with Scenarios 8 and 9.</p>

Ongoing/Permanent/Temporary Employees		
Scenario	Response	Leave
<p>2. Employee is required to self-isolate and get tested immediately due to NSW Health advice about visiting an identified location as a close contact</p>	<p>Employees in this circumstance are required to contact their manager/principal to advise and discuss. Employees who are close contacts are required to stay in isolation for 14 days irrespective of receiving a negative test within the 14 days.</p> <p>In these circumstances, managers/principals are to consider if employees required to isolate can work remotely during the required isolation period.</p> <p>Please note it may not be practical for some employees to work from home.</p>	<p>Where it is not possible to accommodate working remotely, employees will be granted paid special leave (up to 20 days) to cover the required absence from work until the isolation period is concluded.</p> <p>To apply for leave in the ESS Portal, employees should select the leave type 'Special Leave' and then select the reason code "Departmental Determined".</p> <p>In cases where the employee develops COVID-19 symptoms and/or tests positive for COVID-19 the employee will revert to sick leave in accordance with Scenarios 8 and 9.</p>
<p>3. Employee is required to self-isolate and get tested immediately due to NSW Health advice about visiting an identified location as a casual contact</p>	<p>Employees in this circumstance are required to contact their manager/principal to advise and discuss. Employees who are casual contacts are required to stay in isolation until they receive a negative test.</p> <p>In these circumstances, managers/principals are to consider if employees required to isolate can work remotely during the required isolation period.</p> <p>Please note it may not be practical for some employees to work from home.</p>	<p>Where it is not possible to accommodate working remotely, employees will be granted paid special leave (up to 20 days) to cover the required absence from work until the isolation period is concluded.</p> <p>To apply for leave in the ESS Portal, employees should select the leave type 'Special Leave' and then select the reason code "Departmental Determined".</p> <p>In cases where the employee develops COVID-19 symptoms and/or tests positive for COVID-19 the employee will revert to sick leave in accordance with Scenarios 8 and 9.</p>

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<p>4. Employee has visited a location identified by NSW Health as a “monitor for symptoms” location</p>	<p>Employee is to continue working as normal.</p> <p>Employee should watch for COVID-19 symptoms and get tested immediately if symptoms occur as well as self-isolate.</p>	<p>Given that employees in this circumstance are symptomatic (ie sick), they will be granted sick leave to cover any required absence. If paid sick leave is exhausted the Department may grant special sick leave on a case by case basis.</p>
<p>5. Employee is confirmed close contact with someone who has tested positive for COVID-19 and is required to isolate to comply with NSW Health isolation protocols.</p>	<p>Employees in this circumstance are required to contact their manager/principal to advise and discuss options to support the 14 day isolation period. Employees who are close contacts are required to stay in isolation for 14 days irrespective of receiving a negative test within the 14 days.</p> <p>Managers/principals are to consider if employees required to isolate can work remotely during the isolation period.</p> <p>Please note it may not be practical for some employees to work from home.</p>	<p>Where it is not possible to accommodate working remotely arrangements, employees will be granted paid special leave (up to 20 days) to cover the required absence from work until the isolation period is concluded.</p> <p>To apply for leave in the ESS Portal, employees should select the leave type ‘Special Leave’ and then select the reason code “Departmental Determined”.</p> <p>In cases where the employee develops COVID-19 symptoms and/or tests positive for COVID-19 the employee will revert to sick leave in accordance with Scenarios 8 and 9.</p>
<p>6. Employee is currently on a period of extended leave/leave without pay/recreation leave/vacation leave and has come into close contact with someone with COVID-19. Employee is required to isolate to comply with NSW Health isolation protocols.</p>	<p>Employees in this circumstance are required to contact their manager/principal to advise and discuss. Employees are required to stay in isolation for 14 days irrespective of receiving a negative test within the 14 days.</p> <p>The option to work remotely will not apply unless the employee’s leave is exhausted during the isolation period.</p> <p>In these circumstances, managers/principals are to consider if employees required to isolate can work remotely during the isolation period.</p>	<p>Employee continues to remain on leave until it is exhausted. During the leave period the employee will not be required to work remotely.</p> <p>If the leave does not cover the isolation period, employees will be granted paid special leave (up to 20 days) to cover the required absence from work until the isolation period is concluded.</p> <p>To apply for leave in the ESS Portal, employees should select the leave type ‘Special Leave’ and then select the reason code “Departmental Determined”.</p>

