



Government Sector Labour Relations

Shaping a contemporary government sector workforce

Circular 6/2020 – Leave arrangements for COVID-19 - summary of revisions

Circular 6/2020 was first published on 23 March 2020 and revised on 15 April 2020, 13 November 2020, 5 February 2021, 2 September 2021, 4 February 2022 and 9 February 2022. Below is a summary of the revisions made to this Circular.

1. The 15 April 2020 revisions:
 - Revised clause 3 (Employees who are required to self-isolate, but are not sick) to clarify that self-isolation may be because of State or Commonwealth Government requirements and not just “Australian Government” requirements.
 - Updated clause 7 (Employees in high risk category in most workplaces), and included a new clause 8 (Employees in high risk category in high risk work settings) to reflect advice about high-risk employees issued by the Australian Health Protection Principal Committee (AHPPC) on 30 March 2020.
2. The 13 November 2020 revisions:
 - Updated clause 1 (COVID-19 leave) to resolve any ambiguity about how paid leave is to be calculated for permanent and casual employees.
 - Updated clause 3 (Employees who are required to self-isolate, but are not sick) to clarify that COVID-19 leave cannot be used to cover mandatory quarantine after returning from another State or Territory unless, in the opinion of the employer, the employee’s travel was for official or compassionate reasons.
 - Revised clause 7 (Employees at higher than usual risk) and removed clause 8 (Employees in high risk category in high risk work settings) to reflect the AHPPC’s statement of 6 July 2020 which supported all employees, even those at higher than usual risk, to return to the workplace with appropriate controls in place.
3. The 5 February 2021 revision:
 - Updated clause 3.1 (Presentation for COVID-19 tests and self-isolation awaiting test results) to extend COVID-19 leave to employees presenting at a COVID-19 testing facility.
4. The 2 September 2021 revision:
 - Updated clause 3.1 (Presentation for COVID-19 tests and self-isolation awaiting test results) to extend COVID-19 leave to employees experiencing adverse reactions following a COVID-19 vaccination on or after 2 September 2021, if they have exhausted all personal/sick leave.
5. The 4 February 2022 revision:
 - Reset the balance of COVID-19 leave to 20 days for each employee on 5 February 2022, irrespective of the number of days taken by an employee before that date.

- Revised clause 2 (Employees who are sick) to clarify that a “positive COVID-19 diagnosis” (required for employees who have no personal or sick leave entitlements to access COVID-19 leave) is a diagnosis following a test carried out in accordance with any applicable Directions under the *Public Health Act 2016*.
- Updated clause 3.1 (Presentation for COVID-19 tests and self-isolation awaiting test results) to clarify that employees only have access to COVID-19 leave for the time they are undertaking or awaiting the results of a PCR test. The leave is not available to cover time taken administering a RAT test.
- Revised clause 3.2 (Employees subject to a Government requirement to quarantine or isolate) to clarify the leave is available for public sector employees subject to a Government direction to isolate or quarantine who cannot work remotely, not just “close contacts”.
- Updated clause 7 (Employees at higher than usual risk) to reflect the AHPPC’s statement of 12 October 2021 which supports all employees, including those at higher risk of becoming severely ill from COVID-19, to continue attending work with appropriate precautions in place where public health restrictions allow.

6. The 9 February 2022 revision:

- Revised clause 2 (Employees who test positive to COVID-19 or experience an adverse vaccine reaction) and separated the clause into three parts:
 - Clause 2.1 (Employees who test positive to COVID-19) allows employees who test positive to COVID-19 to access COVID-19 leave before existing personal or sick leave instead of on exhaustion of personal or sick leave on or after 9 February 2022.
 - New clause 2.2 (Additional discretionary period) provides employers with discretion to extend the number of days of COVID-19 leave in compelling circumstances for employees testing positive to COVID-19 or required to isolate because of exposure or possible exposure at work.
 - New clause 2.3 (Employees experiencing an adverse vaccine reaction) allows employees experiencing an adverse vaccine reaction to access COVID-19 leave on or after 9 February 2022, before personal or sick leave entitlements as previously required under the September revision.
- Revised clause 3.2 (Employees subject to a Government requirement to isolate or quarantine) to clarify employees can access COVID-19 leave for this purpose on or after 4 February 2022.

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