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Practice Contingency Planning and Flexible working arrangements

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A Guide to leading your team through the coronavirus

Practice Contingency Planning and Flexible Working Arrangements

1. Introduction

This guide is designed to provide practical guidance to legal practitioners impacted by Coronavirus (COVID-19).

Acknowledging the potential impact of COVID-19 the LIV encourages legal practitioners to focus on business continuity planning, the well-being of staff, practice contingency issues and their ongoing obligations as a legal practitioner to maintain appropriate practice management systems.

The content of this guide has been specifically developed to provide guidance on flexible working or working from home arrangements in response to COVID-19.

Members should also consider risks related to cyber security, supervision of the practice and appropriate client communication before implementing any working from home arrangements..

2. Leading your practice by setting the Tone from the Top

As a leader, you know your staff will be looking to you for direction as the COVID-19 situation rapidly evolves and changes.

Get ready for the intensity by thinking strategically about how to protect the health of your staff and help with the economic sustainability of your practice. And, as a principal or manager in a practice, decisions you make will have significant ripple effects on your employees, clients and the community at large.

To respond to this added pressure, being a calm and steady force is an imperative. How is this all possible? By creating certainty in uncertain times.

Certainty comes from proactively, strategically planning for the unknown.

Admittedly, this seems impossible, but the goal is to ensure business continuity.

Following are three actions you can take in order of immediacy.

- **Keep Staff Informed by Committing to Weekly Communication**

When creating certainty, communication wins every time. Demonstrate that as a Principal or manager calming any fears or concerns.

While you may not have answers to everything, do communicate that such decisions will be forthcoming. Ask for suggestions from your staff on any of the below. Calmly navigating through any situation is a team sport!

- **Provide Relevant Information**

Set Up Work-from-Home Guidelines & Tools

Establish clear Work-from-Home guidelines and communicate expectations. Use standardized communication tools (Skype), online meeting tools (Zoom, etc.) and policies and guides for “being online and available” during specific time frames. Honestly, a leader’s biggest concern is that when people are working for home, they are “slacking off”. This is a great time to change perception by inspiring your team to be responsible.

This guide includes sample checklists and working documents which can be customised for your individual practice or business. LIV may continue to update this documentation over the coming weeks.

Engaging Your Employees

It’s critical that you are able to retain your employees, so they can continue to support their families and your clients. Engaging your employees looks like keeping them productive no matter where they are located. Start to prioritise your work in progress and work that can be accomplished by your staff from anywhere.

- **Extend Support to Your Staff, Members & Community**

As a legal professional you are respected in the community. This is the time when thinking about your staff, clients and the community at-large has enormous impact. By taking situations on a case-by-case basis, you can support your staff, clients and community. Ongoing communication is an important tool to mitigate risk.

Here are a few tips:

Make Sure Your Staff Feel Safe by working with your staff on an individual basis to determine when working from home is the best course of action. They may be concerned about coming into an office due to personal situations (partner’s job, health, childcare, etc.). Set them at ease by accommodating situations and setting forth clear guidelines for performance/deliverables.

Manage anxiety and negativity as a leader **don’t** disregard the outbreak’s emotional and mental impact. Anxiety can impact staff productivity, engagement and relationships within the workplace. Where an employee experiences anxiety or other potentially debilitating symptoms, the effect can quickly extend ‘beyond the individual to the team. How staff anxieties’ manifest can be influenced by your leadership style.

Share the Australian Psychological Society tips for [*coping with coronavirus anxiety*](#).

Leaders need to actively engage in creating a culture and environment where their staff know their leaders genuinely care. To keep fear from spinning out of control, be honest and upfront about challenges.

“Share your own concerns reasonably to ease others into discussing theirs. Encourage employees to gather facts and help them face their individual fears rather than slipping into the victim’s role, a perspective that engenders hopelessness and unhappiness.”

Take Care of Yourself as this this is likely to be a marathon, not a sprint. By taking care of yourself, you will be better positioned to stay calm and make clear-headed decisions day after day!

And remember LIV offers a range of [support services and resources](#) that are available to assist you during a time of uncertainty.

3. Establishing home based and flexible working conditions

As a leader your Practice Contingency Plan for COVID-19 is to support you to anticipate unexpected events like this put arrangements in place ahead of time to protect your staff and client interests and minimise the potential disruption to your practice.

It is anticipated that many workplaces will have to close, including the courts, registries and other advisors etc. While many circumstances will be outside your control you can make the best endeavours to provide practice continuity via your existing practice arrangements or providing flexibility and risk management by implementing home based or flexible working arrangements.

As a principal or manager your focus is to ensure what gets done, when or where this is undertaken is less important. Changing expectations of how work is done, and access to technology means there is often the capacity to work at different times in different places in order to meet the required work and business outcomes. This flexible approach will be necessary during a time of uncertainty.

Understanding the right to flexible working arrangements including the right to work remotely

Flexible working arrangements includes changes to hours of work, patterns of work or location of work including working from home.

Under the Fair Work Act some employees who have worked for the same employer for more than twelve months, including casual employees can request flexible working arrangements including employees covered by the Legal Services Award and National Employment Award.

The Legal Service Award covers clerical and administrative employees, law graduates and law clerks employed by law firms and service trusts or other service entities that operate alongside a practice to provide services to the practice. Qualified lawyers, employees of community legal centres and aboriginal legal services are not covered by the award. The National Employment Award should be used for guidance of other professional staff.

Both Awards allow for flexible working arrangements to be instigated by the employee or the employer without coercion or duress.

Review the [Legal Services Award 2020](#)

Review the [National Employment Award Overview](#)

Considering flexible working arrangements

The best way to manage potential issues is to talk to your staff and acknowledge the impact of COVID-19. Share your thoughts on practice contingency issues, the practices ongoing obligations to their clients and the community.

An employee or employer can instigate discussions. An employee requesting flexible working arrangement must make the request in writing and explain the reason for the change.

Employers must discuss the request with their employee to try to reach an agreement about the changes to the employee's working conditions considering the needs of the employees, consequences for the employee if changes in working arrangements aren't made and any reasonable business ground for refusing the employee's request.

While legally a request must be responded within 21 days under the law however under rapidly changes situation with COVID-19 and good practice the expectations would be that legal practitioners are proactive in working with their employees on available options and provide a response within a few days.

It is critical that all flexible working arrangements are fully documented as we do not know how long the arrangements may need to be in place.

Employers can only refuse a request on reasonable business grounds and a written response must be provided.

Review [Fair Work Australia Best practice guide on flexible working arrangements](#)

4. Developing policies and procedures

Considering if Home Based Work is an option

When considering the options for flexible working arrangements you need to consider the role, responsibilities and ability for the practice to support the working from home arrangements.

