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WELCOME

I read a statement in the media recently that I felt perfectly summed up the current situation: "We are in the same storm, but different boats."

In early March 2020, Australia was forced to immediately settle in to a new (and temporary) socially distanced world order. It has impacted each of us, yet our experience will be different - same storm, different boat.

Business has not been immune to these changes, and as a 'return to work' is imminent for many, business need to start navigating appropriate programs and a more permanent situation.

Planning is paramount, and care, transparency, inclusion and engagement will be critical as business eases teams back into the new world order.

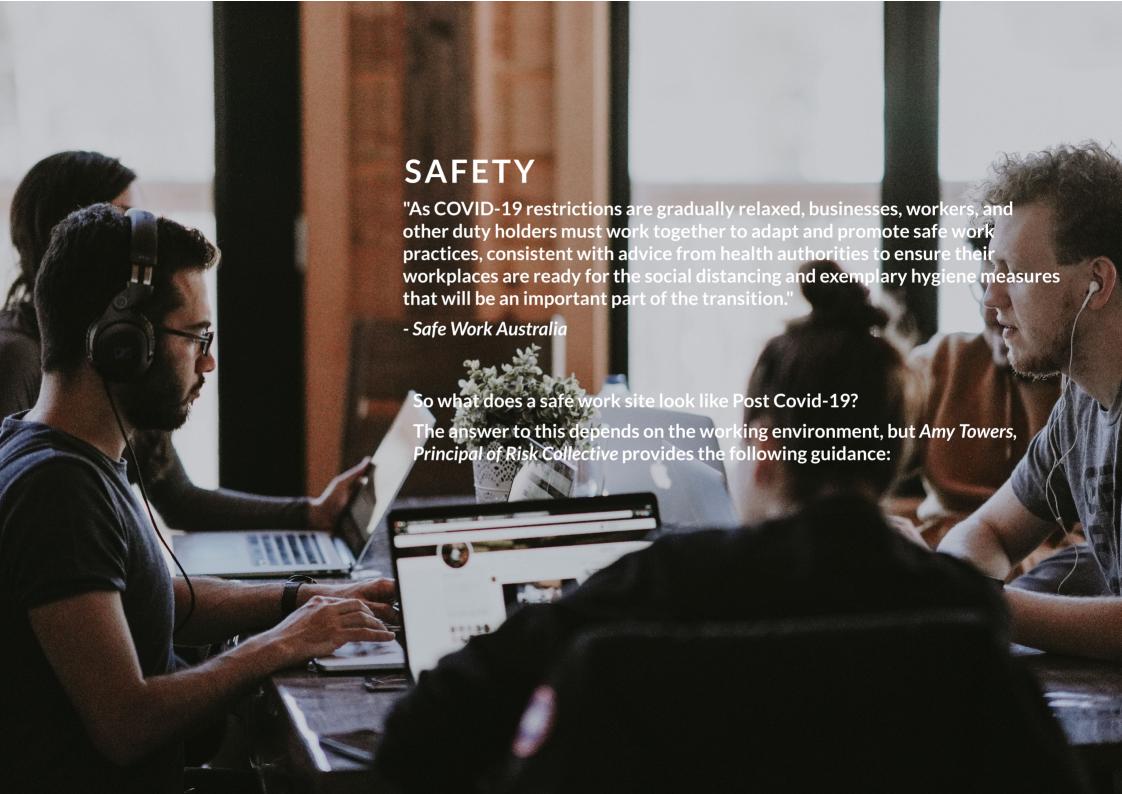
So, what are the dynamics that business leaders and practitioners need to be considering to safeguard lives, livelihoods and their business?

We asked some of our Partners for their insights and views for formulating the re-entry as it relates to:

- Health and Safety;
- People Management;
- Mental Wellness; and
- Legal

On behalf of WorkPro I hope you find this resource useful and join me in thanking the experts for taking the time to contribute to this free reference. I also encourage you to seek them out to gain further advice, guidance and support.

Tania Evans | Founder, WorkPro





MANAGING THE RISK OF TRANSMISSION

Planning is key to ensure that the health and safety of workers and others who enter the workplace following the pandemic is not impacted.

This includes:

- The effective implementation of COVID-19 controls, and
- Ensuring that the health and safety of workers and others is not put at risk from changes that are made to work arrangements because of this pandemic.

Planning also needs to consider suppliers, customers, clients, and other members of the public.



MANAGEMENT BY NUMBERS

Large volumes of workers returning to a shared workplace such an office represents a huge risk for the spreading and contracting of viruses.

- Plan a staggered reintroduction to the office.
- Establish a process such that a rotating group of people work from the office every few days.
- Consider creating these groups across functional lines, both to ensure coverage across roles and to support distancing rules.

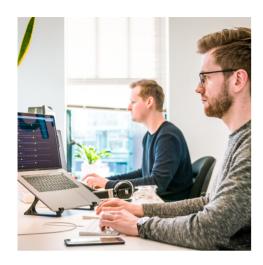


REMOTE WORKING

Resist the temptation to open the doors to everyone on the same day. Consider continuing some form of remote working for the short to medium term.

Acknowledge that rolling lockdowns and exits may continue for some time in regions where the threat of COVID-19 remains high.

Business may also need to consider that a return to remote working may be forced if a staff member suddenly contracts the virus.



