

## Critical COVID-19 Response Information for New South Wales Employers

Current as at Wednesday 1 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.

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| <b>What is the current Stage Response?</b>   | <p>The NSW Government announced further easing of restrictions that commence from <b>Wednesday 1 July 2020</b>. Any person who is the occupier of a premises must ensure there is no more than one person per 4 sqm on the premises. This does not apply to:</p> <ul style="list-style-type: none"><li>• A place of residence</li><li>• A major recreation facility (capacity for more than 500 people)</li><li>• A vessel, but only if there are 50 or fewer people on the vessel</li><li>• Caravan parks and camping grounds</li><li>• Holiday homes and short-term rentals</li><li>• A funeral or memorial service held at a place or worship, a funeral home or a crematorium.</li></ul> <p>A funeral or memorial service held at a place or worship, a funeral home or a crematorium must not have more than 50 people on the premises if there is not enough space for one person per 4sqm.</p> <p>A major recreation facility may have the lesser of 25% of the capacity of the premises or 10,000 persons, unless the size of the venue is sufficient to ensure 4 sqm for each person on the premises.</p> <p>Households may have up to 20 visitors at any one time, Community sporting activities for up to 500 participants are allowed.</p> <p>The NSW Government directs a wide range of places/facilities to have a <a href="#">COVID-19 Safety Plan</a> in place and to keep a record of all people entering the premises.</p> |
| <b>For how long will the current Stage be in place?</b>  | <p>The New South Wales Government will monitor the progress following each stage of easing restrictions.</p>   |
| <b>What if I am not one of the employers that is included in the types of businesses included in the current Stage Response?</b> | <p>Businesses that are permitted to be open must adhere to the “4sqm rule”, maintain social distancing and follow other measures to mitigate against potential infection exposure.</p> <p>Employees must be permitted to work from home where work from home is possible.</p>  |

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**Are the borders closed?**

There has been no closure of New South Wales borders, and people entering into New South Wales from other States and territories are not required to self-isolate upon entering into New South Wales, subject to the following:

From 2 July 2020 any person who has been in a COVID-19 hotspot within the previous 14 days must not enter NSW unless they fall within some limited exceptions, including:

- the person's usual place of residence is in NSW;
- to obtain medical care;
- to provide essential services.

Any person who enters NSW must self-isolate in their residence until 14 days has passed since they were in the hotspot.

Any person who arrives in Australia after midnight on 15 March 2020 must go into immediate compulsory quarantine in a hotel for 14 days.

**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 \$1 billion 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](#).

The NSW State Government is waiving payroll tax for businesses with payrolls of up to \$10 million for 6 months, bringing forward the next round of payroll tax cuts by raising the threshold limit to \$1 million in 2020–21.

The State Government is also waiving a range of fees and charges for small businesses including bars, cafes, restaurants and trades, funding \$250 million to employ additional cleaners of public infrastructure, such as transport, deferral of gaming tax for clubs, pubs and hotels. It is waiving lotteries tax for 6 months (conditional on these funds retaining staff), instituting a deferral of the parking space levy for 6 months, and deferral of rents for

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|  | commercial tenants with less than 20 employees for 6 months in all Government-owned properties.  |
| <b>What should I be thinking about in implementing working from home arrangements?</b> | <p>Kingston Reid has developed a <a href="#">Working from Home Checklist</a>, to which employers may refer in preparing employees to work from home.</p> <p>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.</p>  |
| <b>What are other safety measures that I should be considering right now?</b>          | <p>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.</p> |

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