Tools for you to review and customise for your practice

Sample Work Health and Safety Policy (Annexure 1)

All practices are required to provide all employees with a safe and healthy place to work. LIV has developed a policy which can be tailored to the needs of individual practices.

Sample Home Based Work Checklist – Issues to Consider (Annexure 2)

This document has been developed for you to customise and consider issues relevant the proposed working arrangement, your practice, risk management considerations and the individual staff member.

Sample Home Base Work Policy and Guide (Annexure 3)

This document has been developed as a temporary working from home policy in response to COVID-19.

Sample Home Based Work Safety Checklist (Annexure 4)

This document has been developed to assist you to consider occupational health and safety issues related to an employee working from home.

Managing and Supervising

No matter where your staff are working you still have an ongoing responsibility to manage and supervising your staff under home based and flexible working arrangements.

Successful implementation requires flexibility on the part of the principal or manager, the individual team members, and some capacity for changing arrangements as personal or practice needs evolve. Common sense, coupled with an open attitude, often ensures a win-win situation for both the individual and the practice.

Tools for you to review and customise for your practice

Managers Guide to Home Based or Flexible Work Environment (Annexure 5)

This guide has been developed for you to consider the issues and consider the issues that need to be raised.

Home Based Work – Checklist for Employees (Annexure 6)

This checklist has been developed to help employees identify options, obstacles and required support as well as consider personal and business implications.

Managers Guide to Flexible Working Arrangements – 3 Meetings to Run (Annexure 7)

This guide has been developed to assist practices to establish a framework to ensure your staff are aligned at the flexible working arrangements run smoothly.

COVID-19 Guide - What to do if an employee is a suspect or confirmed case (Annexure 8)

This guide is developed for you to take an informed and practical approach to considering the next steps.

5. Understanding your ongoing obligations to staff

Fair Work Australia encourages employees and employers to work together to find appropriate solutions that suit the needs of individual workplaces and staff. The following guidance is provided by Fair Work Australia.

Employees unable to attend work due to sickness

Employees who are sick with the coronavirus cannot attend the workplace for a period due to the workplace health and safety legal obligations that both employers and employees have.

Employers can direct employees who are sick with the coronavirus not to come to work and to get medical clearance from a doctor before returning to work. Employers can do this if they're acting reasonably and based on information about health and safety risks, which includes relying on the Australian Government's health and quarantine guidelines.

Full-time and part-time employees who cannot come to work because they are sick with coronavirus can take paid sick leave. If an employee needs to look after a family member or a member of their household who is sick with coronavirus, or suffering an emergency, they are entitled to take paid carer's leave. An employer cannot require an employee to take sick or


carer's leave. However, in these circumstances, the employee is not entitled to be paid unless they use their paid leave entitlements.

Under the Fair Work Act, casual employees are entitled to 2 days of unpaid carer's leave per occasion. Full-time and part-time employees can take unpaid carer's leave if they have no paid sick or carer's leave left. Employers should consider their obligations under any applicable enterprise agreement, award, employees' employment contracts or workplace policies, which may be more generous.

An employee must give their employer reasonable evidence of the illness or emergency if their employer asks for it. This will also apply to situations relating to coronavirus.

Under the Fair Work Act, an employee is protected from being dismissed because of their temporary absence due to illness or injury.

Employees who want to stay at home as a precaution

Employees who want to stay at home as a precaution (but who are not directed to by their employer or as a result of a government order) need to come to an arrangement with their employer that best suits their workplace, such as making a request to work from home (if this is a practical option) or to take some form of paid or unpaid leave, such as annual leave or long service leave. Normal leave application processes in the workplace apply. If the employee does not enter into an arrangement with their employer or use paid leave, they are not entitled to payment in these circumstances. You can find information on self-quarantine requirements on the Australian Government [Department of Health's website](#) .

Employees are encouraged to discuss their level of risk of contracting coronavirus with their doctor, workplace health and safety representative or the appropriate Commonwealth, State or Territory workplace health and safety body.

Employees who do not work because they have a reasonable concern about an imminent risk to their health or safety are not taking industrial action. This is provided they are not failing to comply with a direction to perform other appropriate and safe work.

Employers who want their employees to stay at home as a precaution

Under workplace health and safety laws, employers must ensure the health and safety of their workers and others at the workplace as far as is reasonably practicable. Workers also have responsibilities under those laws.

If an employee is at risk of infection from coronavirus (for example, because they've recently travelled from overseas, or have been in close contact with someone who has the virus), employers should request that they work from home (if this is a practical option - see below) or not work during the risk period.

Where an employer directs a full-time or part-time employee not to work due to workplace health and safety risks, but the employee is ready, willing and able to work, the employee is generally entitled to be paid while the direction applies. However, if an employee cannot work because they are subject to a government order requiring them to self-quarantine, the employee is not ordinarily entitled to be paid (unless they use leave entitlements).

Employers should consider whether their obligations are impacted by any applicable enterprise agreement, award, employees' employment contracts or workplace policies, which may be more generous.

Under the Fair Work Act, an employee can only be stood down without pay if they cannot be usefully employed because of equipment break down, industrial action or a stoppage of work for which the employer cannot be held responsible. The most common scenarios are severe and inclement weather or natural disasters.

Standing down employees without pay is not generally available due to a deterioration of business conditions or because an employee has the coronavirus. Enterprise agreements and employment contracts can have different or extra rules about when an employer can stand down an employee without pay. Employers are not required to make payments to employees for the period of a stand down, but may choose to pay their employees.

Employers need to balance their legal obligations, including those relating to anti-discrimination.

Any variation of working arrangements such as moving from Full time to Part Time or flexible working arrangements need to be agreed with staff.

Employers want staff to take annual leave

An employer can only direct an employee to take annual leave in some situations. For example, when the business is closed during the Christmas and New Year period or an employee has accumulated excess annual leave.

The rules about when and if an employer can direct an employee to take annual leave is set out in awards.

Tools for you understand your legal obligations under the Fair Work Act

Fair Work Australia continues to update the information on their website on [Coronavirus and Australian workplace laws](#).

LIV encourages you to bookmark their website and regularly review their guidance as it is updated as a result of governments response to COVID-19.

6. Other Considerations

IT and Cyber Security

Cybersecurity is vital to maintaining the professional integrity of any legal practice. With the advancement of technology comes the ever-evolving threat of cybercrime. Legal Practitioners have a responsibility to their clients to maintain the cyber-integrity of their firms to protect sensitive information and data.

When considering working from home arrangements a practice needs to consider cybersecurity measures. The LIV website includes a range of [Cybersecurity resources](#) to support members and the LPLC has a [Cybersecurity Key Risk Checklist](#) on the things practices need to do to at least lock on door on cyber-crime.

Client Confidentiality and Privacy

When practising from home, protecting client confidential information becomes more difficult than in a commercial context as there may be other people in the household who do not share the same obligations as a practitioner.

