

# VICTORIAN BUILDING AND CONSTRUCTION AGREED INDUSTRY COVID-19 GUIDELINES (REVISION 15)

10 November 2021



The Victorian Government has announced an end to wide scale lockdowns and most COVID-19 restrictions as a result of achieving the vaccination milestones in accordance with the National Plan. We are now in a lower risk environment and accordingly, workforces have resumed full capacities subject to a small number of COVID Normal practices. These Industry COVID-19 Guidelines (Revision 15) provide the most comprehensive advice available to the industry, agreed and supported by the following industry stakeholders.



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## 1.0 PURPOSE

These Guidelines have been adopted and agreed by the Victorian Building and Construction Unions and Employer and Industry Associations. The Guidelines have also been endorsed by the Building Industry Consultative Council. These Guidelines will be regularly updated to reflect changes resulting from Government announcements, directions of the Victorian Chief Health Officer and best practices.

1.1 The purpose of these Guidelines for the Building and Construction industry in Victoria, is to:

- Provide direction to employers and workers
- Outline the steps to be taken to best provide a safe and healthy environment, and
- Identify the action available in the event of interruption to building and construction work, as a result of the coronavirus (COVID-19) pandemic.

1.2 These Guidelines incorporate guidance issued by the Victorian Government, WorkSafe, the Victorian Department of Health (DH) and the Department of Jobs, Precincts and Regions (DJPR) and are to be read in conjunction with the Department of Health Directions and Victorian Government Business Restrictions.

1.3 The Guidelines are intended to have application across all sectors of the building and construction industry. Construction sites are diverse and vary in complexity. To allow for appropriate interpretation of the implementation of these Guidelines, it is recommended that employers apply a risk-based approach and implement reasonably practical controls based on the environment and specific hazards at each construction site.

***These Industry Guidelines are framed in the light of our lived experience in dealing with this pandemic and provide the latest advice from Health authorities, experts and industry leaders. Employers and workers are reminded to not be complacent about the restrictions and Guidelines currently in place and to read these Industry Guidelines in conjunction with the Department of Health Directions and Victorian Government Business Restrictions.***

## 2.0 PREAMBLE AND CONTEXT

### 2.1 Coronavirus

The COVID-19 pandemic in Australia is part of the ongoing worldwide pandemic of the coronavirus disease 2019 caused by (SARS-CoV-2).

### 2.2 What are the symptoms?

A coronavirus infection can cause mild to severe respiratory illness. The most common coronavirus (COVID-19) symptoms reported are:

- fever
- breathing difficulties and breathlessness
- cough
- sore throat
- fatigue or tiredness.
- loss of taste and smell

Anyone experiencing these symptoms should get tested immediately. Here is a link to the testing locations: <https://www.coronavirus.vic.gov.au/where-get-tested-covid-19>

### 2.3 State of Emergency and Victorian Government Restrictions

A State of Emergency was declared in Victoria on 16 March 2020 to manage coronavirus (COVID-19) and is current to 18 November 2021. This provides the Chief Health Officer with additional powers to issue directions to help contain the spread of COVID-19 and keep Victoria safe. In line with National Cabinet decisions, the Victorian Government is progressively reviewing its directions and community restrictions. Full details of these restrictions can be found at <https://www.coronavirus.vic.gov.au/coronavirus-covidsafe-settings>. Details of Department of Health Directions and Victorian Restriction Levels can be found on the following government websites:

Department of Health <https://www.dhhs.vic.gov.au/victorias-restriction-levels-covid-19>

Eco Dev Victoria <https://www.coronavirus/vic/gov.au>

### 2.4 Construction Sector Guidance and Industry Roadmap

Special COVID-19 measures and guidance is provided for the Building and Construction Industry. This can be found at <https://www.coronavirus.vic.gov.au/coronavirus-sector-guidance-construction>

The Victorian Government implemented a Construction Industry Roadmap to accompany a Re-start of the Building and Construction Industry on 5<sup>th</sup> October 2021 following a 2 week industry shutdown. The Roadmap tied increased workforce capacities and relaxation of industry restrictions to community Vaccination milestones. Statewide vaccinations reached the 80% milestone on 29 October 2021 and accordingly, the industry is open with some COVIDSafe settings. However, all industry workers must be fully vaccinated by 13 November 2021.

## 3.0 CONTROLLING RISKS ON SITE

***NOTE: The measures outlined in this section are regarded as Building and Construction Industry 'Best Practice' measures which have been progressively evaluated and implemented since the beginning of this pandemic. It is recognized that not all measures are equally appropriate for all sectors of the industry. Accordingly, a risk management approach should be adopted to evaluate these measures and be incorporated into the COVIDSafe Plan for each site.***

To assist with providing and maintaining safe operations during coronavirus (COVID-19) the below measures should be implemented to assist in providing a safe and healthy environment at work.

