

c2020-039B  
OPP--OPPOSITION

LEGISLATIVE COUNCIL

**COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Bill 2020**

**First Print**

**Proposed amendment**

No. 1 **Annual leave—accrual for workers stood down without pay**

Page 3, Schedule 1. Insert after line 2—

**[1A] Section 5A**

Insert after section 5—

**5A COVID-19 pandemic—protection of annual holiday entitlements**

- (1) The annual holidays of a worker who is stood down by an employer without pay during the prescribed period as a direct or indirect result of the COVID-19 pandemic continue to accrue while the worker is stood down during that period.
- (2) This section extends to annual holidays or annual leave under an award, agreement or contract of employment or any other Act.
- (3) In this section—  
*prescribed period* means the period—
  - (a) starting on 25 March 2020, and
  - (b) ending on—
    - (i) 26 September 2020, or
    - (ii) a later day, not later than 26 March 2021, prescribed by the regulations.

**Explanatory note**

The proposed section ensures that a worker's annual leave or annual holidays continue to accrue during any period in the prescribed period (as defined in the proposed section) in which the worker is stood down without pay as a direct or indirect result of the COVID-19 pandemic.