All hard copy documents must be stored securely. Title deeds, wills or safe custody packets should be stored in a fire rated safe. All computers, tablets or phones used should include two factor authentication. USB sticks must be used solely for business purposes and include a security key, in addition to being password protected.

Client Communication

Clients should be advised in any changes to your practice's operations as soon as possible. This may include pre-empting any potential changes as part of your practice contingency planning. Following are samples of communication as a starting point:

Email:

Subject (for e-mail): Covid-19 Contingency Plan

Dear (*Client*),

We are testing our Covid-19 Contingency Plan (by my working from home). At present this is merely a test and we will update you on any changes, as they arise.

Or insert details of changes in the operation of your practice

Responsible Lawyer Contact

Telephone

As our office remains open, my direct office number is still active. However, as a matter of convenience, initial contact should be made via my Mobile number ##### #### ####. If we are directed to close our office, my direct office number will be diverted to my Mobile.

E-mails and file access

Please continue to use my e-mail [#####@#####.com.au](#). I have access to all files in electronic format.

Other communications

If you wish to conduct a meeting (video conference) the following facilities are available: -

Person to person. Face Time on ##### ### ### or Skype at #####.
Group. I have Zoom enabled on my computer for Group Meetings which I can join or initiate for Video or Telephone. Please advise if you require my Zoom Personal Meeting ID. Please also let me know if you wish me to join a virtual meeting using any other service.

(Other lawyer) Contact

All contact details for ##### currently remain unchanged. If we are directed to close our office, we will advise you of alternate details.

(Clerk or staff) Contact

All contact details for ##### currently remain unchanged. If we are directed to close our office, we will advise you of alternate details.

Please contact me (on my Mobile) if you need any further details regarding our Contingency Plan or the usual provision of our services to you during these uncertain times.

Yours faithfully,

(Firm sign off)

Annexure 1 – Sample Work Health and Safety Policy

Work Health and Safety Policy

[Name of law practice] is committed to providing all employees with a safe and healthy place to work. It is the policy of [Name of law practice] to make every reasonable effort to prevent accidents, protect employees from injury and to promote the health, safety and welfare of all employees.

[Name of law practice] will make available appropriate resources to ensure that it complies in all respects with the relevant Federal and State occupational health and safety legislation, and that our work practices and equipment will not compromise the health or safety of others present in the workplace including contractors, visitors or other non-employees.

Health and safety at work is both an individual and shared responsibility of *all* Principals, Supervisors and employees.

1. Responsibility of Principals and Supervisors

1.1 All Principals and supervisors have the responsibility to:

- a) Identify hazards, assess risk and implement control strategies to minimise risk of injury to people and property. This includes identifying any unsafe or unhealthy conditions or behaviour.
- b) Ensure the Work Health and Safety Act and Regulations within the legislation is observed and enforced.
- c) Design, purchase, install and maintain a safe workplace and equipment.
- d) Develop and implement safe systems of work.
- e) Provide adequate safety information, training and supervision.
- f) Encourage consultation in addressing safety issues.
- g) Ensure that the behaviour of all employees in the workplace is safe and without risks to health.

2. Responsibility of Employees

2.1 Employees are requested to commit to exercising their responsibility to demonstrate safe behaviour, to protect them and to ensure the safety of others. This means working intelligently, with common sense and foresight. All employees are expected to follow the set safety standards, which apply to [Name of law practice] and adhere to all rules and regulations as set out by the Work Health and Safety Act.

2.2 Any injury to an employee may cause physical suffering as well as loss of income and productivity and damage the morale of the work group. The following rules should be followed by all employees:

- a) Keep working areas clean at all times. It reduces the chance of any injury and also makes a more pleasant work environment.

- b) Wear appropriate protective equipment, for example, gloves, when doing some tasks. [Name of law practice] will supply equipment for the workplace, if required.
 - c) No smoking in the office or any of the meeting or communal areas. When smoking outside the building ensure it is within the allocation areas. Make sure that the area is left in a safe and clean condition.
 - d) Have respect for electricity – do not overload any outlet. Never have any electrical wires rolled up (for example, extension cords), they may create heat and cause fire danger.
- 2.3 Employees are requested to contact your Principal/Supervisor on any issue affecting their ability to function safely and/or in the event that they are aware of a safety problem within the office.

3. Reporting Near Misses/Injuries/Accidents

- 3.1 Near misses, injuries and accidents, no matter how minor, are to be reported to the Principal/Supervisor within 24 hours. Failure to report near misses, injuries or illness may result in a delay or denial of workers' compensation benefits.
- 3.2 Further, if an employee suspects that they may have an illness that has the potential to cause interference with their work or may place another employee at risk, it is vital that the employee acts immediately. [Name of law practice] can organise counselling or the appropriate advice. Employees who have an illness which may place other staff members at risk, are required to provide a medical certificate on their return to work certifying that they are able to do so.
- 3.3 All accidents are to be recorded as soon as possible. Incident report forms are available from the law practice and employees will be assisted in recording all relevant details. This is extremely important as it allows the law practice to analyse all factors involved to prevent future accidents. The following details should be recorded:
- a) Name and job title;
 - b) Date and time of injury or accident;
 - c) Location of the accident or injury;
 - d) How the injury or accident happened;
 - e) The nature of the injury or accident;
 - f) Any witness to the injury or accident;
 - g) The date the law practice was notified of the injury or accident.

4. First Aid

- 4.1 A list of the law practice's trained first aid officers is available from [insert name.]. The injured person must not be moved before examination by a first aid officer, if the injury is serious. It is equally important that all spectators be kept away from the scene of an incident/accident. Employees should not leave their work areas to go to the scene of an incident/accident.

5. Fire Safety and Evacuation

- 5.1 It is the responsibility of all employees to help prevent fire. Always be aware of the danger of fire:

- a) never smoke in unauthorised places;
- b) report any faulty electrical problem to [insert name];
- c) never use damaged electrical cables.

5.2 Safety protocol regarding the need to evacuate in cases such as a fire are in accordance with building management. All fire extinguishers are clearly visible and have a step by step guide to help employees understand what needs to be done in the case of an emergency. It is recommended that employees familiarise themselves with this sheet from time to time. There are also trained fire wardens on each floor who can provide answers to any questions you may have.

5.3 A list of the law practice's trained fire wardens is available from [insert name].

5.4 In the event of a fire or discovery of smoke please follow the plan of action below.

Immediately notify a Fire Warden or Reception stating:

- your name;
- your exact location; and
- the exact location of the fire.

The emergency plan should be commenced as soon as the emergency alarms are heard.

In case of an emergency, please:

- follow the instructions of the Fire Wardens in charge (note: fire wardens have authority over all employees including Supervisors in an emergency);
- do not use the lifts; and
- remain calm and do not take risks.