Ongoing/Permanent/Temporary Employees		
Scenario	Response	Leave
		In cases where the employee develops COVID-19 symptoms and/or tests positive for COVID-19 the employee will revert to sick leave in accordance with Scenarios 8 and 9.
7. Employee is required to care for a person who has tested positive for COVID-19, which results in the employee needing to isolate to comply with NSW Health isolation protocols.	<p>Employees in this circumstance are required to contact their manager/principal. Employees are required to stay in isolation for 14 days irrespective of receiving a negative test within the 14 days.</p> <p>Managers/principals are to consider if employees required to isolate can work remotely during the isolation period.</p> <p>Due to the carer's responsibility of the employee, options for working remotely may be limited and/or impractical in this scenario.</p>	<p>Where it is not possible to accommodate working remotely or balance working remotely with caring responsibilities, employees will be granted paid special leave (up to 20 days) to cover the required absence from work until the isolation period is concluded.</p> <p>To apply for leave in the ESS Portal, employees should select the leave type 'Special Leave' and then select the reason code "Departmental Determined".</p> <p>In cases where the employee develops COVID-19 symptoms and/or tests positive for COVID-19 the employee will revert to sick leave in accordance with Scenarios 8 and 9.</p>
8. Employee has tested positive for COVID-19 or tests positive for COVID-19 during the isolation period.	Once COVID-19 is confirmed, employee is required to contact their manager/principal to advise and is unable to return to work until the virus has resolved and a medical clearance has been issued.	<p>Employees will be granted sick leave.</p> <p>If an employee tests positive for COVID-19 during the isolation period then the special leave granted for the isolation period will cease. From the date the employee has tested positive for COVID-19 the employee will be granted sick leave.</p> <p>If paid sick leave is exhausted the Department may grant special sick leave on a case by case basis.</p>
9. Employee who is not already isolated is unwell and has	Employees in this circumstance are required to contact their manager/principal.	Employees will be granted sick leave. If paid sick leave is exhausted the Department may

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Scenario	Response	Leave
COVID-19 like symptoms.	Employee should stay away from work until tested and cleared of COVID-19 and/or symptoms resolve.	grant special sick leave on a case by case basis.
10.Employee unable to attend usual school/workplace due to it being declared non-operational/closed.	Manager/principal to communicate with employees on school/workplace status. Employees to comply with NSW Health protocols.	Employees remain at home on pay until directed back to work or an alternative work location is identified. No need to apply for leave in these circumstances.
11.Employee's school/workplace has been non-operational/closed and has now been re-opened. However, an employee(s) from this school/workplace has/have been directed by NSW Health to observe the isolation period.	Employees in this circumstance are required to contact their manager/principal. Employees are required to stay in isolation for 14 days irrespective of receiving a negative test within the 14 days. Managers/principals are to consider if employees required to isolate can work remotely during the isolation period. Please note it may not be practical for some employees to work remotely.	Where it is not possible to accommodate working remotely employees will be granted paid special leave (up to 20 days) to cover the required absence from work until the isolation period is concluded. To apply for leave in the ESS Portal, employees should select the leave type 'Special Leave' and then select the reason code "Departmental Determined". In cases where the employee develops COVID-19 symptoms and/or tests positive for COVID-19 the employee will revert to sick leave in accordance with Scenarios 8 and 9.
12.Employee required to provide care for child/ren who have been prevented from attending school/childcare due to it being declared non-operational based on a decision made by the organisation (eg Independent School) and not on a NSW Health directive	Employees in this circumstance are required to contact their manager/principal.	Employee to access their own leave to cover the absence.
13.Employee required to care for children/students who have been	Employees in this circumstance are required to contact their manager/principal.	Where it is not possible to accommodate working remotely or balance working remotely with caring

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Scenario	Response	Leave
<p>prevented from attending school/childcare due to it being declared non-operational/closed based on a directive of NSW Health.</p>	<p>Managers/principals are to consider if employees required to care for an individual can work remotely during the school/childcare closure.</p> <p>Due to the carer's responsibility of the employee, options for working remotely may be limited and/or impractical in this scenario.</p>	<p>responsibilities, employees will be granted paid special leave (up to 20 days) during the period of school/childcare closure. Evidence will be required.</p> <p>To apply for leave in the ESS Portal, employees should select the leave type 'Special Leave' and then select the reason code "Departmental Determined".</p> <p>In cases where the employee develops COVID-19 symptoms and/or tests positive for COVID-19 the employee will revert to sick leave in accordance with Scenarios 8 and 9.</p>
<p>14. Employee required to care for a child/student who has been confirmed as close contact with someone who has tested positive for the COVID-19.</p>	<p>Employees in this circumstance are required to contact their manager/principal.</p> <p>Managers/principals are to consider if employees required to care for an isolated individual can work remotely during the isolation period.</p> <p>Due to the carer's responsibility of the employee, options for working remotely may be limited and/or impractical in this scenario.</p>	<p>Where it is not possible to accommodate working remotely or balance working remotely with caring responsibilities, employees will be granted paid special leave (up to 20 days) to cover the required absence from work until the isolation period is concluded.</p> <p>To apply for leave in the ESS Portal, employees should select the leave type 'Special Leave' and then select the reason code "Departmental Determined".</p> <p>In cases where the employee develops COVID-19 symptoms and/or tests positive for COVID-19 the employee will revert to sick leave in accordance with Scenarios 8 and 9.</p>

