

EMERGENCY RESPONSE – ACTPS ADVICE ABOUT CRITICAL FRONTLINE WORKERS DURING THE COVID-19 OUTBREAK



The ACTPS delivers important services for our community and our Government. Supporting our community throughout the COVID-19 pandemic will require us to be responsive and flexible.

Everyone in the ACTPS is essential to some extent. That does not mean that all the business as usual work is essential and the ACTPS needs to prioritise, especially as worker absences due to illness etc may increase as a result of this pandemic.

As a principle, those workers who have duties that can be performed from home and workers who are in the vulnerable categories¹, should work from home.

Much of our essential, and other, work can be done from home. For those workers in critical frontline positions who cannot work from home, workplaces need to be made as safe as possible.

There is an expectation that workers in critical frontline positions who cannot work from home will, where possible, continue to perform their duties from the workplace. These roles are deemed critical for a reason and in the context of the COVID-19 pandemic, the need for the skills and capabilities of these workers is even more pronounced.

However, workers in critical frontline positions who cannot work from home may experience a tension between the need to remain at home, and the need to work to support the ACT community. Managers will work flexibly with their workers to, where possible, develop solutions to enable the worker to perform their duties at least some of the time and/or in new flexible ways, but which still account for the workers' individual circumstances.

The ACT Government, at this time, has made schools available for the children of workers in critical frontline positions. The machinations of workers' personal lives are complex and private and the decision whether or not to send children to school rests with the parents or carer. There are many circumstances where a worker may remain at home – to look after children who have underlying health issues, a child is ill and unable to attend school or child-care where no other arrangements can be made, or other caring responsibilities or circumstances which cannot be otherwise managed.

As is the case with all leave applications, workers should make a request to take leave balancing their workplace operational commitments and their personal commitments.

Principles

The assumption is that critical frontline positions need to continue to be performed by the relevant workers. This is likely to include positions that require specialist knowledge and skills that are not able to be undertaken by other workers.

Not everyone who is an essential worker is in a critical frontline position which cannot be performed from home. Directorates should identify which of their essential workers are in critical frontline positions and of those, which have duties that can be performed from home.

However, it is important to remember that our critical frontline workers are impacted by the current COVID-19 outbreak in the same way that other staff are. This includes being impacted by changes to schools and child-care arrangements or where they are vulnerable and unable to perform face to face activities on the frontline.

¹See [ACTPS WHS Guidance – COVID-19 and WHS Requirements for Vulnerable Workers](#).

Responsibilities

Both managers and workers will need to work together in constructive and flexible ways to ensure we can continue to resource critical frontline services, while taking into account workers' individual circumstances.

Directorates

Directorates need to assess positions on a case by case basis to determine whether they can be performed from home or not.

It is not sufficient to make a blanket declaration that a whole work area or function is critical, as many of the relevant positions may well be able to be performed from home, even where they are part of an 'essential service'.

In the case of duties that cannot be performed from home, Directorates must consider the Workplace Health and Safety hierarchy of controls to ensure the workplace is as safe as possible.

Workers in critical frontline positions

Workers in critical frontline positions perform roles which in the context of a pandemic are vitally important.

Where a worker in a critical frontline position indicates they need to absent themselves from the workplace, the worker and manager need to have a constructive discussion about why. The reasons could be many – narrowing down why the request is being made and how it might be mitigated.

- It might be a concern about infection. If so, the discussion would be on risk identification and options for control.
- It might be about looking after children who are not at school. If so, the discussion might be around accessing other caregivers or care arrangements, flexibility of hours, rostering to suit other care givers to ensure the caring responsibilities can be shared in families and managed, shortening shifts etc.
- It might be that the worker meets the criteria for being a vulnerable worker. If so, the manager should refer to the document [ACTPS WHS Guidance – COVID-19 and WHS Requirements for Vulnerable Workers](#).
- Controls such as enabling flexible work hours or scheduling (so less people are in the workplace together) should be considered and available options canvassed with workers as appropriate. This includes undertaking risk assessment and making adjustments to duties and locations to make workplaces safe. The risk assessment will have regard to matters such as the level of community transmission and the controls such as social distancing already implemented in the workplace.
- Circumstances change and decisions may need to be revisited - schools have implemented safe distancing measures and have strengthened cleaning regimes. The Australian Government has announced a package that will support families with children in childcare. This will be particularly helpful for those front-line workers who have duties that cannot be performed at home.

If no workable solutions can be found, it must be accepted that our frontline workers are affected by the COVID-19 outbreak both professionally and personally and may have no choice other than to take COVID-19 leave.

Where a Directorate re-deploys a critical frontline worker to accommodate alternative childcare and schooling arrangements, the worker will not be disadvantaged in a reduction to their take home pay because of their change in work hours and will receive whichever rostered shift payment is the greater over the cycle of the roster.

Emergency powers are also in place to ensure that service levels in critical services such as Corrections and other health services are maintained.