6. Workcover

6.1 Employees are covered under Workers' Compensation Legislation whilst at work. The workers' compensation laws exist to ensure you are properly protected in the event of work-related injury or illness.

6.2 All injuries sustained in the work environment are to be reported immediately. Failure to do so may result in a non-payment of insurance. It is a policy of the [Name of law practice] that all accidents, injuries or illnesses are reported regardless of the severity.

6.3 It is the employee's responsibility to inform their Supervisor and People and Culture of injuries or accidents at the time of the incident. The Workers' Compensation Law will not cover the employee if they do not follow this procedure.

6.4 There are several employees at [Name of law practice] who hold current first aid certificates. If an employee requires assistance at any time, please contact the closest first aid officer. A list of the First Aid team is displayed throughout the office.

7. Return to Work

7.1 [Name of law practice] has an established with our insurer [insert work cover insurer] a return-to-work program whereby, to the extent achievable in any given case, employees who are injured or who become ill as a result of their work will be assisted either to stay at work or to return to work as soon as possible after the onset of the injury or illness.

7.2 Specifically, the Return to Work Policy entails that:

- a) all steps reasonably required to assist employees to stay at, or return to work are commenced as soon as possible, in a manner consistent with medical advice;
- b) any employee who is injured or rendered ill as a result of work, returns to work in the shortest possible time, provided it is safe and practicable to do so; and
- c) if the return of the employee to his or her former duties is not possible, the employee will be returned to suitable alternative work in accordance with medical advice.

7.3 [Name of law practice] Commitment to this Policy means:

- a) Return to work will commence as soon as possible after illness or injury and a return to work plan will be established for any employee with [insert your workcover insurer] in consultation with [Name of law practice].
- b) Remaining at or returning to work as soon as is safely possible after injury is a normal workplace practice and expectation.
- c) Suitable duties, which are in accordance with medical advice, will be provided, where possible, as part of the return to work program.
- d) There will be full involvement of employees in their own return to work.
- e) The confidentiality of employee information during return to work and any occupational rehabilitation will be maintained.
- f) Return to work activities will be reviewed at regular intervals in consultation with [your workcover insurer] and the employee to ensure that progress is continuing towards the fullest possible recovery.

8. Risk Management of Pandemic Illness

8.1 The following provides information in regard to [Name of law practice]'s Work Health and Safety duty of care and risk management associated with an outbreak of a pandemic illness (for example Coronavirus). This information is to be read in conjunction with the other Policies and Guides located on [insert the details of other relevant policies]

8.2 It is [Name of law practice]'s responsibility to ensure the health and safety of all employees. We will accordingly, manage and respond to any risk of a pandemic outbreak as advised by the relevant health authorities.

8.3 [Name of law practice]'s senior leadership will direct any employee who has recently travelled to affected regions within Australia or overseas either for business or personal reasons to remain away from the workplace for the requisite incubation period. Such a directive will be supported by providing, where necessary, in order to ensure business continuity, working from home arrangements and/or paid/unpaid leave of absence (such paid leave does not impact statutory leave entitlements ie annual and personal/sick leave). Personal/sick leave will apply if the employee falls ill and is unfit for work.

9. Obligations and Rights of [Name of law practice] Senior Leadership:

- 9.1 Ensure the health and safety of all employees. Advise employees of our Employee Assistance Program through Converge.
- 9.2 Update all employees in a timely manner with information regarding the risk of a pandemic illness including affected regions.
- 9.3 Direct any employee of [Name of law practice] who has recently travelled to affected regions to remain away from the workplace for the requisite incubation period.
- 9.4 Provide flexible working/home based work arrangements and/or paid/unpaid leave of absence to employees who have been directed to remain away from the workplace.
- 9.5 Request a medical certificate from a medical practitioner confirming the employee's health in returning to the workplace.
- 9.6 Establish business travel restrictions if necessary and communicate these restrictions with all relevant employees.

10. Obligations and Rights of Employees:

- 10.1 Read all communication sent by [Name of law practice]'s senior management with respect to the risk of pandemic illness.
- 10.2 Inform your Principal/Supervisor of planned or recent travel to affected regions.
- 10.3 Observe good hygiene (washing hands etc. as per communication and posters) and general health/wellbeing.
- 10.4 Be aware of any symptoms that may be associated with the pandemic illness (e.g. flu-like symptoms).
- 10.5 Stay away from work if you are ill or you have any flu like symptoms

11. Variations

- 11.1 [Name of law practice] reserves the right to vary, replace or terminate this policy from time to time.
- 11.2 This Policy replaces all other Working from Home Policies (whether written or not).

12. Associated Policies and Resources

- Home Based Work Policy and Guide
- Home Based Work Checklist
- Home Based Work Safety Checklist

13. Questions of further information

If an employee is unsure about any matter covered by this policy, or requires more information they should seek the assistance of [insert name].

14. Policy version and revision information

Policy owner:	
Policy authorised by:	
Issued:	xx/xx/xxxx
Current version:	1
Review date:	xx/xx/xxxx

Annexure 2 – Sample Home Based Work Checklist

Home Based Work Checklist

	Questions	Answer
	<ul style="list-style-type: none"> Issues to be considered (this list is not exhaustive) 	
1	<p>Is the nature of the work and the employee suited to such an arrangement?</p> <ul style="list-style-type: none"> Can the work be performed independently? Does it represent a more productive way of working compared with current arrangements? Are there responsibilities (e.g. supervision) which cannot feasibly be met by this arrangement? Can responsibilities be met in a new/different way to enable this arrangement to be implemented? Has the employee demonstrated the requisite degree of self-organisation, motivation etc.? Will it enhance [Name of law practice] ability to retain a valuable employee? 	<p style="text-align: center;">YES / NO</p> <p>(Record any key points of agreement about how any difficulties are to be addressed.</p> <p>If the answer is NO consider terminating the process at this point)</p>
2	<p>Can the work outputs be effectively monitored and assessed for such things as milestones and performance management? How will this be done?</p> <p>Can an appropriate level of communication and supervision be maintained?</p> <ul style="list-style-type: none"> Emphasis will generally be on outputs, rather than inputs. Performance management may require some adjustments, if job is suited to such an arrangement, adjustments will be minimal and total output expected for the year would not differ greatly from prior situation. May need to pre-plan feedback meetings rather than rely on ad-hoc communication. 	<p style="text-align: center;">YES / NO</p> <p>(Record any agreed actions, re: performance management, meetings, supervision etc.)</p>
3	<p>What materials and equipment will be provided by the manager? By the employee? Is any new equipment to be purchased?</p> <ul style="list-style-type: none"> Employee may use own equipment by agreement with the principal. Principal may provide items such as a laptop computer on conditions agreed with employee. Issues of reimbursement of expenses (note: internet or mobile phone costs would not usually be considered) may need to be discussed. Some issues may be decided on a case by case basis (e.g. provide for a particular project but not open ended). 	<p>(Record details of materials and equipment to be supplied by each party, and any associated agreements e.g. reimbursement of expenses etc.)</p>

