

Advice for North Eastern Victorian workplaces affected by extreme weather

26 March 2013

Workers and employers affected by recent storms and tornadoes in North Eastern Victoria are encouraged to contact the Fair Work Ombudsman if they require advice and assistance.

The Agency's website - www.fairwork.gov.au - has advice and information about entitlements during extreme weather events, including a fact sheet on employment entitlements during natural disasters.

Fair Work Ombudsman, Nicholas Wilson, said that while the Fair Work Act 2009 does not have specific leave entitlements for employees who can't go to work due to natural disasters, employees may have entitlements under their award or agreement.

"Employees who can't go to work due to an extreme weather event, should check their award or agreement to see if it has provisions about leave for extreme weather events or other natural disasters," Mr Wilson said.

"If there are no provisions in the award or agreement, the employer can approve leave at his or her discretion. For example, an employer can agree that the employee takes paid or unpaid personal or annual leave."

Mr Wilson said employers might be able to stand down employees without pay if they can't open their business because of the extreme weather.

"Under the Fair Work Act 2009, employers can stand down employees without pay in certain circumstances," he said.

"This includes where they can't usefully be employed during a period because of any stoppage of work for which the employer cannot reasonably be held responsible, such as a natural disaster.

"This only applies when the employee's award or agreement doesn't have its own stand down provision. Employers and employees should check their award or agreement to see if it has any stand down provisions."

Employers and employees seeking advice should visit www.fairwork.gov.au or contact the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 13 94.

Emergency financial assistance will also be made available to Victorians significantly affected by the recent storms and tornadoes in North Eastern Victoria - see: [Financial assistance for Victorians hit by storms and tornadoes](http://www.premier.vic.gov.au/media-centre/media-releases/6324-financial-assistance-for-victorians-hit-by-storms-and-tornadoes.html) [\[http://www.premier.vic.gov.au/media-centre/media-releases/6324-financial-assistance-for-victorians-hit-by-storms-and-tornadoes.html\]](http://www.premier.vic.gov.au/media-centre/media-releases/6324-financial-assistance-for-victorians-hit-by-storms-and-tornadoes.html) .

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Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.