



# Circular 2020/9: Returning to Usual Workplaces

## Purpose

1. The purpose of this Circular is to provide advice to agencies about employees returning to their usual (pre-COVID) workplaces. The following advice applies to all Commonwealth agencies and their employees including ongoing, non-ongoing and casual employees.
2. Where the Australian Government and state and territory governments relax COVID-19 restrictions, in line with the [Roadmap to a COVID-safe Australia](#) agreed by National Cabinet, and as the number of COVID-19 cases stabilises and remains low in most communities, agency heads should make arrangements to facilitate employees returning to their usual workplaces.
3. The focus of agencies and employees should be the continued delivery of critical functions to the Australian public, as well as ensuring workplaces are COVID-safe.
4. Agency heads should act on government, public health and other relevant advice, and make timely decisions to ensure business continuity and a safe transition back to the workplace.
5. Given that many agencies have a geographically dispersed operating environment, a COVID-safe return to the workplace may vary within an agency, depending on the workplace location.
6. A single approach for the APS is not practicable given the diversity of working environments. Each agency's approach will be different and tailored to their particular circumstances.

## COVID-safe workplaces

7. Agency heads remain responsible for making working from home decisions in their agencies in accordance with their agency's workplace arrangements.
8. Where there is limited or no community transmission of COVID-19, employees should return to their usual workplaces, where it is safe to do so.
9. Returning employees to usual workplaces must be in line with government policy and [public health advice](#) issued by the Australian Government and State and Territory governments, including physical distancing requirements and the [National COVID-19 Safe Workplaces Principles](#).
10. Current [public health advice](#) states that the current number of COVID-19 cases is low in most communities. Therefore, all employees, even those at [higher risk of more severe illness](#), may be able to return to usual workplaces with consideration given to the individual circumstances and the epidemiological environment, following an appropriate risk assessment and with appropriate controls in place.
11. Agencies should assess their workplaces to ensure they are COVID-safe and can accommodate the return of employees to the workplace. Considerations include:
  - a. a systematic risk assessment of work health and safety risks in accordance with the [Safe Work Australia](#) code of practice;
  - b. adhering to physical distancing principles, with particular consideration given to common areas such as kitchens and break out spaces;
  - c. maximum occupancy capacity of enclosed spaces, such as offices and meeting rooms;

- d. ensuring interactions between employees while working and on breaks are managed in a COVID-safe way;
  - e. modifying workplace attendance arrangements where the agency cannot maintain physical distancing in the workplace, or where public transport risk mitigation measures affect travel. For example, rostering employees to work from the office or home on different days or alternating weeks, or facilitating more flexible start and finish times;
  - f. connectivity and employee wellbeing;
  - g. guidance and support to assist employees in the transition to their usual workplace; and
  - h. ongoing workplace health and safety implications and obligations both in the workplace and working from home.
12. Agencies should engage with employees, and where they choose, their representatives, to identify and control risks; adapt and promote safe work practices; actively control against the transmission of COVID-19 in the workplace; and respond to any cases of COVID-19 in the workplace.
  13. Agencies should support the COVID-safe return to usual workplaces with a communication strategy that clearly outlines what this means for employees and how it will be implemented, and include information about contingencies should there be changes in the epidemiological environment.
  14. Agencies should be flexible in responding and adapting to changes in advice from the Australian Government and state and territory governments.

## Localised outbreaks

15. Agencies should have a formal plan in place to respond to future localised outbreaks that has employee roles and responsibilities pre-defined and is supported by a risk communication program, so that employees know what to expect. This should be incorporated into the agency's business continuity or pandemic plan.
16. Agency heads remain responsible for making working from home decisions in their agencies. Actions should be based on a formal risk management process.
17. Where there is a localised outbreak, agency heads should facilitate employees in the location of the outbreak working from home, where it is appropriate and practicable to do so.
18. Agency heads must ensure operational requirements are met and services continue to be delivered in a COVID-safe manner.
19. The ability for employees to work from home will depend on the types of advice and work they need to undertake. For operational reasons some employees will need to attend their usual workplace.
20. Where employees are working from home due to a localised outbreak, agencies should put in place arrangements to support employees who are working from home. These may include regular check in arrangements, teleconferences, and other mechanisms to maintain regular communication between employees and their managers.
21. Where employees are unable to access supervision for their children, in the first instance, agencies should facilitate flexible working arrangements to allow employees to continue working.
22. Where flexible working arrangements cannot be accommodated, agencies should consider whether the employee can temporarily undertake a different (more flexible) role, either within their agency or in a different agency.
23. Where an employee is unavailable for work, they will need to access an approved leave type.
24. Employees who make themselves unavailable for work may utilise their available leave credits. Where credits are exhausted, there is no entitlement to additional paid leave.
25. Paid carer's leave may be appropriate in specific circumstances. Paid carer's leave is available to full-time or part-time employees where the employee needs to look after a family member or a member of their

household who requires care or support because of a personal illness or unexpected emergency affecting the member. See [Fair Work Ombudsman guidance](#) on personal/carer's leave during COVID-19 and [Circular 2020/1: COVID-19 Leave Arrangements](#) for further information.

## Mobility

26. The APSC continues to coordinate and support the mobility of employees between APS agencies in response to COVID-19.
27. This Circular does not impact agencies' responsibility to continue to review their critical functions based on current and emerging needs in response to COVID-19. In doing so, agencies will identify employees who can undertake a temporary mobility opportunity. This will help ensure agencies are ready to respond to surge requests to support the continued delivery of critical government services to the Australian public.
28. Agencies must continue to identify employees available for temporary mobility opportunities to the APS Workforce Management Taskforce, in response to surge requests.
29. More information on mobility can be found in [Circular 2020/6: Temporary mobility arrangements as part of the continued response to COVID-19](#).

## Business continuity

30. Agencies must continue to implement their business continuity plans, including risk management, contingencies for different epidemiological environments and how they will return to COVID-safe workplaces when it is safe to do so. Agency heads have a responsibility to ensure their agencies continue to deliver essential services to the Australian public.
31. Agencies should communicate actions from business continuity to employees and maintain regular discussions regarding the return to COVID-safe workplaces.

## Interaction with Circular 2020/1 and Circular 2020/5

32. This Circular does not supersede, and should be read in conjunction with, [Circular 2020/1: COVID-19 Leave Arrangements](#).
33. This Circular supersedes Circular 2020/5: Preparing for a COVID-safe transition for APS workplaces.
34. This Circular does not limit or restrict existing agency head powers to facilitate arrangements for employees to work from home. These arrangements could be for cohorts of employees, or on a case-by-case basis.

Last reviewed:  
28 September 2020