4	<p>Have issues of security of equipment been considered? Security of information?</p> <ul style="list-style-type: none"> • <i>Will depend on nature and content of work.</i> • <i>Where highly sensitive information is being stored or accessed from the home site, manager must be satisfied with level of security at the home site.</i> • <i>Principal may need to discuss insurance arrangements with employee (e.g. insurance covering home contents)</i> 	<p>YES / NO</p> <p>(Record any:</p> <ul style="list-style-type: none"> • agreed arrangements • limitations on employee's access to use of particular information/resources while at home • type of insurance coverage etc.)
5	<p>Is home-based the most appropriate 'solution' for the individual's needs?</p> <ul style="list-style-type: none"> • <i>Have other options been discussed?</i> • <i>The principal should be satisfied that there is a benefit (or at least no net disadvantage) to the law practice.</i> <p><i>Benefit may be long term (e.g. retention of outstanding performer), which may offset short term cost (e.g. initial temporary reduction in output).</i></p> <ul style="list-style-type: none"> • <i>Is the real issue something requiring a different approach? (e.g. locate child care near to work, review office layout).</i> 	<p>YES / NO</p> <p>(Brief summary of benefits)</p>
6	<p>Has the employee fully considered the impact of this arrangement on their home/life?</p> <ul style="list-style-type: none"> • <i>Not to be a substitute for child-care although may support family responsibilities (e.g. co-ordinate with school hours).</i> • <i>May blur distinction between work and home.</i> • <i>Part of home will become a 'work office' and other family members may need to appreciate and respect 'work hours', unavailability, need for privacy etc.</i> • <i>May reduce amount of social interaction available to the employee.</i> • <i>May affect ability to 'turn-off' when at home.</i> • <i>Greater need for self-motivation, self-direction.</i> • <i>Security issues.</i> 	<p>YES / NO</p> <p>(Add comments)</p>
7	<p>a) What are the agreed days and hours of work?</p> <ul style="list-style-type: none"> • <i>May be regular and fixed (e.g. Wed & Fri 7 hours/day).</i> • <i>May be irregular depending on work demands (e.g. for urgent project establish minimum 2 days/month, actual days to be agreed at time).</i> • <i>Suggested that no more than 40% of time in any month be home based).</i> <p>b) What is the duration of the agreement?</p>	<p>a) List agreed details including how hours are to be recorded.</p> <p>b) Duration of agreement is:</p>

	<p>c) What is the agreed notice period for either party to terminate?</p> <ul style="list-style-type: none"> Suggested minimum notice period of two weeks, but subject to variation by mutual agreement. 	<p>c) Notice period to terminate arrangement</p>
8	<p>Is the employee aware of tax implications?</p> <ul style="list-style-type: none"> <i>Private use of law practice equipment may attract Fringe Benefit Tax, it is a condition of approval that the employee meets this liability.</i> <i>Use by the employee of their own equipment/material may attract a taxation deduction for them.</i> <i>Onus rests with employee to acquaint themselves/seek advice on any taxation implications of the arrangement.</i> 	<p>YES / NO</p>
9	<p>How is the employee to be kept informed of law practice announcements, issues and general information?</p> <ul style="list-style-type: none"> <i>Use of email/fax may be required.</i> <i>Review systems to ensure information provided on next day in the workplace.</i> 	<p>Current arrangements satisfactory (email and/or phone call).</p> <p>New arrangement as follows:</p>
10	<p>Are both parties aware of their responsibilities in relation to maintaining a safe and healthy workplace, including at the home based site?</p> <ul style="list-style-type: none"> <i>Principal should provide written advice to the employee of the employee's duty of care when working from home (discuss and obtain written agreement when Home Based Work Agreement form is signed).</i> <i>Principal must be aware that their safety and wellbeing responsibilities are not reduced(?) by such an arrangement – they must be satisfied that the home based work place meets acceptable safety and wellbeing standards and are subject to the same considerations as in the workplace.</i> <i>Principal should supply employee with any available guidelines on setting up a workplace.</i> <i>Employee has a responsibility to notify the principal if they become aware of any hazard at the home based site.</i> <i>Principal is responsible to ensure that any identified hazards are rectified.</i> <i>Approval is subject to the employee's agreement that the principal or their representative may inspect the home based work site, subject to giving at least 24 hrs notice (or less by mutual agreement).</i> 	<p>a) Safety and wellbeing responsibilities (including employee's duty of care) have been discussed.</p> <p>YES / NO</p> <p>b) Manager is satisfied that home based work site meets acceptable standards.</p> <p>YES / NO</p> <p>c) Employee agrees, manager or (their rep), may inspect home based work site subject to providing 24 hrs notice.</p> <p>YES / NO</p> <p><i>If NO to any of the above, approval should not be given.</i></p> <p><u>Comment:</u></p>
11	<p>What is the address of the home based work site?</p> <ul style="list-style-type: none"> <i>Approval only applies to the location stated here, any change of address would require a new application.</i> <i>In some special instances another location may be appropriate, rather than a home address.</i> 	<p>Full address:</p> <p>Note: this address is now an additional place of work to which the individuals Employment Agreement</p>

		applies.
12	<p>What facilities are to be provided at the normal work place (i.e. at the [Name of law practice] work place)?</p> <ul style="list-style-type: none"> • <i>Current arrangements may still be suitable, however depending on hours worked by other staff, some sharing of accommodation/equipment, hot desk etc. may now be possible.</i> 	Brief details of any new arrangements:
13	<p>Have the parties considered the effect on continued access to training and development opportunities?</p> <ul style="list-style-type: none"> • <i>These arrangements should not prejudice access to training and development.</i> • <i>Some flexibility on the employee's part may be needed to attend compulsory or high priority training within reasonable limits.</i> • <i>Where practicable, the employee's particular circumstances should be considered by the principal when scheduling training activities.</i> 	<p>YES / NO</p> <p>Any agreed details:</p>
14	<p>Type of home based work agreement and date for review.</p> <ul style="list-style-type: none"> • <i>May be fixed-duration, reverting to previous arrangements after designated date.</i> • <i>May be for fixed-duration, renewable for further fixed term by mutual agreement.</i> • <i>A review date must be confirmed prior to commencing any home based arrangement.</i> 	<p>Type of arrangement:</p> <p>a) Fixed term then ceases</p> <p>b) Fixed term then discuss</p> <p>Next review date:</p>

Further information

Further information for employees and supervisors is available from [insert details]

Variations

[Name of law practice] reserves the right to vary, replace or terminate this checklist from time to time.