GETTING PHYSICAL

Reopening workplaces will not entirely remove all restrictions imposed during COVID-19.

Businesses will need to observe regulations governing social distancing, staff gatherings and hygiene practices.

Is your pre-virus working environment suited to these new restrictions?

Do you need to reconfigure your office space? The requirement for 1.5m between workers impacts on individual seating arrangements and shared spaces.



MANAGEMENT OF DIRECT RISKS

Business will need to manage direct risks quickly and systematically, including ensuring that all staff adhere to the measures.

Business will also need to appoint an internal or external resource to direct preparation activities and manage the implementation of risk control measures including:

- social distancing:
- hygiene and use of personal protective equipment;
- workplace entry requirements;
- how to manage a situation if a staff member becomes ill at work;
- confirm that the ventilation and air conditioning system is properly designed and maintained.



MANAGEMENT OF INDIRECT RISKS

Business needs to consider how to manage the indirect risks as a result of changes to usual work arrangements.

- What are the psychosocial risks that may lead to stress and anxiety among workers?
- What are the most effective communication methods?
- What is the plan to keep workers informed on the pandemic, and the associated risks and risk control measures?
- What is the plan to support workers mental health at work? More on this one later in this ebook
- Are there other hazards that may present a greater risk to workers as a result of the situation?





KEEPING INFORMED

As business starts to welcome back staff, it is important to monitor relevant information sources and keep up to date with the latest information and advice to ensure that any action taken is appropriate and timely.

- closely monitor the information provided by the Australian Government Department of Health, Smartraveller website
 and advice from state or territory government agencies, including health departments and WHS Regulators;
- discuss COVID-19 updates at senior management meetings and WHS committee meetings (where applicable);
- determine what actions need to be taken by the business to meet the primary duty of care;
- inform workers, including any changes to control measures, as the situation develops; and
- provide workers with continued access to official government sources for current information and advice



IDENTIFYING RISK

It is necessary to assess how work is carried out to identify, understand and implement systems to reduce risk. A practical way of doing this is to identify each key operation within the business, and breakdown the tasks in each operation. For each operation/task, consider the following health and safety factors (under normal circumstances):

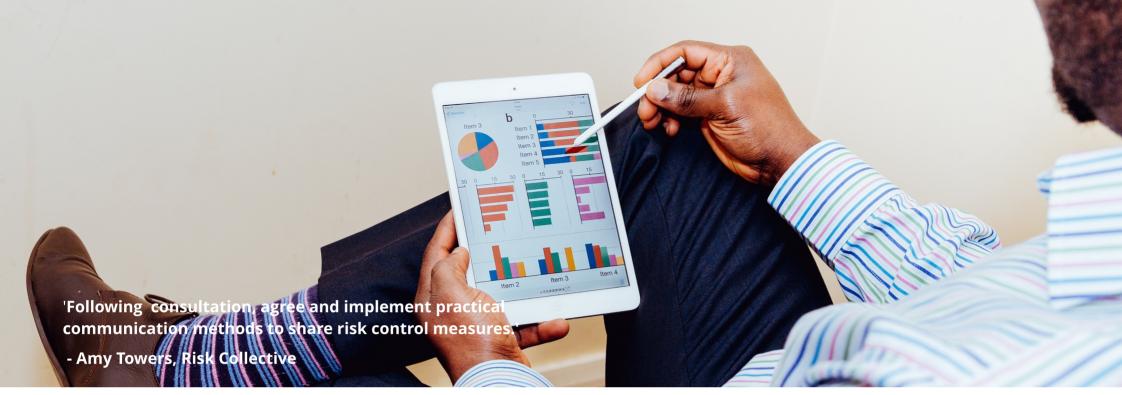
- how close do people interact with each other?
- does the task involve interaction with the public?
- what facilities are in place to promote good hygiene practices?
- what is the cleaning standard?
- are there groups of workers or individuals who might be at a higher risk of contracting the COVID-19 virus?



CONSULTATION AND COMMUNICATION

Consultation with workers when planning for the recommencement of operations and returning workers to the workplace is key. This includes:

- assessing the risk that COVID-19 presents to the health and safety of workers;
- deciding on the control measures to put in place to eliminate or minimise the risk of exposure to COVID-19;
- deciding on the adequacy of facilities for the welfare of workers (e.g. handwashing facilities);
- proposing other changes to the workplace as a result of COVID-19 which may affect health and safety; and
- allowing workers a reasonable opportunity to express their views or raise issues about the workplace.



ADEQUATE RESOURCES AND PROCESSES

Once risk control measures have been decided, it is imperative the business has the right resources and processes in place and uses those resources and processes to manage the risks of exposure to COVID-19 in the workplace.

WORKER SAFETY

- ► Are you keeping your workers safe from exposure to COVID-19 in the workplace?
- How are you informing your existing and new workers how to comply with and take measures to keep themselves safe from exposure to COVID-19, e.g. during induction?
- How are you communicating and discussing distancing and hygiene rules in the workplace?
- What is your consultation mechanism to ensure workers understand the risk control measures and how are you collecting feedback on the effectiveness of those measures?
- How are you providing ongoing guidance to the workforce?

