



PROTECTING YOUR HEALTH, JOBS AND INCOMES DURING THE COVID-19 PANDEMIC

BACKGROUND

Thank you for everything you are doing to keep our rail, tram and bus networks moving during these unprecedented times. You are the backbone of this country and your efforts will be instrumental in helping Australia get through the challenges ahead.

Having said that, we know you are concerned about what a prolonged “shutdown” will mean for your job security. This information sheet provides details on:

- Protecting your health and safety;
- Protecting your job and income security; and
- Income support during challenging times.

PROTECTING YOUR HEALTH AND SAFETY

Even in these extraordinary times, the RTBU will ensure employers comply with their legal obligations under enterprise agreements and legislation.

From a WHS perspective, our HSRs have been, and will continue to be, very busy. HSRs have the right to request information about risk assessments, to review control measures, to issue Provisional Improvement Notices (PINs) about a lack of consultation or effective measures to control COVID-19 in their workplace, and to even cease work. They will be using these tools when appropriate.

At an individual level we all need to practice social distancing. Of course in our industries we can't work from home so we are working with your employers to put in place measures that go above and beyond mere PPE to keep you safe. The RTBU is working day and night to ensure operators have proper 'workplace plans' and are implementing them.

A workplace plan by your employer for dealing with COVID-19 must include the following:

- The information, training and support and local measures for infection control including appropriate hygiene, social distancing and isolation, and work from home arrangements where practicable. If you are required to complete any additional WHS measures or controls, this should be done within your rostered work hours, not before or after. Further, if you require PPE at work (such as hand sanitiser or gloves), this should be provided by your employer – you should not be required to supply your own PPE.
- How to report any concerns in a way that encourages workers reporting and ensures they are not discriminated against or suffer any adverse consequences;

- Arrangements for those required to be away from work, as a result of infection control measures, including paid special leave for confirmed cases, for self-isolation as a result of contact with confirmed cases or whilst awaiting test results, and for self-isolation if returning from travel to certain locations;
- What to do if there a suspected case or person with COVID-19 has been at the workplace; and
- The contingency plans for leave, reallocation and re-organisation of work, if health authorities shut down schools, public events, work sites to ensure workers can meet requirements to care for children or other dependent family members.

The ACTU has produced a checklist that outlines some useful questions workers and their representatives can ask. The checklist can be downloaded at:

https://www.actu.org.au/media/1448937/coronavirus_workplace_checklist.pdf

PROTECTING YOUR JOB SECURITY

We will do everything possible to protect your job security.

The first thing to know is that we are working closely with governments and individual operators across the country to mitigate any risk to you, both physically and financially.

Depending on how things progress, here is a list of the possible actions that employers may try to take to preserve profits:

- Changes to work arrangements, including rostering – However, employers must consult you and your Union about any changes to your rostering arrangements. We will ensure the consultation requirement is enforced, and that your views are represented.
- Annual leave – Employers can only direct you to take annual leave in accordance with your Enterprise Agreement and/or the minimum standards in the Fair Work Act. We will ensure these requirements are followed.
- Long-service leave – There is generally no capacity to direct employees to take their long-service leave. Procedures must be in accordance with EA and/or relevant state legislation.
- Stand down - Where an employee cannot be usefully employed because of a stoppage of work for which the employer cannot reasonably be held responsible, employees may be subject to stand down without pay in accordance with the terms of an EA or the Fair Work Act. To be clear, this is usually only used when nobody can perform the work. A mere downturn in demand is traditionally not enough at law to use this.
- Redundancy - Where stand down is not practicable or available, termination of employment as consequence of the position no longer being required may occur.

The RTBU will do everything we can to prevent these things occurring where possible. If any do occur, we will work tirelessly to get you back to work as soon as possible.

INCOME SUPPORT DURING THESE CHALLENGING TIMES

If you, or a member of your family, are stood down, made redundant or see your income drop below \$1,075 a fortnight, you may be eligible for the JobSeeker payment and Coronavirus supplement.

Below is a summary of the how the entitlements will work.

Between today and 13 April 2020

- People who are unemployed or have seen their income drop below the \$1,075/fortnight threshold can access the normal JobSeeker payment (this is the old Newstart) and remains at the previous level of \$565.70 a fortnight for a single person with no children (dependent on income and family circumstances). They will also receive the first lump sum \$750 payment from Government which will be delivered from 31 March (through to 13 April as people sign on)
- People will still have to provide proof they have been let go from their job (Employment Separation Certificate) if applicable.
- The ordinary waiting period has been waived (which is one week) but the Liquid Assets Waiting Period (scales with savings from 1 week at \$5,999 in savings up to 13 weeks for \$11,500 or more in savings) still applies. This requires people with significant savings to wait for payments
- All asset tests still apply.
- Revised mutual obligations (4 jobs per month)

Between 14 April and 27 April 2020

- All the above applies but you will not receive the first \$750 payment.

After 27 April 2020

- In addition to the Jobseeker payment an additional \$550 per fortnight Coronavirus supplement begins to be paid all eligible recipients (This will also be paid to those receiving sickness allowance, youth allowance, parenting payment, partner allowance, special benefit and the farm household allowance) for 6 months
- Asset tests, liquid asset waiting period, proof of dismissal are all waived for 6 months. Anyone serving one of these waiting periods gains access to the system.
- Special eligibility for sole traders and the self-employed, which allow them to satisfy mutual obligation through the continuation of their business, begin for 6 months.
- If you are eligible for the Coronavirus supplement, then you are NOT eligible for the second \$750 lump sum payment.
- Revised mutual obligations (4 jobs per month)

TEMPORARY EARLY ACCESS TO SUPERANNUATION

The Government has legislated to provide for some people to access super early. Accessing your super in times of financial hardship should be a last resort.

This is a step which should only be taken by workers if all other ways of getting income support are exhausted.

You may also have an insurance policy in your fund to protect against loss of income. Contact your fund to help you determine if you have income protection insurance you can access.

Remember, taking super out of your account during your working life has a huge impact on your retirement.

Key Details

Workers are able to access \$10,000 before 1 July and \$10,000 after 1 July from their superannuation fund in two separate payments from mid-April through the ATO on www.my.gov.au.

Tax is not payable on the withdrawn amount and it will not affect other Government payments, like Jobseeker payments.

You are eligible if:

- You are unemployed
- You are receiving other Government benefits, job seeker payment, youth allowance for jobseekers, parenting payment (which includes the single and partnered payments), special benefit or farm household allowance; or
- Since 1 January 2020, you have been made redundant, your working hours have been reduced by 20 per cent or more, or if you are a sole trader (ABN worker) and are experiencing a 20 per cent reduction in revenue.

To access early release of superannuation you must submit a declaration through www.my.gov.au that you meet the above criteria.

You are also required to contact your fund, or your fund will contact you, to establish Proof of Identity.

Your super fund will explain how to do this.

You will also be required to tell your super fund your bank account details for them to deposit the funds in.

Together we can protect your workplace health and safety, and your job security.

If you have any questions please contact your Delegate or Organiser.