Associated documents

- Home Based Work Policy
- Home Based Work Checklist
- Home Based Work Safety Checklist
- Work Health and Safety Policy

Annexure 3 – Sample Home Based Work Policy and Guide

Home Based Work Policy and Guide

1 Introduction and Purpose

- 1.1 [Name of law practice] acknowledges that working from home arrangements may be appropriate for certain positions and in certain circumstances.
- 1.2 It is important that working from home arrangements are consistent with the needs of [name of law practice] and do not adversely affect other workplace participants.
- 1.3 This is a **temporary Working from Home Policy and Guide** in response to the current Coronavirus and may cease once the State of Emergency has passed.

2 Scope

- 2.1 This Policy replaces all other Working from Home Policies (whether written or not).
- 2.2 This Policy applies to all permanent and fixed-term employees of the law practice.
- 2.3 This Policy does not form part of an employee's contract of employment or contract for service.

3 Definitions

- 3.1 'Working from home' is working away from a workplace participant's ordinarily contracted place of employment.
- 3.2 'Home office' is a designated space for a workplace participant to work while at home.
- 3.3 Working from home at [name of law practice] involves working part or all of the time away from the normal contracted place of employment. During the coronavirus, this constitutes a temporary period.
- 3.4 During the time when any employee is working from home, contact is to be maintained with the law practice via electronic means, such as email, message or chat applications and communication devices such as mobile phones.
- 3.5 Each working from home arrangement is a cooperative arrangement between [Name of law practice] and the employee. [Name of law practice] has the discretion to offer working from home to an employee where it is appropriate in the circumstances.
- 3.6 Employees may also apply to work from home and [Name of law practice] will consider all applications. [Name of law practice] however reserves the right to refuse an application where it is inappropriate in the circumstances.
- 3.7 Prerequisites of employees – working from home requires employees to be able to resolve problems independently with minimal supervision and demonstrate the following characteristics:
 - independence
 - self-motivation
 - effective communication skills, and
 - the ability to:
 - manage time and meet deadlines; and
 - cope with reduced interaction with principal/supervisor and colleagues

- 3.8 Working from home is not generally appropriate for employees who are within their probation period, have a high level of telephone contact or face to face contact with members, or are under performance management.

4 Policy

- 4.1 [Name of law practice] is committed to providing flexibility for employees where practicable.
- 4.2 When an employee and their principal/supervisor are assessing whether working from home is appropriate, consideration must be given to the nature of the work to be performed at home, the home-based work environment and facilities, the effects on co-workers and stakeholders, and the impact on service delivery.
- 4.3 Please note, working from home arrangements are not a substitute for child care or other dependent care. Employees are responsible for ensuring that appropriate child care or carers' arrangements are in place.
- 4.4 The following considerations will be taken into account when assessing a Work from Home request.

5 Considerations

- 5.1 Requests for home based work are considered on a case by case basis.
- 5.2 The impact on the business by the proposed working from home arrangement must be positive or at least neutral, and be fully understood by both the employee and manager. The effect on business delivery must be considered along with:
- fairness and reasonableness of the request, and
 - the personal and/or family circumstances of the employee.
- 5.3 There must be a **mutual** agreement between the employee and principal/supervisor about the home based work arrangement.
- 5.4 The home based work request must:
- be lodged in writing, including an outline of the rationale for the proposed arrangement
 - meet the practices safety and wellbeing requirements
 - include hours of work, with a set time frame and review date.
- 5.5 Home based work arrangements should be reviewed on a regular basis to ensure the arrangement continues to meet the needs of the business and the employee. Either party may terminate the arrangement, subject to reasonable notice and must provide written justification.
- 5.6 Employees working in a home based work arrangement are required to provide a suitable home office area, workstation, equipment and communication mechanisms. If by agreement the practice provides equipment to be used at the home worksite, the items must be documented in the Home Based Work Checklist and record by [insert name].
- 5.7 It is a condition of approval that the employee:
- meets any tax liability incurred as a result of the home based work arrangement
 - seeks advice on any potential tax implications that may occur as a result of the arrangement.

6 Implementation Guide

6.1 The following table lists the key roles and responsibilities for implementing and maintaining this policy.

Role	Responsibilities
Employees	<ul style="list-style-type: none"> • Discuss your personal/family needs and options for home based work with your manager. • Determine whether a short-term or longer-term arrangement is necessary to manage your needs. • Consider how you could meet stakeholder needs and achieve your position outcomes in light of a home based working request. • Clearly separate work and domestic commitments. • Ensure security and confidentiality of work to be undertaken at home. • Notify your manager immediately of any hazards identified at the home based worksite. • Submit a written request to change working arrangements to your manager, specifying the details of the change and the reasons for the change. • Maintain appropriate communication links with your manager and work colleagues. • Participate in scheduled reviews of home based work arrangement.
Supervisors	<ul style="list-style-type: none"> • Seek advice from Principals before making any decisions under this policy so that decisions are consistent with policy requirements. • Consider alternative arrangements that may enable agreement to be reached that balances both the employee and business/operational needs. • Assess application for home based work arrangement on a case by case basis. • Ensure home based work site meets all the [Name of law practice] safety and wellbeing requirements and address any hazards identified at the work site. • Advise employee's colleagues of any new work arrangements. • Confirm a review date with the employee. • Reassess home based work arrangements and the work team's ability to continue to accommodate the arrangement in accordance with the agreed review period. • If a home based work arrangement can no longer be accommodated on reasonable business grounds, meet with employee to discuss available options, with the view to reaching a mutually acceptable agreement in accordance with the Home Based Work Policy and / or other Policies.
Principals	<ul style="list-style-type: none"> • Keep comprehensive and accurate records of all aspects regarding the application and granting of a home based work arrangement. • Provide support and advice to the manager regarding home based work request and ongoing management of approved arrangements.
Supervisors and Employees	<ul style="list-style-type: none"> • Supervisors and employees need to be mindful of the additional communication, interaction, debriefing and social aspects associated with work when structuring a home based work arrangement. • Mechanisms to ensure regular contact and communication between the manager, employee and work team should be incorporated into the home based work arrangement.

7 Variations

- 7.1 [Name of law practice] reserves the right to vary, replace or terminate this policy from time to time.

8 Associated documents and resources

- Home Based Work Checklist
- Home Based Work Safety Checklist
- Work Health and Safety Policy

9 Questions or further information

- 9.1 If an employee is unsure about any matter covered by this policy, or requires more information they should seek the assistance of their principal/supervisor.

10 Policy versions and revisions information

Policy owner:	[Name of principal]
Policy authorised by:	[Name of principal]
Issued:	xx/xx/xxxx
Current version:	1
Review date:	xx/xx/xxxx

Annexure 4 – Sample Home Based Work Safety Checklist

Home Based Work Safety Checklist

Employee's Name:	
Mobile Phone No:	
Home Based Work Address:	

Attach Photographs of Work Area and Workstation – as and when requested.