Consider these practical ways to monitor the health, safety and wellbeing of workers:

- daily health checks
- discussing options with workers
- procedures for identifying and responding to situations of workers who are, or become ill at work

Responding to a suspected or confirmed case of COVID-19 in the workplace

Business will need to consider how to respond if a worker is suspected or is confirmed to have Covid-19, including how the business will support that worker, and the steps that need to be taken to ensure the workplace remains safe for other workers. The process will need to identify under what circumstances the health and safety regulator must be notified.

Reviewing your Measures (your "Plan")

Business will also need to have a process in place to ensure risk control measures remain relevant and effective. Perhaps consider the following:

- ► How will you determine whether the work processes/risk controls are effective?
- ► Who is responsible for reviewing the plan?
- ► How often should your plan be reviewed?
- How will changes to the plan be communicated?





Physically and emotionally things have changed, and we are all about to embark on a new normal.

Xavier Miller of NextGenHR offers his views about the key considerations that business need to consider around people management.

Australian workplaces were required to pivot so quickly in the wake of the COVID-19 pandemic, literally having to mobilise a remote workforce in a matter of days with next to no notice and limited planning and training. The most unusual of circumstances which is very difficult to plan for.

Aside from health, safety and risk considerations, one of the key issues that business will need to contend with and manage early relates to flexibility. Extending upon that is HR Policy framework and a thorough review of your people policies.



Business will need to develop a HR policy that includes the measures the business is actively taking to mitigate the spread of coronavirus.

Conversely, the policy needs to outline the businesses expectations of all staff.

The policy may focus on:

- Personal leave arrangements
- Working from home requests & individual flexibility requests
- Travelling/Commuting Measures
- General Hygiene Rules
- Responsibilities of the employer and employee in managing the control of infectious diseases

Additionally, business will need to have strict measures in place that relate to meetings, social events, travel and post-travel requirements, and working from home policies and agreements.

Speaking of which, whilst the immediate arrangement was, and is ideal for some, some staff will be waiting for the day for a return to the work environment. There was plenty of trepidation by some business owners, leaders and staff for an entire workforce to work from home. The same trepidation, if not more heightened, will occur when business makes its move back to the office.

Flexibility over the next 12-18 months will be your single greatest attraction and retention tool. However, flexibility doesn't just need to centre around working from home options.

Business should be seriously considering flexibility policies and ensure individual agreements are put in place to meet the needs of individuals and the business. Businesses that dismiss working from home requests or other flexibility requests and fail to consider staff anxiety may mean they fail to retain and attract the best talent.

'Your number one priority is to buy loyalty with empathy – it will secure and retain your best assets.'



FLEXING

Below are some starting points for considering flexibility options for your workforce:

- Telecommuting a regular & consistent pattern of working from home
- Flexible hours of work varying the start and finish times to assist with peak hour congestion or family commitments
- ► Compressed working weeks working longer hours in less days
- ► Time off in lieu flexi time options as compensation for working overtime
- ▶ Part-time may be for the remainder of the year to balance kids returning to school and other commitments
- ▶ **Job sharing** spreading the load for those workers who require part-time, flexible work



EMBED LEARNINGS

The changes to work enforced by COVID-19 have delivered some benefits to businesses.

Many have uncovered stronger collaboration within and across teams, more productive working routines and a reinforcement of positive health practices.

Smart businesses will now seek to embed the lessons learned into how they conduct business in future.

Cross division collaboration, communication tools, leaner more efficient teams, and automation opportunities come to mind.



THE LEGAL STUFF

Once options and opportunities are considered, they need to be documented in an individual flexibility agreement, ensuring award or industrial agreement provisions for flexibility requests are considered.

Documentation needs to provide clarity and clear understanding of the expectations and duration of the Agreement.

It is important to note that any flexibility agreement entered into is not set in stone. It should be continually reviewed for relevance and effectiveness and changed to suit both parties when required.



Whilst business is considering flexibility and what works best for everyone, the 'return to the office' is an optimum time to review all HR policies, employee contracts, reward and recognition programs, performance improvement policies and recruitment strategies. It is also a great time to redesign job roles to ensure employees are satisfied and motivated in the new world.



