

IR POLICY AND GOVERNANCE UPDATE



INTRODUCTION

Among a range of issues in this week's Update, we outline the potentially available flood relief for businesses in SE QLD and Northern NSW, New Zealand is set to lift its minimum wage and opens up to Australian travellers in April, potential wage subsidies for Victorian employers to employ new employees or increase working hours for existing employees, Victoria brings in a pilot scheme for casuals to receive personal leave pay, COVID updates, and social media and cyber-attack issues for members to consider.

COVID UPDATE

Over 95% of the Australian population over 16 years of age are now double vaccinated for COVID-19 and almost 67% of eligible people have received a booster shot. Although most states and territories continue to report significant active cases and variable new infection rates, hospitalisations are generally lower. The increased recent numbers are as result of a new sub-variant (BA.2) of the Omicron variant of the virus has hit our shores. Although we are currently experiencing a significant lifting of restrictions across the country we must remain vigilant in our workplaces for the foreseeable future to limit the chances of transmission and spiking in numbers.

VICTORIAN PILOT SICK PAY GUARANTEE SCHEME FOR CERTAIN CASUAL EMPLOYEES

The Victorian Government has introduced its two-year pilot scheme to provide personal leave to casual and contract workers in certain industries. The State Government is fully funding and administering the scheme over the first two years, and expects it to demonstrate a reduction in workplace injuries and illness, general productivity improvements from healthier workers, and lower staff turnover rates.

An initial cohort of about 150,000 workers will be eligible for five days a year of personal leave at the national minimum wage of \$20.33 an hour or \$772.60 a week. It will be open to workers in hospitality, food trades and preparation, supermarkets, retail and sales, aged and disability care, cleaning and laundries and will also extend to security guards. **It does not include employees in our industry.**

A primary concern with this scheme is that casual employees already receive a 25% casual loading, which as part of the calculation already includes components in lieu of personal leave. The Victorian Government will need to explain how this scheme would be funded if it continues past the pilot period of two years has completed and whether it intends to expand the scope of industries the current pilot covers, and when. Watch this space Victorian members. TRMC will be monitoring the effects of this scheme and lobbying government on industry concerns.

INCREASE IN NZ MINIMUM WAGE – 1 APRIL 2022

New Zealand based members are reminded that the minimum wage rate will increase from Friday, 1 April 2022. Effectively:

- > The adult minimum wage will increase from \$20.00 to \$21.20 per hour.
- > The minimum wage for starting-out and training (undertaking an approved industry training programme) will increase from \$16.00 to \$16.96 per hour.

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If an employee's minimum rate increases as a result, they should be notified of the increase. The increase can be absorbed into minimum rates of pay that are currently higher than the new minimum rates.

The new rates are before tax and any other lawful deductions (PAYE tax, student loan repayment, child support). To avoid possible future underpayment issues, we recommend confirming any required amendments to minimum rates of pay and payroll systems are made by the effective date.

VACCINATED AUSTRALIANS ENTERING NEW ZEALAND -12 APRIL 2022

The New Zealand Government has announced that from 11.59pm, Tuesday, 12 April 2022, COVID-19 vaccinated Australians may enter New Zealand without needing to undertake a quarantining period. Prior to entry, Australian visitors will need to evidence a negative COVID-19 test result prior to departure, one upon arrival and on day 6 of travel.

JOBS VICTORIA FUND

The Victorian Governments "Jobs Victoria Fund" offers eligible Victorian employers wage subsidies of up to \$20k to meet costs associated with employing new staff or increasing working hours for existing employees. Eligibility requirements include that the employee will be employed for at least 12 months on a permanent or fixed-term basis, the employee will work at least 19 hours per week, a new employee comes from a 'priority group'. Interested employers can confirm their eligibility for the subsidy and the application process by reviewing the full terms on the Job Victoria website. However, it must be noted that an employer must have recruited the employee prior to being able to apply for the subsidisation. We provide a link to the programme here:

<https://jobs.vic.gov.au/help-for-employers/jobs-victoria-fund>

FLOOD RELIEF FOR BUSINESS IN NSW AND QLD

Further to our member advisory, sent on 3 March 2022, we reiterate various support that may be available for business affected by recent flooding. Various communities in Queensland and New South Wales have experienced catastrophic effects from recent flooding. The governments in those states, and in conjunction with the federal government, have implemented a range of supports and assistance for individuals and businesses depending upon the exact nature of the effects from this natural disaster.

