

BULLETIN

Industrial Relations



Reference No: Circuit Breaker Lockdown/dh-5-21

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Victorian 7-day 'Circuit Breaker' Lockdown – commences Tonight 11:59pm Thursday 27 May 2021 – 11:59pm Thursday 3 June 2021

The Acting Victorian Premier has today released a [Statement](#) announcing a 7-day 'circuit breaker' throughout **all of Victoria commencing from 11:59pm this evening until 11:59pm Thursday 3 June 2021**. Under the 7-day 'circuit breaker' lockdown, there will be five reasons for people to leave their home:

- shopping for things that are needed (once per day);
- care and caregiving;
- exercise (up to 2 hours per day);
- authorised work;
- permitted education; and
- to get vaccinated.

Exercise and shopping will be limited to **five kilometres from home** – or the closest shop (if not within the five kilometre radius). Members will note that this is broadly in line with restrictions that applied last year in Melbourne.

Under the [Table of Restrictions](#) released with the Acting Premier's Statement, the following automotive industry businesses can continue to operate through this lockdown as **authorised providers and workers**:

- Petrol stations, including a petrol station that sells groceries
- Vehicle and mechanical repair services, including 'log book' servicing
- 'Click and collect/deliver' services
- Emergency repair workers
- Roadside assistance services
- Ancillary and support businesses, where necessary for the operations of an authorised provider
- Administrative services provided by an employer to enable its employees to work from home – e.g., payroll and IT services
- Truck stops and roadhouses, but not the provision of seated dining or shower facilities to persons who are not transport, freight or logistics drivers.

COVIDSafe Requirements

Members should also note that with the exception that **face coverings** will now be required to be worn both **indoors and outdoors** throughout **all Victoria**, COVIDSafe Workplace Requirements outlined in our previous [OHS Bulletin](#) continue to apply in relation to record keeping and cleaning requirements; whilst density requirements for essential retail moves to **1 person per 4 square metres**.

Members are encouraged to contact the VACC OHSE Unit for any further information or assistance, including in relation to their [CovidSafe Plan obligations](#) on 9829 1265.

Are Worker Permits required?

At this stage, there has been no indication that worker permits will be reintroduced. It is therefore likely that a 'common sense approach' will instead apply, as was the case in the 5-day Circuit Breaker lockdown that occurred in February. VACC will continue to update members of any changes.

What entitlements apply for employees required to self-isolate/quarantine?

Employees who have visited a location at the date and time where a COVID-19 case has visited – may be required by the Victorian Department of Health and Human Services (DHHS) to get tested and quarantine, despite not feeling unwell or not having any symptoms.

An employee is entitled to paid **personal/carer's leave only** in circumstances where they are unfit for work due to personal illness or injury – or in relation to carer's leave, where they are required to provide care or support to a member of the employee's immediate family or household – because of a personal illness or injury affecting the member, or an unexpected emergency affecting the member. Therefore, an employee who is required to quarantine is **not entitled** to paid personal/carer's leave **unless** they meet these requirements.

Where the employee has sufficient **annual leave** accrued, an employer may approve this request. In certain circumstances an employer might also consider agreeing to a request for annual leave in advance (i.e., prior to the leave having been accrued). Such an agreement must be in writing and meet a number of requirements. It is therefore recommended that members considering granting leave in advance contact the IR Dept for further information.

Where neither paid personal/carer's leave nor annual leave is appropriate, the employer may approve a period of **unpaid leave** for the employee. In such circumstances it is important to note that employees required to self-isolate or quarantine by DHHS may be eligible for the **Australian Government's \$1,500 Pandemic Leave Disaster Payment and/or the Victorian Government's \$450 Coronavirus (COVID-19) Test Isolation Payment**. Employees seeking further information on eligibility requirements can be directed to [Services Australia](#) and the [DHHS](#).

Can I stand down employees?

Members who are unable to operate as a result of the 7-day 'circuit breaker' lockdown, are advised to consult with affected employees about taking **paid annual leave or unpaid leave** during this period. Where agreement is reached, a written record of the employee's request to take leave should be kept. If agreement is unable to be reached, the employer is entitled to **stand down** the employee without pay.

Members considering standing down an employee should contact our Industrial Relations experts on 9829 1123 or ir@vacc.com.au for further advice and assistance.

Will the State Government provide financial support to affected businesses?

The Acting Premier has advised during this morning's press conference, that he will have "more to say on this in coming days". VACC will continue to update members of developments.

Can I be fined?

On-the-spot fines of up to \$1,652 (for individuals) and up to \$9,913 (for businesses) still apply for anyone who breaches COVID-19 restrictions.

Members needing further advice or assistance, **including regional members who may be less familiar with operating under this level of restriction**, are encouraged to contact VACC's Workplace Relations team on 03 9829 1123 or ir@vacc.com.au.

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