

## What to do if your employer is considering standing you down

Make sure the IEU knows about your situation – you can contact your organiser directly or email [info@ieuvictas.org.au](mailto:info@ieuvictas.org.au). The advice below is a guideline only.

Firstly, read our explanation of stand-downs here:

[www.ieuvictas.org.au/news-publications/news1/coronavirus-advice/covid-19-standdowns/](http://www.ieuvictas.org.au/news-publications/news1/coronavirus-advice/covid-19-standdowns/)

Think about whether there is any other useful work that you could (and would be prepared to) perform, and make a realistic list that can be put to your employer. We've put together lists of possible tasks that different categories of Education Support staff could undertake during a period of remote learning – find them at [www.ieuvictas.org.au/files/6115/8701/0916/ES\\_Alternative\\_Duties.pdf](http://www.ieuvictas.org.au/files/6115/8701/0916/ES_Alternative_Duties.pdf)

Advise the employer in writing of the other useful work that you could perform, and ask for a written response, including reasons for refusing any of your suggestions.

If your employer refuses and provides clear, considered and legitimate reasons for doing so, you may need to consider the options below. If you are refused but do not believe that the reasons are genuine or that your suggestions have been properly considered, collect together the documentation of your discussions and contact the IEU for further advice.

### Options available if there is no meaningful work:

You can request to take a period of paid leave (if you have accrued entitlements) – this request will turn on the relevant industrial instrument. The employer should not unreasonably refuse requests for paid leave.

If paid leave is not possible, then discuss whether variation to hours or pay is possible. Again, this will turn on the relevant industrial instrument. Any variation must be in writing, outline the specified date and maintain your rights from your substantive contract. Make sure you check any variation with your organiser.

Stand down – you will accrue most forms of leave during the period, but will not be paid. You may be eligible for social security payments when stood down. It's important that the period of any stand-down is specified in writing.

Leave Without Pay (LWOP) – this is the least favourable outcome, as you will not accrue any entitlements while on LWOP. We advise you not to agree to LWOP (note that any LWOP should specify with certainty the period).

If the above options don't provide an acceptable outcome to both employees and employer, members should contact the IEU for further advice.