

Circumstance	Nature of Circumstance	Access to Payment
Circumstance A)	If the employee has contracted the virus.	Employee is <i>eligible</i> to access their <i>personal/carer's leave entitlement</i> under the NES.
Circumstance B)	If the employee's immediate family or household member has contracted the virus.	
Circumstance C)	If the employee is suspected to have contracted the virus and has been directed to obtain a medical test for the virus and await the result.	It would seem reasonable for the employer to pay wages as normal for the period of time taken to receive a result. A positive result will mean that the employee can access their <i>personal/carer's leave entitlement</i> under the NES. A negative result will mean that an employee can return to work.
Circumstance D)	If the employee is 'fit for work' but has been directed by their employer to self-isolate	<p>a) Where the direction is given in accordance with relevant health department guidelines (i.e. where there is high material risk to health and safety which cannot be moderated), this is a legitimate basis for directing the employee to stay away from work without pay (or allowing access annual leave, if requested by the employee).</p> <p>b) Where the direction is given due to a high level of anxiety or concern on the part of the employer, (e.g. if an employee's partner has returned from a country designated as a 'moderate risk') the likelihood of contracting the virus is the same as it would be for every individual carrying out everyday duties such as visiting the supermarket. Therefore, it would seem reasonable to pay the employee for the relevant period.</p>
Circumstance E)	If the employee has returned from travel from a 'high risk area' or has come into contact with someone who has been confirmed as having coronavirus but is not sick and still 'fit for work.'	<p>Employee will not be entitled to <i>personal/carer's leave</i> under the NES, but it would be reasonable for the employer to pay them –under the circumstance described in 'Circumstance D' a) above.</p> <p>Furthermore, in these circumstances (and in Circumstance D), an employee may be able to negotiate one of the following options with their employer:</p> <ul style="list-style-type: none"> - The employer agrees to a 'Working from Home' arrangement for which the employee will continue to work and be paid for such work

<p>Circumstance F)</p>	<p>If the employee is taking their own precautionary measures and personally decided to self-isolate.</p>	<p>- When a 'Working from Home' arrangement is not viable, the employer will allow the employee to access other paid leave entitlements such as annual leave and long service leave if requested by the employee, OR the employer may provide some other form of 'discretionary leave payment' to the employee for a period of 14 days.</p>
<p>Circumstance G)</p>	<p>Employee is engaged in a casual capacity.</p>	<p>Casual employees do not have paid leave entitlements under the NES (such as personal/carer's, annual or long service leave). Therefore, they will be unable to rely upon leave payments.</p> <p>Casual employees required to isolate may be required to do so without payment. Some Companies may decide to introduce additional terms for their casual employees during these circumstances to try and alleviate financial losses to the employee.</p>