



Circular 7/2020 – Government-initiated changes related to COVID-19 – workforce arrangements

Background

The Australian Government and the Western Australian Government are implementing staged measures to slow the spread of COVID-19 in the community and save lives. Some of these measures have already resulted in business changes affecting public sector employees. Further measures affecting employees are anticipated.

This Circular describes changed methods of operation to ensure the Western Australian Government can stay open for business. In some instances, public sector employees will be able to keep doing their usual work in different ways. In others, employees may be directed by employers or the State Emergency Coordinator to temporarily undertake different duties, work at a different workplace, or not perform work, in order to support the Government's response to COVID-19.

This Circular operates in conjunction with [Public Sector Labour Relations Circular 6/2020 – Leave arrangements for COVID-19](#). That Circular describes leave arrangements and employment flexibilities available to public sector employers managing absences from work related to COVID-19.

Application

This Circular applies:

- o to Western Australian public sector employers and employees; and
- o if a Government decision results in a public sector agency changing the way some of its services are delivered, or suspending delivery of some services or performance of some functions. All these situations are called “changed service delivery arrangements” in this Circular.

Requirement on employers

Employers must identify how the skills and capabilities of their employees can be applied to maintain Government services or support the Government's response to and economic recovery following COVID-19.

Changed service delivery arrangements

1. Permanent employees

To support changed service delivery arrangements, permanent employees:

- o may be required to work at home, directed to temporarily undertake different duties at the employee's usual workplace or work at another workplace (including another public sector agency), or advised to temporarily cease work; and
- o are to be paid the salary they would otherwise have been entitled to be paid for the duration of the changed arrangements.

2. Fixed term contract employees

To support changed service delivery arrangements, fixed term contract employees:

- o may be required to work at home, directed to temporarily undertake different duties at the employee's usual workplace or work at another workplace (including another public sector agency), or advised to temporarily cease work; and
- o will continue to be engaged under their current terms and conditions for the duration of the contract (subject to any flexibility to terms and conditions required to accommodate temporarily changed duties).

Employers may offer to renew fixed term contracts following their expiry if suitable ongoing work is available.

3. Casual employees

To support changed service delivery arrangements, casual employees:

- o may be required to work at home, at the employee's usual workplace or another workplace (including another public sector agency); and
- o may continue to be engaged as casual employees to perform any work that cannot be undertaken by an existing permanent or fixed term contract employee.

Casual employees who are not required to work because of changed service delivery arrangements are entitled to access COVID-19 leave as described in PSLR Circular 6/2020.

4. Temporary labour hire arrangements

If an agency suspends delivery of some services or performance of some functions as part of changed service delivery arrangements, the employer is to:

- o review their agency's use of temporary labour hire arrangements; and
- o cease use of all such arrangements involving work that can be undertaken by an existing permanent or fixed-term contract employee.

Further advice

To discuss how this Circular applies in specific circumstances, employers can contact their [Labour Relations Adviser](#) or email publicsectorlabourrelations@dmirs.wa.gov.au.



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