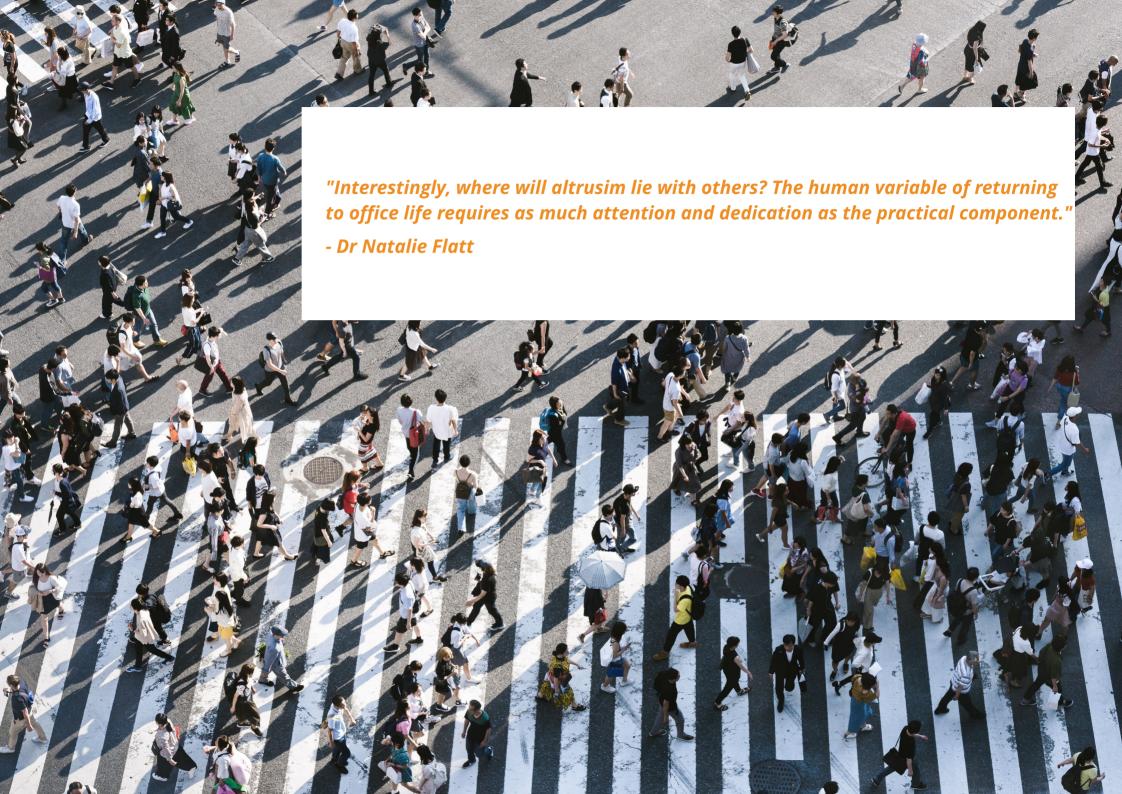


The double-edged sword of 'working from home' (WFH) has also exacerbated some mental health conditions.

On a positive note, some workers have saved time travelling, gained greater autonomy, observed lower absenteeism, have had the ability to walk the dog at lunch time and complete some of those household chores. On the other hand, some have found themselves becoming more distracted and for some, home/life boundaries have become blurred. Add a healthy dose of home-schooling, along with the daily monotony and lack of face to face social interaction, some struggled with the sudden adjustment to an altered way of working which requires a significant amount of self-awareness, discipline and conscious self-care.

This temporary way of working and the challenges it presented now gives way to a new unknown.

- Workplace layout
- Will teams be scattered over their working preferences?
- What will communication between teams be like?
- Will the common handshake be no longer?
- How will people be with each other when they are once again face to face?
- How will mental health issues along with Post Traumatic Stress be represented in the new way of working?



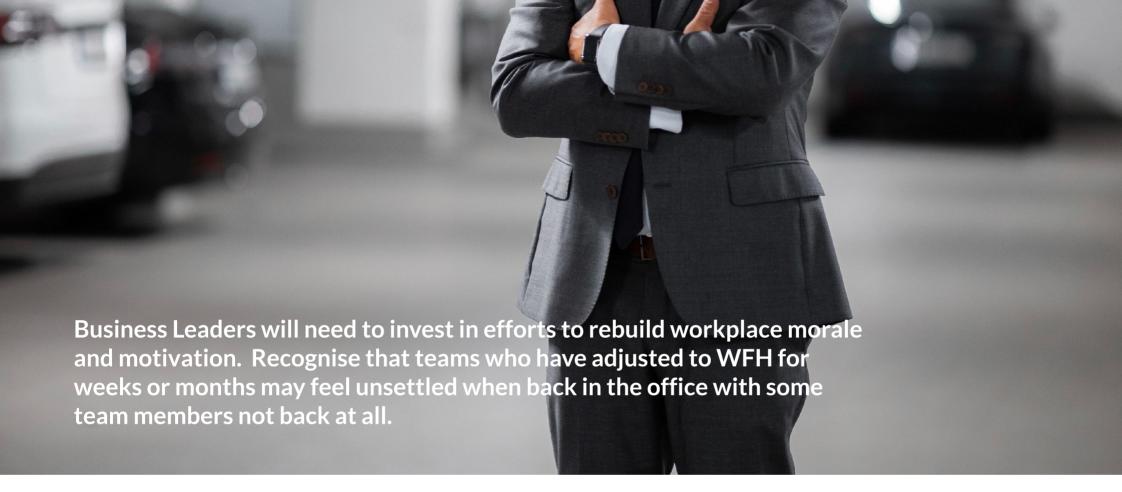


Team Hustle - Rebuilding Morale

For staff who have been away from their workplaces for weeks or months, returning may be unsettling. Much may have changed in the interim. Some of their old teammates may not be returning at all. Leaders need to invest in efforts to rebuild workplace morale. Acknowledge any staff concerns and dispiritedness and treat announcements regarding the new operating environment with sensitivity.

There are many ways businesses can improve workplace culture, including:

- promoting achievements
- encouraging cross-functional collaboration and painting a positive vision of the future
- When the time is right, and regulations permit, consider a fun team-building event to lift spirits and let off some steam.



Here are some useful considerations:

- Use the first week back to listen, observe and acknowledge staff concerns
- Provide opportunity for staff to speak up about their anxieties moving forward.
- Communicate changes openly and honestly to reduce any ambiguity.
- Discuss openly any new management software to be used to communicate and manage tasks moving forward for the greatest opportunity for adoption.
- ► Keep lines of communication open between and within team members this will help to overcome a disruption of focus and provide reassurance to staff who will naturally have questions about the future of the business and their role.
- 'Check in' personally to see how the team member is settling both personally and professionally. Staff will feel valued and heard and will be motivated to maintain their purpose.
- Create a 'buddy' system within your teams to emphasis the 'bystander' effect of looking out for each other is another important component of maintaining strong team culture and connectivity.
- Introduce two-way communication channels, such as staff questionnaires to capture workplace sentiment around how staff are feeling and what they need.