Ensure that each employer has a compliant COVIDSafe plan, incorporating

- Service VIC QR Code
- Screening workers coming to site
- Workplace Mapping
- Physical Distancing
- Density Quotients
- Hygiene
- Shared Tools, Plant and Equipment
- Cleaning and Disinfecting
- Personnel Hoists
- Personal Protective Equipment and Face Masks
- Common Areas
- Inspections
- Travel and Leaving Site
- General Communications
- Vulnerable workers
- Temperature screening

### 3.1 Service VIC QR Code Service

It is mandatory for all employers to install and ensure the use of the Service VIC QR Code. The need for fast and accurate contact information for anyone who has visited a COVID-19 public exposure site is vital. The QR Code is the best way for the Department of Health to expedite contact tracing in the event of an outbreak in the industry. The Victorian Government offers free access to businesses of a QR Code service, which can be accessed at <https://www.coronavirus.vic.gov.au/victorian-government-qr-code-service>

Many projects or sites will have various electronic sign on systems as part of their Safety Management systems which they will continue to utilise. However these systems cannot be used in lieu of the Service Vic QR Code. It is recommended that a Declaration be prominently displayed alongside the QR Code, acknowledging that by scanning in you are confirming that you are deemed to have answered YES to each and all of the following screening questions.

- You are free of COVID-19 symptoms?
- You have not, in the preceding 14 days been in contact with a confirmed case of COVID-19?
- You are not currently required to self isolate or self quarantine under Department of Health instructions?
- You have not been to any Department of Health nominated public exposure site or directed to either self isolate for a 14 or 7 day period or to get tested and await a negative result (in which case, they must not be permitted to work)

### **3.2 Screening workers coming to site**

3.2.1 To minimise the risk of transmission of coronavirus (COVID-19) on site, employers must implement a screening process and keep records for verification.

3.2.2 Declarations are to be conducted by all workers (this includes any person who attends site), including current and new-starters. Each worker must provide a declaration that, to the best of their knowledge, they:

- Are free of COVID-19 symptoms
- Have not, in the preceding 14 days been in contact with a confirmed case of COVID-19 and
- Are not currently required to self isolate or self quarantine under Department of Health instructions
- Have not been to any Department of Health nominated public exposure site or directed to either self isolate or to get tested and await a negative result (in which case, they must not be permitted to work)

If a worker declares any of the above they will not be granted access to site and will be required to produce evidence of a negative COVID-19 test within the last 5 days, prior to commencing work.

In addition, if a worker has been in contact with anyone in their household who is currently being tested for coronavirus (COVID-19), or has symptoms consistent with COVID-19, they are required to inform site management immediately for further discussion.

3.2.3 Screening must be conducted and keep records for verification, whilst maintaining safe distances or over the phone before entering site, on a mobile app, via text message system, or other non-contact methods. There must be a system in place that limits the sharing of pens/ notebooks/ computers etc.

3.2.4 Temperature testing is an identification measure to reduce the risk of workplace infections. Temperature testing before admission to site is a recommended measure for large scale construction sites and should be introduced after consultation. It will assist in keeping coronavirus (COVID-19) out of building and construction sites.

3.2.5 Thermal Body Imaging may be installed as an adjunct to Temperature testing or as a stand alone method to assist with screening the temperature of workers coming to site. Consultation is required before implementation of this method.

### **3.3 Workplace Mapping**

In the event of an employee being confirmed as having COVID-19, those who are potentially affected need to be quickly identified. Employers must implement processes to record the schedule and work locations for workers that enables tracing of those who have come into contact with the confirmed case.

This may include contactless or electronic means to obtain this information, the implementation of which is subject to consultation with the affected workforce and/or their representatives. There are several examples of electronic mapping and tracing apps/devices in the market that are available for use in our industry.

Each employer **MUST** ensure that whatever system or process is in place, as a minimum, that the records are immediately available at all times must include:

- day and time work was undertaken
- the person's first name and contact number
- members of teams that worked together
- specific work area on the construction site
- any breaks taken, including time and location

Movement between sites, or areas within large sites, should be minimised as much as possible. Where attending multiple sites is necessary (eg for Health and Safety Representatives, first aiders, emergency wardens) movement between sites should be recorded in the workplace mapping. It is acknowledged that the Federal Government's CovidSafe App may assist in the mapping of contact with other employees in the event of a positive case.

### **3.4 Physical Distancing.**

Physical distancing of at least 1.5 metres should be implemented wherever possible. Employers should consider each work task and whether there is a safe alternative way to undertake the work with an increased distance between workers

- Mark safe distances in work, transit and break areas (eg on floors and walls).
- Consider different shift patterns to minimise the number of workers onsite (eg AM/PM shifts, ensuring adequate time between shifts for cleaning and disinfecting).
- Stagger start times, breaks and finish times to avoid congestion in high traffic areas and minimise workers coming into contact with each other as they move around the site.
- Plan for how physical distancing will be maintained during inclement weather (eg use of lunch or crib rooms and amenities).
- Install temporary physical barriers (eg fences, screens) between work areas, where appropriate.

