

Coronavirus FAQs

August 2020

What are the restrictions on my business?

New Zealand has a four-level alert system to manage and minimise the risk of COVID-19 (the “Coronavirus”). Each alert level provides public health, social measures and guidance for businesses.

Please be aware that this factsheet provides information and general advice based on the public information available at the time of publication.

Alert Levels

Detailed information on alert level restrictions, what they mean for people and businesses and the current alert level can be found [here](#).

Alert Level 1

- Alert Level 1 is the least restrictive. New Zealanders are asked to prepare in case the alert level changes, and to take steps to prevent the spread of COVID-19.
- There is no requirement for physical distancing and no size limits to gatherings.

Alert Level 2

- Most businesses can operate in Alert Level 2, provided they can do so safely and meet public health requirements, including physical distancing and contact tracing.
- If a workplace cannot meet public health measures it cannot open its physical premises.
- At all times when outside the home, everyone under Alert Level 2 is required to practice good hygiene, monitor their health, track their movements and wear face coverings if they can.
- From 11:59pm Sunday 30 August 2020 face coverings will be mandatory on public transport under Alert Level 2 and above. There are exceptions to this as well as exemptions for health, disability and practicality reasons.
- Gathering sizes are restricted.

Alert Level 3

- Not all businesses are able to open under Alert Level 3.

- Essential services including healthcare, justice services and businesses providing necessities are able to open.
- Non-essential workplaces can only open if:
 - workers cannot work from home, and
 - workplaces are operating safely, and
 - customers are not allowed on premises, and
 - businesses can trade without physical contact with customers (e.g. through phone/online orders, delivery, pick-up and drive-through).
- Increased restrictions under Alert Level 3 include greater physical distancing requirements outside of the home, strict gathering size restrictions and additional public health measures.
- People at high risk of severe illness such as the elderly and those with underlying medical conditions, especially if not well-controlled, are encouraged to stay at home where possible, and take additional precautions when leaving home.

Alert Level 4

- Only essential services are able to open under Alert Level 4 (eg. Supermarkets, pharmacies, clinics and petrol stations).
- People are instructed to stay at home other than for essential personal movement.
- All gatherings are cancelled and all public venues closed.

What do I need to do?

Changes between alert levels and restrictions imposed on businesses can happen quickly and there can be a lot of uncertainty.

We recommend businesses:

- Be **aware** of the restrictions in place and keep an eye out for official decisions
- **Prepare** for what you may be able to do in each level with the information you have available
- Wait for official decisions and information
- Once a change is in effect, **implement** any measures needed to comply with the restrictions and public health measures that apply

What do I need to do from a health and safety perspective?

Under the Health and Safety at Work Act 2015, a person conducting a business or undertaking (PCBU) has the primary duty of care to ensure that the health and safety of workers and others are not put at risk.

What you need to do from a health and safety perspective will depend on your location, industry and if you are operating.

However, no matter what, all businesses should:

- Follow the Ministry of Health's advice
- Create a COVID safety plan. Identify any risks associated with the Coronavirus, implement any changes to controls that allow you to comply with specific Alert Level restrictions and monitor their effectiveness
- Follow any industry-specific guidance
- Follow all normal health and safety obligations

Consider any additional personal protective equipment (PPE) which will be required in your workplace, such as face coverings. Remember that your health and safety obligations also extend to other people on your premises. Your PPE policy should take into account anyone on-site including employees, customers or independent contractors.

Keep in mind that if an employee is working from home, the employer's health and safety obligations extend to that part of the home as it is considered a workplace.

If your business is operating or you are preparing to reopen, you should communicate with your workers so they are aware of any health and safety measures you will be implementing to keep them safe at work and consult with them in relation to these.

What do I need to do from an employment relations perspective?

An employer must meet their employment obligations, which includes complying with agreements, policies and employment standards.

If you are not able to operate as normal you have an obligation to consult with workers regarding alternatives such as working from home, reduced hours or leave.

If any changes to employment terms and conditions (such as pay or hours) need to occur, these should happen after a fair and reasonable consultation process, with any agreed changes recorded in writing. If you are making changes to some employees and not others, make the decision based on objective selection criteria.

The specific process to follow will depend on the type of change and the individual employees.

If your employees are working from home, ensure you have appropriate policies. Make sure you have up to date contact details for all employees and keep in contact with them.

How do I pay my employees?

This will depend on if you are operating, if your employees are currently working, or if they themselves are unable to work.

If your employees are ready, willing and able to work, the general position is that you must pay them their normal wage or salary even if you can't provide them with work.

If you wish to make changes:

- Discuss alternatives and reach an agreement with employees (for example reduced hours, leave without pay or taking annual leave)
- Follow restructure processes to make changes due to financial or operational reasons
- Direct employees to take entitled annual leave after consulting with them

If an employee is not able to attend work, discuss any availability of sick leave, annual leave, special leave or leave without pay.

The above options may require a process in order to carry them out safely.

Where can I go for further details?

Make sure to keep up to date with official information from the Government and the Ministry of Health.

There is a range of official sources of information below:

Sector	Link
Government alert levels	https://covid19.govt.nz/
Ministry of Health COVID-19	https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus
Travel restrictions	https://www.safetravel.govt.nz/
Financial support	https://workandincome.govt.nz/covid-19/index.html
Business support	https://www.business.govt.nz/covid-19/
WorkSafe on COVID-19	https://worksafe.govt.nz/managing-health-and-safety/novel-coronavirus-covid/

Further Information

This guidance note provides a brief overview of the main issues. If you believe any of these may impact on your business, please get in touch with EmploySure.