

Your rights at work during a disaster

employment law

YOUR RIGHTS

During a disaster or emergency, you may experience legal issues at work, which could include your pay, leave, and safety. It's important to know your rights and what your employer must do to keep you safe.

CAN MY EMPLOYER ASK ME NOT TO COME TO WORK BECAUSE OF A DISASTER?

Your employer can tell you not to work for a period of time. This is called a **stand down**.

This can happen because there is no work for you to do because of something outside of your employer's control. For example, if a storm or cyclone has damaged your workplace.

Your employer **cannot** stand you down just because business is slow. There has to be something stopping you from doing your job.

In most cases, your employer **does not have to pay you** during a stand-down.

You can ask your employer if there are other options, such as:

- Taking paid leave (such as annual leave)
- Temporarily working from somewhere that was not affected by the disaster, such as another worksite or working from home

WHAT IF I CANNOT GET TO WORK BECAUSE OF A DISASTER?

Your employer cannot require you to come to work if it is not safe for you to get there.

Usually, your employer **does not have to pay you** if you cannot get to work during a disaster.

You can talk to your employer about what options you have, including:

- Taking paid leave (such as annual leave)
- Temporarily working from home

CAN I TAKE LEAVE TO CARE FOR MYSELF OR MY FAMILY?

If you are sick or injured because of a disaster, you may be able to use **paid sick leave**.

If your child's school is **closed** during a disaster, you may be able to use **sick or carer's leave** to look after them.

You could also speak to your employer about taking **annual leave**.

If you have already used all of your paid leave, or if you are a **casual employee**, you can ask for **2 days of unpaid carer's leave** to take care of an immediate family who is ill, injured or affected by a disaster.

Important: You should tell your employer as soon as possible if you need to take leave.



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CAN MY EMPLOYER DIRECT ME TO HELP WITH CLEANING UP THE WORKPLACE?

You can be asked to do different work, as long as the tasks are lawful and reasonable. What is reasonable will depend on your skills, experience and health.

Your employer is responsible for keeping you **safe at work**. This includes providing any necessary training, safety equipment, and procedures.

You **cannot** be asked to do work that is unsafe or where proper safety measures are not in place.

If you are asked to do unsafe work, you have the **right to say no**.

If you are experiencing one these issues at work, remember **you are not alone**.

You can speak to a lawyer for **FREE** and **privately** to ask for advice about your situation.

If we can't help, we will try to suggest another service that might be able to help.

If you need an interpreter, please tell us when you call and we can arrange an interpreter in your language.

Sometimes, there are strict time limits for legal claims. So, it is important that you contact us as soon as you can.

CAXTON COMMUNITY LEGAL CENTRE

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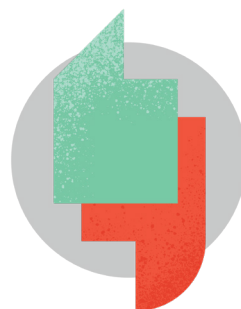
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