

15 February 2021

COSBOA Communique

Small business associations ready to support the Vaccine roll-out. Workplace relations issues still to be confronted.

SYNOPSIS

COSBOA's *COVID-19 Roundtable* provides a forum for COSBOA's member organisations to caucus issues associated with the COVID-19 pandemic and discuss what actions might reasonably be pursued by Australian governments to maintain the economic vitality of Australia's small business sector.

The latest meeting was conducted on Friday 12 February 2021. The meeting was conducted just before the latest Victorian lock down was announced and was focused on the roll out of the vaccine and the continuation of JobKeeper.

The meeting included a comprehensive discussion about vaccine and was attended by senior people from the Commonwealth Department of Health and the Attorney-Generals.

A summary of the key points arising from this latest roundtable meeting is provided below.

KEY THEMES

- 1. Small business associations are ready to assist in the roll out of the vaccine particularly with communications.**
 - There is a need to design bespoke communications for different sectors of the business community.
 - Small business people cannot be expected to be experts on the vaccine but can assist with providing information to customers and employees.
- 2. There remains a continued urgent need for the Australian Government, the Fair Work Ombudsman and State/Territory WorkSafe Authorities to provide SMEs with legal guidance in respect of maintaining safe workplaces – particularly customer facing workplaces – in the face of employees who refuse to take the vaccine.**
 - COSBOA and members will provide further information and 'scenarios' to the Attorney General's Department to assist in clarifying the rights of workers and the liability of employers in situations where a worker declines to have a vaccine or cannot for health reasons have a vaccine and other employees are concerned that the workplace is no longer a healthy place.

- It is likely that ‘reasonable grounds’ for standing down an employee will vary according to the nature of the business risk and the validity of an employee’s grounds for refusal of a vaccination. An unvaccinated employee who is directly working with customers, for example, presents a far greater risk than an employee who is working ‘back of house’. Similarly, an employee working from home presents a lesser contagion risk than an employee working in the office of a business.
- Employers must be provided with a liability shield to ensure that litigious people cannot game the system and take advantage of the lack of resources experienced by small business people.

3. The JobKeeper program needs to be restructured to pick up the needs of businesses affected by short term lock downs such as in Victoria, Queensland, New South Wales, Western Australia and South Australia.

- The state governments that create lockdowns need to provide compensation and support for the businesses negatively affected. This includes with wages, rent and the covering of losses of stock from spoilage due to the short notice on the lock down and the lack of custom.
- The federal government needs to re-focus JobKeeper onto businesses that have a short-term impact. These impacts maybe short term but can have a significant effect on the ability to pay wages.

-ends-