Insert here

Working Environment - Note: Circle Answer

- | | | |
|--|-----|----|
| 1. Is there a chair available that has an adjustable height and back support? | Yes | No |
| 2. Is there a work space available that is between 690mm and 720mm high, with adequate clearance for legs underneath the work surface? | Yes | No |
| 3. Can the screen be positioned so that the top of the screen is level with, or slightly lower than eye level when sitting upright? | Yes | No |
| 4. Is the keyboard detached from the screen to allow a comfortable working position? | Yes | No |
| 5. Are all items within a comfortable reach? Refer Appendix A: Setting up your workstation. | Yes | No |
| 6. Is the lighting satisfactory? | Yes | No |
| 7. Is the noise level conducive to concentration? | Yes | No |

Recommendations: *(including equipment and/or furniture and any other changes required)*

General Worksite Safety

- | | | |
|---|-----|----|
| 1. Is there a standard first aid kit present? | Yes | No |
| 2. Is there a functioning smoke detector present? | Yes | No |
| 3. Is there a fire extinguisher/firefighting device available? | Yes | No |
| 4. Is there a surge protection device installed? | Yes | No |
| 5. Are there sufficient number of power points? | Yes | No |
| 6. Is the workspace safe from trip/fall hazards? (eg power cords, clear walkways) | Yes | No |
| 7. Is the home based worksite secure? | Yes | No |

Recommendations

Further information

Further information for employees and managers is available from [insert firm details].

Variations

[law practice name] reserves the right to vary, replace or terminate this checklist from time to time.

Associated documents

- Home Based Work Policy and Guide
- Home Based Work Checklist

Signed:

Employee:	Date:
Principal/Supervisor	Date:

Once completed forward this document along with the **Home Based Work Checklist** to the principal for processing and recording with employee’s personnel file.

Annexure 5 – Managers Guide to Home Based or Flexible Work Environment

Managers Guide: Home Based and Flexible Work

Principles

[Law practice name] is focused on building an inclusive workplace where the full potential of employees is utilised, diversity is embraced and diversity of thought is the catalyst for innovation and service delivery.

At [law practice name] we need to ensure it is what gets done, not when or where work is done that is important. Clarity of performance expectations is key for both a manager/supervisor and an individual to ensure flexibility works. Changing expectations of how work is done, and access to technology means there is often the capacity to work at different times in different places in order to meet the required work and business outcomes.

In order for flexibility to be really successful and part of the way we do our work, effective relationships will need to exist between managers/supervisors and individuals, and within the team. These relationships will be based on trust in each other and being trustworthy.

We need to ensure that 'flexible work' is not confused with 'part time work'. We have many flexible options available to us in [law practice name] including where and when we do our work, but also the type of leave we may have access to.

The Role of Manager/Supervisor

Successful implementation requires flexibility on the part of the manager/supervisor, the individual, and possible team members, and some capacity for changing arrangements as personal or organisational needs evolve. Common-sense, coupled with an open attitude, often ensures a win-win situation for both the individual and the organisation.

Manager/Supervisor Implementation Checklist

<input type="checkbox"/>	Are you a role-model for flexible/home based work? Do you walk the talk and actively promote your support of flexible work?
<input type="checkbox"/>	Are you both clear on performance objectives? Has the work been organised to meet business needs?
<input type="checkbox"/>	Have you discussed expectations for hours of work, communications (both ways) and notification of any absences and length of time?
<input type="checkbox"/>	Are workloads and targets appropriate to changed hours or contact times?
<input type="checkbox"/>	Are you checking in periodically to ensure arrangements are going to plan: <ul style="list-style-type: none">• hours of work allow for interaction with manager/supervisor and peers (especially for people working from home)• the range and nature of duties are appropriate to level; and

	<ul style="list-style-type: none"> workload is manageable.
<input type="checkbox"/>	Use the opportunity at team meetings to recognise the success of arrangements, particularly the impact on team effectiveness and productivity.
<input type="checkbox"/>	Take review action if there are warning signs that arrangements are not working as intended (e.g. getting into the habit of working outside agreed work hours, breakdowns in communications, etc.).
<input type="checkbox"/>	Are business requirements being met? Collect evidence of success as appropriate. You will use this when formally reviewing the arrangements or in performance reviews.
<input type="checkbox"/>	Do the hours of work allow for interaction with manager/supervisor, team members and stakeholders (especially for people working from home)?
<input type="checkbox"/>	Who is involved in the job design/work process (this is an opportunity to innovate if applicable)? Get the job incumbent and other team members to contribute.

Using the knowledge of your staff can result in innovative, effective flexible working arrangements that benefit the organisation as well as teams and individuals. When team members participate in planning, they take ownership of the outcomes and work to ensure problems are resolved.

Discuss needs of business and individuals.

- What is the minimum staffing coverage required?
- What are the minimum requirements for team meetings and communications?
- How will development needs be addressed?
- Can work be reorganised to better achieve business results? Do any jobs need redesign? How will this be addressed?
- What will build trust and accountability? (Or what will undermine it?)
- What are the measures of success for flexible working? What evidence already exists and can be shared with others working flexibly?
- What are the possible challenges to meeting business needs?
- What are possible warning signs that flexible working is not going to plan?

Establish a flexible/home based work plan for the team. Include the requirements for staff coverage, team measures of success, performance objectives and review date – use your template in excel!

Annexure 6 – Home Based Work Checklist for Employees

Home Based Work - Checklist for Employees

This checklist is to help you prepare to work flexibly. It is for your own personal use. It will help you identify options, obstacles and required support as well as consider personal and business implications.

<input type="checkbox"/> I am clear on what needs to change in order to meet my personal needs and to take responsibility for delivering my own workload as agreed with my manager.
<input type="checkbox"/> I understand the requirements of my job (e.g. hours, deadlines, face-to-face time, technology, member/client needs) and how compatible this is with flexible/ home based working. I have thought through how my job and law practice requirements can still be met.
<input type="checkbox"/> I understand my preferred style of working (e.g. work without supervision, time management skills, focused and disciplined, able to delegate tasks) and how that relates to flexible /home based work.
<input type="checkbox"/> I am clear on my expectations, and what I'm prepared to trade off (e.g. able to change work days occasionally if business need arises, understand own limits and what is appropriate agreed workload, understand what's required to maintain visibility and promote communications)
<input type="checkbox"/> I am clear on how I'd like to address my needs? (select one or more) <ul style="list-style-type: none"><input type="checkbox"/> flex start/finish<input type="checkbox"/> compressed work fortnight or month<input type="checkbox"/> part time<input type="checkbox"/> job share<input type="checkbox"/> work from home work<input type="checkbox"/> other (specify:)
<input type="checkbox"/> I know what support I need to make this happen
<input type="checkbox"/> I understand what success looks like and what needs to be done to achieve my outcomes
<input type="checkbox"/> I understand what impact my proposal will have on others and I will ensure that communication channels with my manager and team are open and clear.
<input type="checkbox"/> I understand how often I will and have agreed to communicate with my manager and team members.
<input type="checkbox"/> I understand the financial impact on myself and the business
<input type="checkbox"/> I am clear on what I can do to ensure the success of my flexible approach to work
<input type="checkbox"/> I am clear on the parameters of working hours
<input type="checkbox"/> Should I fall sick whilst working from home, I will advise my manager immediately and as soon as possible, complete my sick leave application for approval.