NSW

The NSW government has implemented a range of support measures for those affected businesses. These include Depending upon your circumstances we recommend going through the questionnaire on the Services NSW website which will then determine what possible assistance is available. We provide a link to the specific area of the Services NSW website which contains the Disaster Assistance Finder: <https://www.service.nsw.gov.au/floods/financial-assistance#business-support>

Queensland

The Queensland government has also implemented a personal hardship and some small business-related financial assistance measures as a result of the recent flooding and its effects across many communities across south east QLD. We provide a link to the QLD governments website on natural

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disaster assistance that is available for small businesses here:

<https://www.business.qld.gov.au/running-business/protecting-business/disaster-resilience/assistance>

ATO support

The Australian Taxation Office has advised that flood impacted small businesses in the affected QLD and NSW local government areas who were required to lodge business activity statements of instalment notices with an original due date of February 28 or March 21, 2022, will now have until 28 March 2022. Impacted businesses will not need to request a lodgement deferral if lodgement is made by 28 March 2022. The ATO have advised that further deferrals may be available upon request.

Bank support

Numerous Australian banks have advised they are offering deferrals of business loan repayments for up to three months for customers affected by the flood disasters in both Queensland and NSW. Please contact your bank at your earliest convenience to discuss your situation and the needs of your business.

EMPLOYEES AND SOCIAL MEDIA

The use of social media platforms is a part of life. However, using the implied freedom of speech in Australia is a balancing act. Appropriate and respectful disagreement and dissent may be acceptable, but abuse, defamation and online bullying are not. Therefore, using the various platforms needs to be considered and carefully undertaken, as their use can blur the separation between professional and private life.

Over the past couple of years, we have seen increased instances of individuals using those platforms to make public statements that are contrary to the values and interests of their employers, may adversely impact an employer, and that are potentially defamatory. Given the upcoming federal election, the Australian offices of social media platforms are already preparing for a significant rise in misleading and abusive content.

According to the Australian Federal Police Commissioner, the number of complaints by members of parliament for online abuse and harassment are expected to double, which is why Facebook parent company Meta (which also owns Instagram) has created an independent body which will work to keep this number to a minimum. Meta will be using RMIT FactLab, who will work with the Australian Associated Press and the Agence France Presse in order to fact-check all the influx of daily information during the election period. Any potentially harmful or misleading posts will be reviewed and flagged by this group, depending on how damaging they could be. It will be on their discretion to investigate further on any potentially harmful comments.

Although such conduct is usually done outside of a work setting does not mean an employer is unable to implement an appropriate social media policy that clarifies employee responsibilities, company expectations and protects their interests. If your company does not have a social media

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policy, or if it is time for a review of your existing policy, please feel free to use the [TRMC Social Media Policy template](#) for implementation into your business.

UPSWING IN CYBER-ATTACKS

Given the condemnation by most countries of the Russian invasion of Ukraine, along with associated support of Ukraine and sanctions against Russia, the Australian Cyber Security Centre has issued a warning to all Australian businesses to ensure all security measures are in place against possible state-based cyber-attacks. These attacks could include hacking, denial of service, cyber outages, ransomware attacks, phishing attacks and other network and system compromises.

Some simple but effective steps businesses can undertake to mitigate the risks and chances of damage include:

- > Communicating with all staff on the potential for a cyber related attack occurring, particularly in the coming weeks. Advise caution with opening any unsolicited emails, to back up files regularly, and to immediately report any possible system compromises or suspicious activity.
- > Ensuring antivirus and malware software is up to date. Given many businesses continue to have employees working remotely, request that employees ensure any device used for work purposes is operating with up to date antivirus software and to only use authentic software.
- > Update passwords regularly and use multi-factor authentication where possible.
- > Discuss these issues and risks with your IT team.

Members are reminded that there is a mandatory requirement on public and private businesses, with an annual turnover of \$3m or more, to report a cyber breach to the Office of the Australian Information Commissioner if the breach results in a loss of personal data. We provide a link to the OAIC website: <https://www.oaic.gov.au/privacy/notifiable-data-breaches/report-a-data-breach> . Otherwise, if a cyber security incident or crime occurs at the workplace, these can be reported to the Australian Cyber Security Centre at the following link: <https://www.cyber.gov.au/acsc/report> .

CONTACT

Any Industrial Relations Member who has a related query should contact Charles Watson, GM – IR, Policy and Governance at The Real Media Collective via email charles@thermc.com.au or mobile:+61 428 568 032.

DISCLAIMER

The content of this update, current at the date of publication, is intended to provide general guidance and consideration for TRMC Members only. The content does not constitute advice and should not be relied upon as such. Specific advice about your circumstances should be sought separately before taking any action. TRMC recommends Members ensure any related decisions are made on current and up to date information.