Ongoing/Permanent/Temporary Employees		
Scenario	Response	Leave
15. Leave for employees getting the COVID-19 vaccination	The Department anticipates that employees will seek to schedule an appointment to get the COVID-19 vaccination outside of working hours wherever possible.	Where departmental employees can only access an appointment to get vaccinated during working hours they will be required to take their own leave to cover the absence, eg sick leave, extended leave, recreation leave or flextime if applicable.
16 A. Leave for employees supporting a family member to get the COVID-19 vaccination	Public Service employees and School Administrative Support Staff may access paid sick leave to care for a family member where applicable in line with the provisions of the Crown Employees (Public Service Conditions of Employment) Award 2009 or the Crown Employees (School Administrative and Support Staff) Award 2019.	Public Service employees and School Administrative Support Staff may access paid sick leave to care for a family member where applicable in line with the provisions of the Crown Employees (Public Service Conditions of Employment) Award 2009 or the Crown Employees (School Administrative and Support Staff) Award 2019. Alternatively employees can access their own leave, for example, extended leave, recreation leave or flextime if applicable. In line with the relevant Award, Family and Community Service (FACS) leave is not available for public service employees or school administrative and support staff when assisting with planned family responsibilities, including where it is planned to accompany a family member to get vaccinated.
16 B. Leave for employees supporting a family member to get the COVID-19 vaccination	Teaching staff and Non-School Based Teaching Service staff may access Family and Community Service (FACS) leave where applicable in line with the provisions of the Teachers Handbook.	Where FACS leave is exhausted, these employees may access paid sick leave to care for a family member or access other leave, for example, extended leave.

Casual Employees		
Scenario	Response	Leave
1. Casual employee required to isolate due to return from overseas travel including transit through any high risk countries.	Casual employee to comply with NSW Health isolation protocols.	Casual employees are not entitled to payment if they do not work, and they are not entitled to paid leave.
2. Casual employee is confirmed close contact as a result of working at a school with someone who has tested positive for the COVID-19 and is required to isolate to comply with NSW Health isolation protocols.	Casual employees in this circumstance are required to contact their manager/principal to advise that you are required to isolate.	Casual employees are not entitled to payment if they do not work, and they are not entitled to paid leave. If a casual employee is required to isolate due to close contact as a result of working at a school with someone who has tested positive for COVID-19, paid special leave (up to 10 days) will be granted to cover the isolation period.
3. Casual employee is confirmed close contact with someone who has tested positive for the COVID-19 and is required to isolate to comply with NSW Health isolation protocols.	Casual employees in this circumstance are required to contact their manager/principal to advise that you are required to isolate.	Casual employees are not entitled to payment if they do not work, and they are not entitled to paid leave. If a casual employee is required to isolate to care for a person who has tested positive for COVID-19, special leave (up to 20 days) will be granted against the day(s) the casual employee had already been offered work during the isolation period. Evidence that this work has been offered and accepted will be required to support payment.
4. Casual employee is required to care for a person who has tested positive for COVID-19, which results in the employee needing to isolate.	Casual employees in this circumstance are required to contact their manager/principal to advise that you are required to isolate.	Casual employees are not entitled to payment if they do not work, and they are not entitled to paid leave. If a casual employee is required to isolate to care for a person who has tested positive for COVID-19, special leave (up to 20 days) will be granted against the day(s) the casual employee had already been offered work during the isolation period. Evidence that this work has been offered and accepted will be required to support payment.

Casual Employees		
Scenario	Response	Leave
5. Casual employee who has tested positive for COVID-19 or tests positive for COVID-19 during isolation period	Once COVID-19 is confirmed, casual employee is required to contact their manager/principal to advise and is unable to return to work until the virus has resolved and a medical clearance is issued.	Casual employees are not entitled to payment if they do not work, and they are not entitled to paid leave.
6. Casual employee who is not already in isolation is unwell and has COVID-19 like symptoms	Casual employee is required to contact their manager/principal and should stay away from work until tested and cleared of COVID-19 and/or symptoms resolve.	Casual employees are not entitled to payment if they do not work, and they are not entitled to paid leave.
7. Casual employee unable to attend usual school/workplace due to it being declared non-operational/closed based on a directive of NSW Health	Casual employee will be stood down.	Casual employees will be paid for the first day in these circumstances. No further payment will be made to casual employees on subsequent days where a school/workplace is non-operational/closed.
8. Casual employee is required to self-isolate and get tested due to NSW Health advice about visiting an identified location and employee had work offered and booked for Term 1, 2021.	Casual employee is required to contact their manager/principal	Casual employees are not entitled to payment if they do not work, and they are not entitled to paid leave. Paid special leave (up to 20 days) will be granted against the day(s) the casual employee had already been offered work during Term 1. Evidence that this work has been offered and accepted will be required to support payment.
9. Casual employee required to care for children/students who have been prevented from attending school/childcare due to it being declared non-operational/closed based on a directive of NSW Health.	Casual employee to comply with NSW Health protocols.	Casual employees are not entitled to payment if they do not work, and they are not entitled to paid leave.
10. Casual employee required to care for a child/student who has been confirmed as close contact with someone who has tested positive for COVID-19.	Casual employee to comply with NSW Health isolation protocols.	Casual employees are not entitled to payment if they do not work, and they are not entitled to paid leave.

