

Critical COVID-19 Response Information for Queensland Employers

Current as at Thursday 5 November 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 Government sources for updated information.

What is the current Stage Response?

Queensland is currently in **Stage 5** of the response to easing the COVID-19 restrictions.

As of 1.00am on 25 September 2020, there are no Local Government Areas listed as Queensland COVID-19 restricted areas.

Stage 5 enables the following:

- Queenslanders can travel anywhere in Queensland for any purpose at any time.
- Gatherings of up to 40 people are allowed in non-residences and in outdoor settings.
- Gatherings of up to 40 people are allowed in restricted, private, non-commercial areas.
- All businesses can open.
- All businesses may now have 1 person, per 4 square meters.
- Maximum number of customers at outdoor venues is now 1 person per 2 square meters. This includes businesses such as outdoor dining, beer gardens, theme parks and zoos.
- Maximum number of customers at indoor venues with a floor space that is less than 200 square meters is 1 person per 2 square meters, up to 50 people.
- Standing eating and drinking are now permitted at indoor and outdoor venues with a COVID Safe Plan.
- There are now increased maximum number of people permitted at outdoor events with a COVID Safe Events Checklist from 500 to 1000.
- Open air stadiums have had increased their seating capacity from 50% to 75%.

As of 16 June 2020, further restrictions have eased permitting the following up to 100 people at weddings and funerals.

As of 16 October 2020, 40 people can dance at a wedding held under a COVID Safe Plan or Checklist.

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<p>For how long will the current Stage Response be in place?</p>	<p>The Queensland Government will continue to monitor the progress following the first stage of easing restrictions. However, it is predicted that Stage 6 will come into effect from 1.00am on 1 December 2020.</p>
<p>What if I am not one of the employers that is included in the types of businesses included in the current Stage Response?</p>	<p>Businesses are permitted to open and operate but must adhere to the “4sqm rule”, maintain social distancing and follow other measures to mitigate against potential infection exposure.</p> <p>Employees may work from home where possible.</p>
<p>Are the borders closed?</p>	<p>Currently in Stage 5 for opening up Queensland’s borders.</p> <p>The Border Restrictions Direction (No. 17) which came into effect at 1.00am on November 3 2020, removes the border zone. This means that travellers from NSW who have not been in a COVID-19 hotspot can enter Queensland with a valid Queensland Border Declaration Pass without having to complete mandatory quarantine. Border closures to Victoria remain.</p> <p>A person who, in the 14 days prior to entering Queensland has been in a place which at the time of entry to Queensland is a Covid-19 hotspot, must not enter Queensland unless the person:</p> <ul style="list-style-type: none"> • Ordinarily resides in Queensland or is moving to Queensland to permanently reside in Queensland, or the person is a border zone resident who is a Queensland resident; • needs to comply with an order to attend a Court or Tribunal to give effect to orders of the Court or Tribunal; • has to fulfil an arrangement or obligation relating to shared parenting or child contact; • needs to come to Queensland to complete an essential activity; • arrived into Queensland by air and transferred directly to another flight to leave Queensland and does not leave the airport or remained in quarantine until their flight out of Queensland; • Transited through a COVID-19 hotspot by road using private transport stopping only for essential fuel supplies and to manage driver fatigue, wore a mask when stopping and did not stay overnight in a hotspot; • Transited through a COVID-19 hotspot by road using private transport to enter Sydney airport to fly to Queensland;

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- If they may come to Queensland from the Spirit of Tasmania, but only if they immediately left Victoria by road or air after disembarking the vessel and did not stay overnight in a hotspot on their way to Queensland.

Further, any person coming from a hotspot will be required to quarantine in government arranged accommodation at their own expense, unless exceptional [circumstances apply](#).

The [Self-quarantine for Persons Arriving in Queensland From Overseas Direction \(No. 6\)](#) provides that persons who arrive in Queensland from overseas are required to self-quarantine for 14 days in “nominated premises”. Certain individuals who may self-quarantine outside government-nominated accommodation includes:

- airline and maritime crew;
- unaccompanied minors;
- consular employees; or
- those who are unable to live independently and without support.

Earlier in March, directions were made under s 191A of the *Transport Operations (Marine Safety) Act 1994* for all ships entering Queensland preventing them from docking until 14 days has elapsed since it left the foreign port or since picking up crew members from a foreign country, the later of the two.

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.

What should I be thinking about in implementing working from home arrangements?

Kingston Reid has developed a [Working from Home Checklist](#), to which employers may refer in preparing employees to work from home.

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.

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What are other safety measures that I should be considering right now?

The nature of the Response measures, effect of isolation and the gradual easing of restrictions 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 return to work, and they become infected, there will foreseeably arise exposure to workers' compensation and potentially negligence claims under the workers' compensation scheme.

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