Annexure 7– Managers Guide to Flexible Working Arrangements Staff Communication

Managers Guide to Flexible Working Arrangement Staff Communication - 3 meetings to run

What Principals/Supervisors need to know to send employees to work from home.

Remember the work still has to get done. How you do that work, however, has to change fast.

To continue to work efficiently as a team, that is suddenly working remotely, schedule these three meetings to get everyone aligned and operating smoothly.

1. Create a remote working team agreement.

Most remote work problems can be traced back to bad assumptions.

....Assuming someone would be online to answer your question.

... Assuming you'd get a reply to your email right away.

....Assuming that work-from-home is basically the same as in the office, except you're on the phone more. (It's not.)

Teams that create working agreements know what to expect so they don't have to make these assumptions.

At a minimum, your team should discuss and agree on:

- **A message map**

What kind of information should people send in email?

What goes into chat (What tool is best to use?)

What do you discuss in meetings?

Brainstorm a list of the information you all need to share, then agree on how and when it's shared.

- **Working hours**

Some home based workers may flex their working hours around children, and other real-life necessities. Successful home-based teams honour this flexibility, but also commit to some time together every day. Your team should select one or two hours when everyone commits to being online at the same time.

- **Availability**

Beyond shared hours, agree on how you'll signal your availability. Many teams use the presence indicators built into their software but at times, these indicators continue to say "here" long after someone walks away. Before you assume, make sure everyone understands how to set their status and what those status indicators mean for your team.

- **Response Times**

Group chat can easily turn in to an all-day unproductive continuous chat. Prevent that by encouraging everyone to block out time for focused work. Then, set expectations about how quickly people should expect replies.

For example, expect chat replies within an hour for people with their status set to "available" and email replies within a day. If we need someone right now, then call.

To make this meeting run smoothly, ask everyone on your team to come prepared with:

- A list of the information they need to get the job done
- Where and how they expect to share that information
- Their expectations about response times

During the meeting, your team can compare these lists. Find everything that you all agree about and write this down first. Then, spend the rest of your meeting settling on a "good enough for now" strategy on the rest.

You'll revisit this agreement at the end of the week, so no one has to worry about committing to something untenable...

2. Run daily check-ins.

It's easy to feel isolated, ignored, or abandoned as a remote/home worker. Daily check-in rituals help everyone know what's going on that day and that they're not alone.

Run your check-in as a 10-minute virtual meeting or via group chat. For example, team members check-in via chat when they come online, sharing:

Daily Check-In:

Yesterday I....

Today I.....

I'll be out at....

I need help with....

This single message does triple-duty, letting us know when someone's working, what we can expect from them that day, and how we can help unblock anything that's preventing the ability to get work done.

3. Plan to innovate.

Run a quick action review at the end of the week. Teams like elite athletes use action reviews to quickly learn, adapt to new situations, and adjust their strategy. Your team will use the action review to quickly innovate your approach to remote/home work. In these meetings, ask everyone:

- What happened this week?
- What worked well that we should keep doing?
- What needs to change?
- What one or two specific changes should we try next?

Follow these steps to go from zero-to-functional. Then review as the arrangement continues. All-remote/home workplaces are more common than you think, and we're all set to share what works.

Annexure 8 – COVID-19: What to do if an Employee is a suspect or confirmed case

COVID-19 Guide

What to do if an Employee is a suspect or confirmed case

At work, employees come into regular contact with co-workers and clients and [law practice name] encourages the following if there is a suspect or confirmed case Associates are required to:

- Provide timely information to employees on latest developments;
- Reassure employees and relevant persons, (e.g. clients) of the measures being taken to ensure their well-being at the workplace; and
- Show care and concern to persons who are either confirmed or suspected of infection.

Note: A person who has fever or symptoms like coughing and breathlessness may not be infected with COVID-19 however, they should be advised to consult a doctor as soon as possible.

If the doctor has reason to suspect COVID-19 infection, the person will be referred for further tests and deemed to be a “suspect case.”

A suspect case

If there is a suspect case at work [law practice name] should immediately identify persons who may have recently come into close physical contact.

[Law practice name] will then advise all affected employees to:

- Monitor their health, including doing temperature checks (twice daily is recommended)
- Adopt good personal hygiene, in particular washing your hands (20 seconds is recommended)
- See a doctor immediately if they are unwell (call for an appointment and let the doctor know that you may be a suspect case)
- Inform your Principal/Supervisor immediately and stay at home on sick leave even if the symptoms are mild.

If an employee starts to develop symptoms, there are four ways they can receive medical assistance:

- See their own GP (be sure to phone ahead)
- Visit their local Emergency Department
- Visit a specific respiratory clinic - these are currently being established
- If unsure about what to do call the **Coronavirus Information Line on 1800 020 080 or the Coronavirus Hotline on 1800 675 398**

Note: Those employees who still feel unwell after five days should seek further medical assessments. Ensuring they return to the same doctor for further treatment.

When an employee receives information on the outcome of tests and becomes a suspect case, employees must notify [Law practice name] – Principal/Supervisor immediately. [Law practice name] will then notify other employees.

A confirmed case

If someone at the workplace is a confirmed case, [Law practice name] will assist medical personnel to identify any persons at the workplace who may have had close contact with the confirmed case. Medical officers will assess whether they should be placed on quarantine.

For employees who are not placed under quarantine, it is recommended that they monitor their health closely as per measures for a suspect case.

Once notified of a confirmed case, [Law practice name] will adopt precautionary measures such as:

- Immediately vacate and cordon-off the immediate section of the workplace premises where the confirmed case worked; and
- Arrange a thorough cleaning and disinfecting of that section, according to government/authority guidelines

Note: There is no need to vacate the building or the whole floor if there has been no sustained and close contact with the confirmed case. Employees may not be able to remain physically at their workplaces if they have been asked to vacate their work stations or are pending assessment. Working from home may be an option and this will be discussed with their Principal/Supervisor. Principal/Supervisor will regularly keep in touch with an employee who is a suspect or confirmed case or has been placed on quarantine.



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