In order to execute company strategy efficiently, while supporting the personal development of team members, management methods such as SMARTER can clearly articulate team and individual goals to maintain optimal outcomes across the new workplace.

- Specific goals are clear and set with real numbers and deadlines. This helps the team know what they have to achieve, and the
 type of outcome that is expected.
- Measurable use metrics or data to make sure goals are trackable. This is important as it helps team members to confirm
 where they are at, and what they still need to do.
- ▶ Attainable goals need to be possible to accomplish, so make them ambitious without being outrageous.
- Relevant goals need to be aligned to the business mission and vision and make sense within the job function. They should help to improve the business in some way.
- ► Time-bound be specific and set a timeframe when is it expected to start and end? When do the significant milestones need to be reached?
- **Evaluated** support staff to reach their targets by assessing the progress on a regular basis and helping them overcome any obstacles. Provide specific feedback well before the expected delivery to support the development of the team member which also assists with the final output and review.
- Recognized/Rewarded or Revisited it is important to praise staff for performance, especially when outstanding. Conversely, if the outcomes are below expectation, this provides the opportunity to conduct a full review with the team member to understand the setbacks and why. Further, how can the contributions of individuals be highlighted?



The importance of Emotional Intelligence
'EQ is an individual's ability to recognise and evaluate their own emotions along with the emotions of others.'

This unprecedented time has been so difficult for so many and we may never understand the full impact. Now more than ever Managers need to shine a light on their Emotional Intelligence (EQ).

Managers who display high EQ are more likely to stay calm under pressure, resolve conflict effectively, and respond to co-workers with empathy.

If you hold a management role in your business, practice good self-care (see tips below), check in with your own emotional triggers, maintain your motivation, actively listen to your teams needs and don't underestimate the power of your attitude; a negative attitude can easily become insidious within teams.

Don't forget to actively manage YOUR overall wellbeing as well. Managers are not robots and if your team sees you leading by example, they will follow suit. Here's a reminder of some basics:

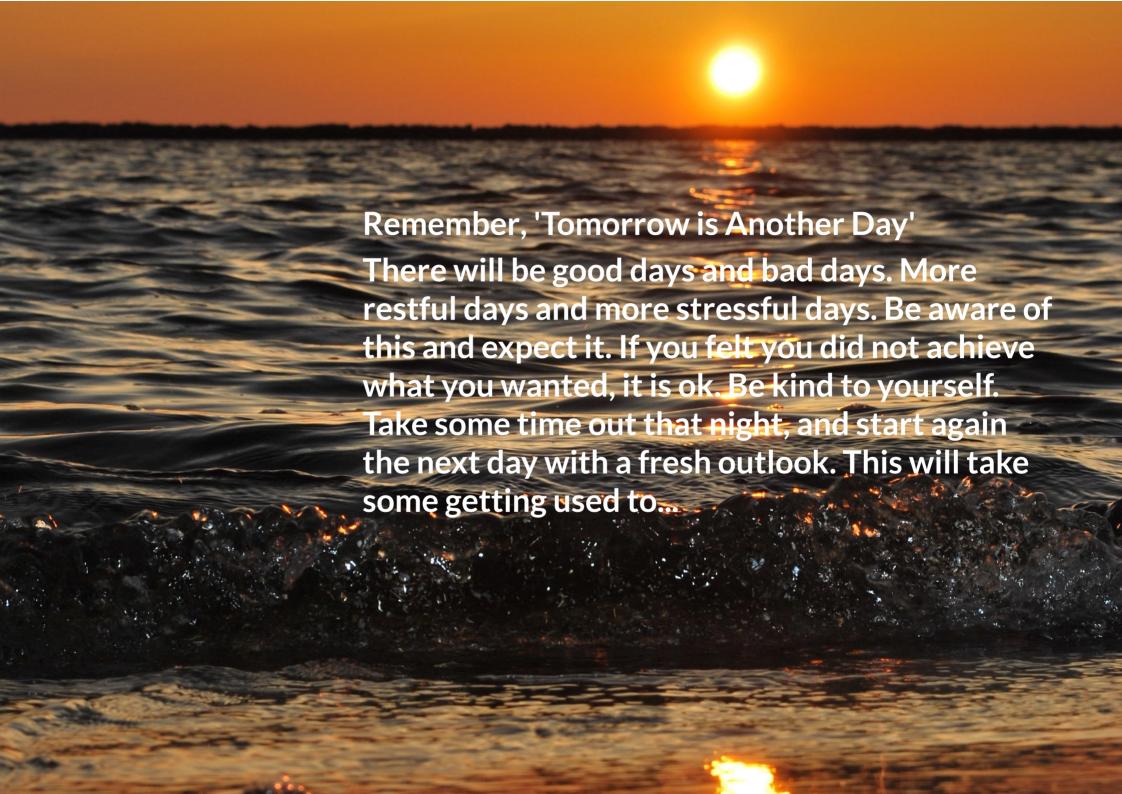
- ▶ Eat foods that are high in protein, vitamin B, C and E a will help with concentration, productivity and mood.
- Exercise is a must to release those feel good chemicals in the brain and increase problem solving. Not only does exercise keep blood, glucose and oxygen levels high, feeding the brain, it releases endorphins into the body giving your mood a boost and increase your motivation and self-confidence.
- Adequate water intake will assist with a 14% increase in productivity through the expansion of grey matter.
- Develop a consistent sleep schedule by reducing screen time 1 hour before bed and aim for at least 7 hours.
- Seek additional online positive psychology and relaxation techniques such as mindfulness meditation. Headspace or Smiling Mind are great tools to investigate for 'taking time out and being present' moments.
- Protect your boundaries and clock off at a reasonable time; especially if you are managing a flexible team. Make a 'to do' list for the next day's work, attach it to your office 'desk' and walk away to relax and recharge those batteries. After work hours, enjoy other areas of your home: watch a good movie, read a book, or cook a fun meal.

