

## **General Practice and Private Practice Fact Sheet**

### **COVID-19: Your Staff and Your Practice as a Workplace**

General practitioners and specialists in private practice are contacting AMA Victoria with questions regarding staff and staff safety during the COVID-19 pandemic.

For all questions regarding the safety of doctors, staff and patients, visit [www.dhhs.vic.gov.au/coronavirus](http://www.dhhs.vic.gov.au/coronavirus) in the first instance.

The Federal Department of Health website also contains a huge variety of information: [www.health.gov.au/resources/collections/novel-coronavirus-2019-ncov-resources](http://www.health.gov.au/resources/collections/novel-coronavirus-2019-ncov-resources)

Your practice is a workplace so visit: [www.worksafe.vic.gov.au/safety-alerts/exposure-coronavirus-workplaces](http://www.worksafe.vic.gov.au/safety-alerts/exposure-coronavirus-workplaces) for information to assist you and your practice manager in maintaining a safe workplace.

The Fair Work Ombudsman has comprehensive information at [www.fairwork.gov.au/about-us/news-and-media-releases/website-news/coronavirus-and-australian-workplace-laws](http://www.fairwork.gov.au/about-us/news-and-media-releases/website-news/coronavirus-and-australian-workplace-laws)

## **Workplace Relations Responsibilities**

### **Your permanent full time and part time staff**

As much as you can, it is important to look after your staff as well as your patients.

#### **Stand down**

Under the Fair Work Act, an employee can only be stood down without pay if they can't do useful work because of equipment break down, industrial action or a **stoppage of work for which the employer can't be held responsible**.

If your specialist practice must close because patients are not attending or doctors are not available, AMA Victoria would advise that you discuss the situation with your staff and allow them to take annual leave, long service leave, leave at half pay or offer annual leave in advance on the basis that if they leave your employment, they will be required to repay the advance.

### **Directing your staff not to attend the clinic/practice (workplace)**

If you direct a permanent full time or part time staff member not to attend the workplace when they are COVID-19 free and you are not standing them down using the provisions as described above, you will be required to pay the staff as normal whilst they are under direction to remain away.

### **Additional hours for part time and casual staff**

As a general practice is on the front line, you may need to alert your casuals that they may be offered extra shifts and discuss with your part-time staff what capacity they have for extra hours in the predictable situation that some of your staff are not able to work. Additional wage payments would be according to the Health Professionals and Support Services Award 2010 or the Nurses Award 2010. In the event that your staff doing extra hours are not paid correctly for these additional hours due to the absence of a payroll officer, assure your staff that records of extra hours are being kept and any underpayments will be corrected when payroll staff are back at work.

**If your staff are diagnosed with COVID-19:**

If a staff member is diagnosed with COVID-19, you have the right to direct them not to attend work. If they have an entitlement to take personal leave, they are entitled to take personal leave and, by agreement, access other leaves if they are short of personal leave. If they don't have access to personal leave, you can provide them with unpaid leave on the basis that they are not capable of performing the job and on the basis that you have a responsibility to provide a safe workplace.

**If your staff have to stay home to look after a family or household member with COVID-19:**

If a staff member needs to stay home to look after a family or household member who is sick with COVID-19 they are entitled to take paid carer's leave - if they have that entitlement. If they don't have that entitlement, you should grant them unpaid carer's leave or by agreement, access other leaves if possible.

**Return to work**

Anyone who has taken leave due to contracting COVID-19 or cared for someone with COVID-19 must provide appropriate medical evidence that they are clear of the virus and fit to return to duty.

**Working from home**

It is unlikely due to the nature of a general practice or specialist practice that staff would be able to work from home but if it is possible, discuss the situation and agree on how to proceed.

**Staying home to ensure safety**

If one of your staff is well and has no carer reason to remain home but simply wants to take precautions, they would need to apply for annual or long service leave. You would have the right to refuse this request, but AMA Victoria advises that you make decisions on a case-by-case basis bearing in mind employees' home situation.

A number of staff might contract COVID-19 and need time away from work to recover and self-isolate so it is timely to remind staff that they may wish to hold on to their leave entitlements for when they may really need them.

**Your casual staff**

A genuine casual is someone who is ONLY called in to work when the work is available. It would be wise to inform your genuine casuals that there is currently no work available, but they will be contacted when business is returning to normal.

A long-term casual employee is someone who has worked for the business for over 12 months with an agreed pattern of ordinary hours. Irrespective of their length of service, they are casual, and you are not obliged to provide them with work. It would be wise to inform your long-term casuals that there is currently no work available, but they will be contacted when business is returning to normal. Casuals are entitled to unpaid carer's leave.

**Multiskilling**

It would be appropriate to discuss multiskilling with your practice manager and team and undertake additional training to ensure the main functions of the practice are maintained including patient booking, patient billing, the provision of medical supplies, payroll and cleaning of the clinic. For sole practitioners, you may need to investigate how to cover the absence of your secretary.

**Further Advice**

If after reading this fact sheet and the recommended websites you still have questions including pay queries, please call the AMA Victoria Workplace Relations team on 03 9280 8722.