



## Workplace Safety and Disasters Fact Sheet

**Q: What are my own duties as a worker?**

A: You must take reasonable care for your own health and safety and that of others who might be affected by your acts or omissions, and cooperate with your employer's safety measures.

**Q: My workplace has ceased operations because of the disaster. Can I be stood down without pay?**

A: An employer may stand down employees without pay during a stoppage of work for which the employer is not responsible (e.g., the workplace is destroyed by a natural disaster) when employees cannot be usefully employed. If this issue arises, make sure you check your employment contract or a relevant enterprise agreement.

**Q: What alternatives might there be instead of standing down employees?**

A: Before standing down employees, employers should consider:

- whether employees can work from home or from another safe location, if their role permits it;
- whether there are other tasks or roles that could be temporarily performed safely and suitably, or whether work could be undertaken in a different way;
- whether employees could take any accrued but unused annual leave or long service leave.

An employee who may otherwise be stood down can request to take the leave they are entitled to.

**Q: What leave options might help my family or me during or after a disaster?**

A: If you or your family are affected by a disaster, you may be eligible for several types of leave:

- Paid personal or carer's leave if you are unwell or providing care or support to an immediate family or household member who requires care or support because they are unwell or because of an unexpected emergency affecting them.
- Unpaid carer's leave when you have exhausted your paid personal or carer's leave.
- Compassionate leave if an immediate family or household member suffers a life-threatening illness or injury or passes away.
- If you are engaged in eligible emergency management activities, such as volunteering with emergency services during a disaster, you may be entitled to community service leave.

**General tips for work and leave**

- Start conversations with your employer about your safety, work hours, and leave options as early as possible.
- Submit any requests for changes to your work arrangements or leave in writing, and keep copies of notices and supporting evidence.
- If you need assistance or advice, consider contacting your union or Allied Justice.

*This fact sheet is specific to the health and safety laws in Victoria (Occupational Health and Safety Act 2004 (Vic)). A reference to an employee of an employer includes an independent contractor engaged by the employer and any employees of that contractor. This material does not replace legal advice. Laws can change. If you are unsure, seek advice from Allied Justice.*

### Allied Justice

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