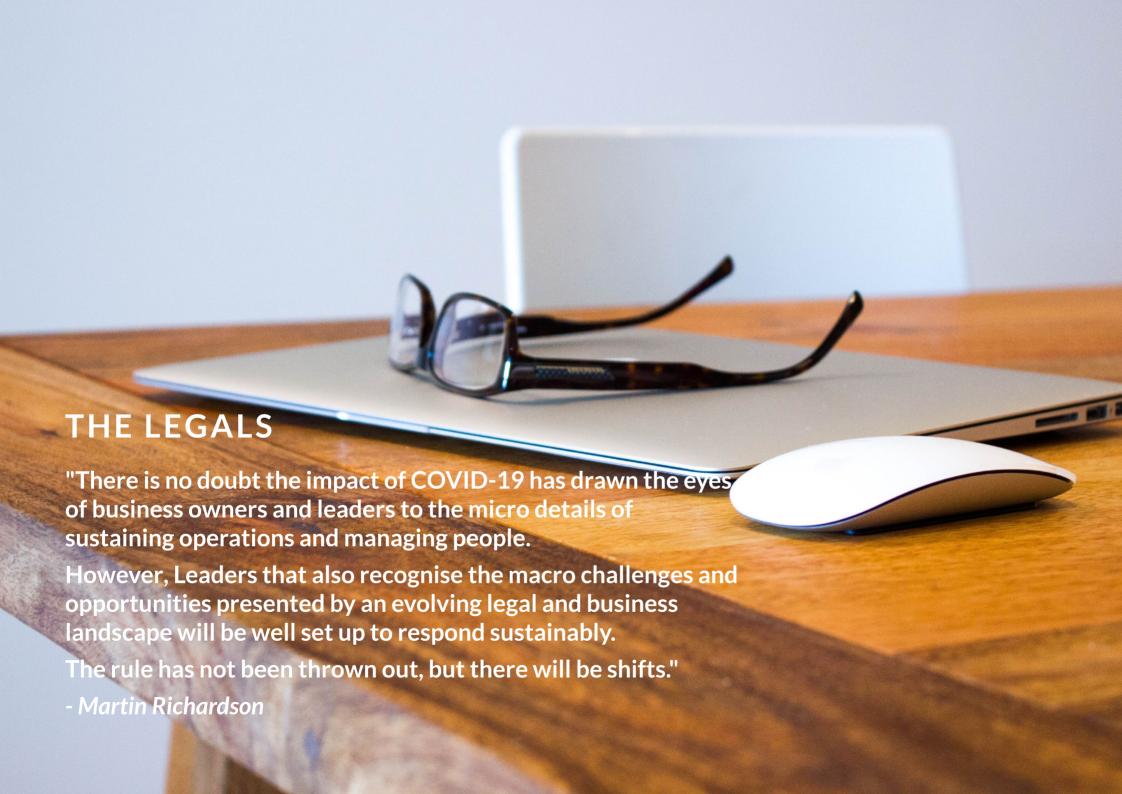


It is important for Managers to learn to recognise when their team member is struggling either face to face or virtually. Common signs fall in three categories:

- Emotional symptoms/signs
- Becoming easily agitated, frustrated, and moody
- Noticeably overwhelmed (i.e. losing control or need to take control)
- Having difficulty relaxing and quietening their mind
- Feeling bad about themselves (lonely, worthless, and depressed –negative commentary)
- Cognitive symptoms/signs
- Forgetfulness and disorganization
- Inability to focus on the task at hand
- Poor sense of judgment
- Making mistakes
- ▶ Being pessimistic or seeing only the negative side to the current situation
- Constant worrying
- Physical symptoms/signs (which they may reported)
- Low energy
- Headaches
- Stomach issues
- Rapid heartbeat
- Issues with sleeping

If you or a team 'buddy' is noticing these signs in members, ask the question: "are you ok?". This can open a conversation for proactive next steps in company mental health policy.







EMPLOYMENT LAW

Whilst there have been legislative changes around stand downs, and some changes to modern awards, the surrounding unfair dismissal, general protections and even the underlying basis for stand downs, has not changed. And nor has the government decided to take a relaxed approach to breaches of law.

It would be unwise to assume this and so it is important to always keep in mind that the law is still the law.

THE FLIPSIDE

The world of work will look different but what are the potential ramifications of decision by large business to recognise sick leave for casuals, and for the federal government to build in JobKeeper protections for 'long term casuals'?

