

## Critical COVID-19 Response Information for ACT Employers

Current as at Friday 10 July 2020

The following information is intended to assist businesses to navigate the unprecedented changes arising out of enhanced responses to the COVID-19 pandemic. Information about Government Response measures were current at the time of publication however, given the rapidly evolving situation, businesses should monitor reliable news sources for updated information.

### What is the current Stage Response?

Step 2.2 of the ACT's Recovery Plan commenced at 12 noon on **Friday 19 June 2020**.

Stage 3 easing of restrictions will be paused until further notice.

Step 2.2 means:

- There will no longer be a limit on household visitation.
- All **public** gatherings (except for the hospitality sector) will be set at one person per 4 square metres for each indoor and outdoor space, up to a maximum of 100 people (including staff, trainers and spectators).
- For the **hospitality** sector (cafés, restaurants, bars, pubs and clubs) gatherings will be set at 100 patrons for each indoor or outdoor space, or one person per 4 square metres, whichever is lesser. This limit excludes staff.
- Bars, pubs, and clubs will be able to serve patrons alcohol in **groups** of up to 10 patrons per booking or table without serving a meal. Patrons are to be seated.
- Full-contact training for sport, dance and martial arts is now **allowed**, as is circuit training.
- The following can **open**, observing the one per 4 square metre rule for up to 100 people (including staff) per indoor or outdoor space:
  - Cinemas and movie theatres
  - Open air drive-in cinemas (max. 100 vehicles)
  - Indoor amusement centres, arcades, outdoor and indoor play centres; and
  - Betting agencies.
- Further **ease of measures**, observing the one person per 4 square metre rule for up to 100 people (including staff) per indoor or outdoor space for:

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- Gyms, health clubs, fitness or wellness centres, yoga, barre, pilates and spin facilities, boot camps and personal training
- Swimming pools
- Community sport and organised sporting activities
- Outdoor amusements and attractions
- Dance classes
- Choirs, bands and orchestras
- Weddings and funerals
- Personal services (beauty and nail salons, tattoo and body modification, tanning, waxing, spa and massage parlours)
- community and youth centres
- Caravan parks, campgrounds and camp sites; and
- Places of worship and religious ceremonies.
- Further **ease of measures** for galleries, museums, national institutions, historic sites and libraries to allow for:
  - One person per 4 square metres throughout the venue
  - Organised tour groups of up to 20 people (excluding staff).

Businesses must have a COVID-19 Safety Plan. Businesses may be asked to produce their COVID-19 Safety plans upon request by an authorised officer.

Hotels, organised sports activities, places of worship, cinemas, open air cinemas, indoor or outdoor play centres, betting agencies performance locations including concert venues, theatres, arenas, or auditoriums must have their COVID-19 Safety plan by 12 June on 26 June 2020

For the following businesses and undertakings, the first name and contact number of every patron or attendee must be requested:

- Restaurants, cafés and other hospitality venues
- Gyms, health clubs, fitness or wellness centres
- Yoga, barre, pilates and spin facilities
- Boot camps and personal trainers

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- Auction houses
- Real estate auctions, display homes and open house inspections
- Funerals and wedding ceremonies
- Nail salons, beauty therapy, tanning and waxing services
- Tattoo and body modification parlours; and
- Day Spa and non therapeutic massage services.

If the business receives the information, also record the date and time the person attended the business or undertaking.

Patrons and attendees can decline to provide this information. If they do decline, they cannot be refused service or entry on that basis.

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Businesses and undertakings that must remain closed include:

- A gaming or gambling venue or casino
- Food courts (except for takeaway)
- Steam based services (including saunas, steam rooms, steam cabinets and bathhouses)
- A strip club, brothel or an escort agency
- A nightclub

Further information applicable to specific industries can be found on the [ACT COVID-19 website](#).

**When will there be further easing of restrictions?**

The ACT government is working through further easing of restrictions to take place in the coming weeks. Step 3 will be announced by the Government following further consideration of the easing of measures.

**Are the borders closed?**

From 12.01am on Wednesday 8 July 2020, the ACT has closed its borders for anyone travelling into the ACT from Victoria, unless they have an exemption to enter.

ACT residents are approved to return to their home, subject to entering quarantine for a period of 14 days, from the day after leaving Victoria. ACT residents must notify ACT Health of their intention to enter to the ACT.

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**Do I need to keep paying workers?**

If your workers can work safely from home (discussed below), then they may do so.

In the circumstances that impacted businesses experience a stoppage of work and all paid leave has been exhausted, there may arise the basis to implement a stand down without pay, however legal advice should be sought first.

In all cases, where an eligible business has experienced a drop in turnover of 30% or more (or 50% for a business with an annual turnover of \$1billion or more), full time, part time and casual employees (provided the casual employee has at least 12 months service) who were employed at 1 March 2020 may be eligible to receive a flat \$1,500 per fortnight JobKeeper Payment for a 6 month period.

The \$1,500 JobKeeper payment will be payable irrespective of whether the employee is continuing to perform some paid work or whether they have been stood down without pay.

The JobKeeper payments are being administered through the Australian Taxation Office and compliance monitored through the single touch payroll system. Employers received payments from the start of May 2020, backdated to 30 March 2020.

Eligible employers can enrol for JobKeeper [here](#).

Businesses whose operations are directly affected by the prohibited activities list such as gyms and indoor sporting venues, cinemas, beauty therapists and nail salons will be eligible to receive a six-month waiver of payroll tax from April to September 2020.

All ACT businesses with Australia-wide wages of up to \$10 million can defer their 2020-21 payroll tax, interest free until 1 July 2022.

Businesses in the construction industry can defer their payroll tax liability for the six months from April to September 2020 to provide cashflow assistance to help them workers. No interest will be charged until 1 September 2020, at which point the Government will assess the impacts of COVID 19 AND determine if a further deferral period is required.

There are also measures in place for commercial rates and tenancy relief as well as specific measures for food businesses and licenced venues, and businesses requiring infection control licences

**What should I be thinking about in implementing working**

Kingston Reid has developed a [Working from Home Checklist](#), to which employers may refer in preparing employees to work from home.

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**from home arrangements?**

This [Checklist](#) is not exhaustive, and employers should have regard to any particular safety, information security and other considerations that may be unique to the work undertaken by particular employees.

**What are other safety measures that I should be considering right now?**

The nature of the Response measures and the effect of isolation will invariably have an impact upon the mental health of all workers. Check in regularly with employees at home and ensure that all are reminded of Employee Assistance Programs.

Employers should remain mindful that, if employees are directed to undertake non-essential work, and they become infected, there will foreseeably arise exposure to workers' compensation and potentially negligence claims under the workers' compensation scheme.

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