If your business uses casuals is it time to consider what your workforce will look like and whether some of these shifts will have long lasting impacts.

For instance, the JobKeeper scheme may have led a business to classify casual workers as long term to ensure eligibility. A business should now consider any other possible future risks associated with that classification.

Not necessarily a bad thing, it is just that there are decisions being made that may have long lasting impact on the business.



'Pivot' is a buzz word right now. However, as business moves to develop new revenue streams, don't forget contractual terms that sit behind these new products or services.

Are they different to the existing or previous offerings? If so, it needs to be considered whether they are also introducing new risks into the business that need to cover off in terms and conditions. Even if not, it may be a good time to re-balance some of the contract risk.

Also consider the following:

CUSTOMER TERMS

Payment terms.

- Delivery risk. Can the business meet its obligations in a world where supply chains are being squeezed?
- If the busienss provides products, do you need to secure products that have not been paid for yet? Cashflow is critical for all businesses so do not get caught short trying to recover your products only to find you haven't got a secured interest via the Personal Properties Securities Act.
- Termination rights. Can you extract yourself from poor performing contracts?
- ▶ Do you have newly developed intellectual property that needs to be protected? Trademarks are a great example.
- Are you providing warranties that do not suit your new business environment?
- Are you allocating risk appropriately via liability caps and indemnities?
- Minimum commitments do they (still) work for you?



SUPPLY/UPSTREAM CONTRACTS

- Firstly, always ensure the business 'back to back' customer exposures, meaning don't leave gaps between what you agree to do and what others agree to do for you!
- Payment terms that allow some breathing space for you.
- Delivery risk. Can obligations to you be met?
- Exclusivity v non-exclusive it will be best to avoid locking yourself into exclusive supply arrangements if possible.
- Are you allocating risk appropriately via liability caps and indemnities?
- Minimum commitments are they necessary?

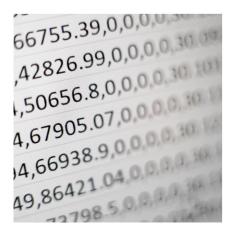


INSURANCE

Review and understand the terms and conditions of insurance arrangements, particularly if you are developing new products or services.

Take note of what is in and what is out, cover limits and especially sub-limits.

If you foresee a premium impact do not wait to test the market for other options. Speak to a broker that knows your industry and start to consider what your insurance program needs to look like.



DATA & PRIVACY

If you intend to work differently, you need to consider privacy and data implications.

An Australian business with an annual turnover of \$3 million or more is subject to the Privacy Act 1998 (Cth). However, there are also exceptions that means some businesses are automatically covered.

Does the Privacy Act apply to you? If you have not already, consider if there are any new intersections between your business and personal information.

Mandatory data breach scheme. If this has not been on your radar, investigate its requirements for your business and establish a data breach response plan as soon as possible.

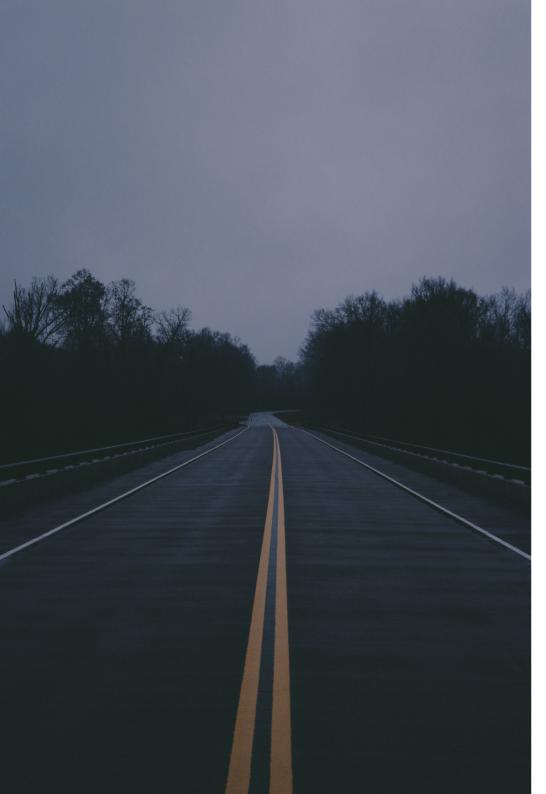


If you have business partners, albeit it is not a pleasant thought to consider you may end up in a rift with your business partner(s) but it is recommended that you turn your mind to the 'what if'? Having said that, a rift is not the only risk to business relationships – exhaustion and burn out may lead someone to wish to exit the business, or illness may prevent them from continuing.

And then there is the risk you can't get out, even though you want to! This is extremely common for owners who have built a business around them, leaving prospective buyers struggling to value the business with the founder out of the picture.

This is therefore a great opportunity to consider the following:

- ► Is your shareholders agreement up to date?
- Does it provide for all potential exit events?
- Do you need buy/sell insurance in place, which covers the risk if a business owner is forced to exit due to illness, injury or death? It enables remaining owners to acquire the departing owner's interest, including agreed compensation to the estate in case of death.
- If you wish to sell the business in the next few years, do you have a plan to ensure you maximise your sale price and achieve a premium? While you could be working hard to just keep your business running right now, you should still keep an eye on the end game.



CONCLUSION

We trust that you enjoyed this resource, and you have been able to take away some key learnings or considerations.

Should you need some specific advice on any of the subjects included, are seeking to build certain programs or conduct a review of any area of your business in order to be prepared for the future, you will find the contact details of each of the contributors at the back of this ebook.

If you are seeking an opportunity to enhance, automate or strengthen your workforce compliance, program, WorkPro is here for you. We have set the standard for workforce compliance and partner with Government Departments and some of the leading HR technology businesses to deliver to help you proactively achieve compliance confidence.

Here to support you.

The WorkPro Team

Connect Psych



Connect Psych services is Australia's first e-counselling Standards Based Platform

We assist employees and teams experiencing a range of mental health and life challenges; resulting in clear benefits to the organisation's productivity and reduction in absenteeism and presenteeism.

dedicated to organisations

covering Asia Pacific.

We recruit industry-specific therapists to join our team and utilise matching capabilities to connect employees needs with the 'best fit' therapist; no matter the geographical location.

https://connectpsychservices.com.au/

NextGen HR



Corvus



CORVUS LEGAL CORVUS PEOPLE

Risk Collective

risk.collective

NextGen HR is purpose built for those that are committed to HR but do not require a permanent HR specialist in-house.

NextGen HR's expertise lies in enhancing staff performance and delivering effective workplace management solutions.

Services include workforce planning, people and performance management, strategy and systems development and review, and one-on-one leadership development.

Arrangements are flexible and include one-off projects, on-demand advice and support or longer term committed retained work.

Xavier Miller is an accredited Extended DISC practitioner, a behavioural analysis tool used in the recruitment and development of people.

https://nextgenhr.com.au/

Martin is the Legal Director at Corvus Legal, where he helps his professional services clients build the business they want, without being distracted by complex legal advice and jargon.

With a strong in-house legal background across diverse sectors such as manufacturing, recruitment, procurement, consulting and on-site services, Martin is a hands-on legal Advisor with a focus on 'run the company' legal matters. However, his extensive business and executive experience means he also has an eye for longer term consequences and opportunities that can sometimes be lost when businesses are focused on the day-to-day.

He is known for his candid and personal approach and ability to build strong relationships across all levels of an organisation, and with his clients' customers and suppliers.

https://www.corvus.com.au/

Every modern business faces workplace risks that affect the performance and future of the enterprise.

Without awareness of your current and emerging risks, or a structured framework to ensure a safe workplace for your team, you could be putting your business in jeopardy.

Risk Collective delivers tailored advice and consulting services that creates a positive working environment, while significantly reducing litigation and compensation risk.

Services include:

- Strategic and operational needs
- Current and emerging risks
- Risk management
- Communication
- Mental health and wellbeing
- Workforce engagement and culture

https://www.amytowers.com/riskcollective



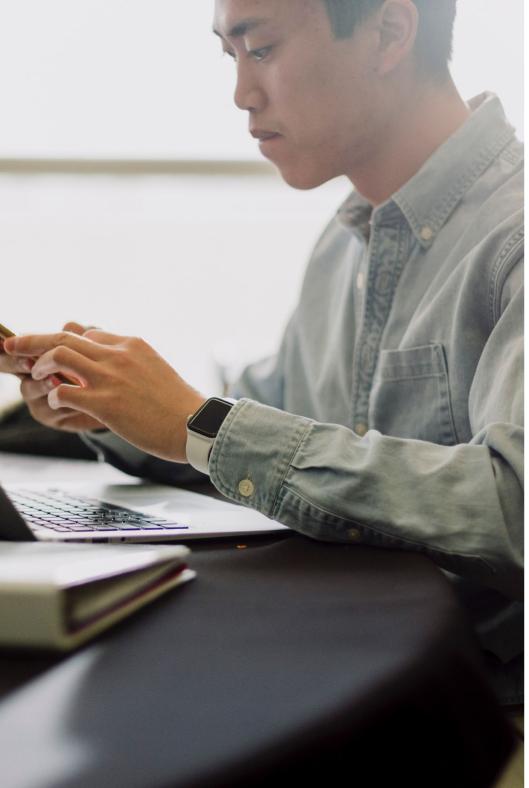
Redefining workforce compliance with simplicity

With more than a decade of experience in simplifying workforce compliance for businesses throughout Australia and New Zealand, WorkPro has set the standard by successfully increasing efficiency within the hiring process across multiple industries, no matter the size of the business.

Over 1700 businesses have benefited from WorkPro's simple and easy to use online solution that manages key compliance employment functions including the Fair Work statement, Background Checks and Work Health & Safety Inductions. WorkPro also comes with a handy Licence, Ticket and Document Management function with unlimited storage.

Once an individual has completed a WorkPro task, they carry with them a digital wallet to share with any future employer, reducing repetition and induction fatigue and enabling an employer to reduce the 'time to hire'.





RESOURCES

To extend upon this ebook, you naturally do your own research to formulate your plans. We've collected some key resources here to assist:

https://coronavirus.fairwork.gov.au/

https://www.health.gov.au/resources/publications/3-step-framework-for-a-covidsafe-australia

https://www.safeworkaustralia.gov.au/covid-19-information-workplaces

https://www.beyondblue.org.au/

https://worksafe.govt.nz/managing-health-and-safety/

https://www.nscafoundation.org.au/

https://www.employsure.com.au

https://www.employmenthero.com/covid-19