Where it is not possible to undertake work tasks and maintain physical distancing, other control measures need to be implemented. For example:



- Minimise the number of worker to worker interactions that need to be completed within 1.5 metres.
- Minimise the number of workers involved in activities that need to occur within 1.5 metres of each other.
- Provide personal protective equipment (PPE) (eg gloves, masks, glasses).

More information about the safe use of PPE is set out in Section 3.10.

Where essential work activities need to be undertaken in restricted spaces (eg lift shafts, personnel hoists, lifts), the number of workers working in the space should be minimised.

Ensure that workers maintain physical distancing outside the work site if it is necessary to leave the site and return, for example to purchase supplies, meal breaks or attend to meetings.

### **3.5 Density Quotients**

Under CHO Workplace Directions, limits apply on the number of persons who can be in an enclosed area. This is called the Density Quotient. Employers must ensure that any enclosed work area, such as crib rooms, meeting rooms, ablution blocks etc are assessed to calculate the limit of persons who can occupy those areas according to the formula outlined in the latest version of the Workplace Directions.

Note that crib rooms, amenity areas and site offices must still comply with the overarching Department of Health Workplace Directions to ensure physical distancing of 1.5 metres at all times, including in these areas.

Note that the density quotient does NOT apply when using hoists and lifts – see section 3.8 of these guidelines, but DOES apply in the waiting areas for hoists and lifts.

### **3.6. Hygiene**

3.6.1 Good hygiene practices and general cleaning helps with minimising the spread of coronavirus (COVID-19). Employers should review general hygiene requirements and the cleaning regimes in place.

3.6.2 Employers should display health information (including appropriate messaging for Cultural And Linguistically Disadvantaged workers) in prominent locations on the construction site such as tea rooms, site offices, toilets, foyers, lifts and site entrances.

3.6.3 Every effort must be made by employers to upgrade personal hygiene and minimise worker to worker contact and all workers must co-operate in all necessary measures to achieve these objectives. These measures need to include:

- Promote regular hand washing with soap for at least 20 seconds. Employers must facilitate regular hand washing by providing ease of access/additional facilities where possible. Communicate to all workers where hand sanitisers are located and encourage their regular use.
- Promote good cough etiquette by covering your cough and sneeze, or cough into your elbow or shoulder.

- Avoid touching your nose, eyes or mouth.
- Provide hand sanitiser and/or hand washing facilities with soap in all site entrances and exits hoists, amenities and areas/levels of the site.
- Ensure that workers maintain good hygiene if it is necessary to leave the site and return, for example to purchase supplies, meal breaks or to attend meetings.

3.6.4 Employers must ensure that workers have access to appropriate amenities. Refer to the WorkSafe Victoria Compliance Code: Facilities in Construction.

<https://www.worksafe.vic.gov.au/resources/compliance-code-facilities-construction>

Employers should review and revise the number and locations of amenities, to reduce movement around the site. A cleaning log sheet which sets out the dates, times and frequency of cleaning is required to be kept in all shared workplaces.

Amenities need to include:

- Hand washing facilities (whether permanent or temporary), such as a wash basin, clean running water, soap and paper towels, placed in strategic locations to ensure employees can access them in a timely manner.
- Access to hand sanitiser.
- Rubbish bins with touch-free lids (eg foot pedal bins).
- Thorough and regular sanitation.
- Appropriate waste management systems.

### **3.7 Shared tools, plant and equipment**

Workers should avoid the shared use of tools, plant and equipment wherever possible. For example, drop saws, drills, grinders, ladders or elevating work platforms should not be used by more than one worker.

Where it is not possible to eliminate shared use:

- Provide cleaning products (eg alcohol spray or solution) where communal tools, plant and equipment are located.
- Keep cleaning products with tools, plant and equipment as they move around the site.
- Ensure all operators thoroughly wash or sanitise their hands before and after every use.
- Ensure all parts of tools, plant and equipment (eg including handles, handrails) are wiped down before and after use.

The shared use of phones, desks, offices, computers and other devices should also be avoided. Where this is not possible, these items should be regularly disinfected.

### 3.8 Cleaning and Disinfecting

- 3.8.1 Cleaning and disinfecting of surfaces is to be conducted using cleaning products as per DH Cleaning and Disinfection guidelines to reduce coronavirus (COVID-19) Transmission. A link to this document is: <https://www.coronavirus.vic.gov.au/preventing-infection-workplace - cleaning-and-disinfection>
- Cleaning and disinfection of amenities and meal areas MUST occur between work group breaks
- Cleaning and disinfection of Personnel Hoists should occur at the end of each hoist operator shift
- Routine cleaning of 'Frequently Touched Surfaces', surfaces such as toilets, door handles, stair handrails, light switches, lift buttons, table tops.

### 3.9 Personnel Hoists

Workers using hoists and lifts may be at increased risk of exposure to coronavirus (covid-19), because they are required to be in close proximity to others and potentially contaminated surfaces so extra care needs to be taken.

It is a requirement that face masks MUST be worn when waiting for and whenever travelling in a hoist or lift. Under the current COVIDSafe restrictions, there are no other restrictions on occupancy of hoists and lifts.

Under OHS legislation, the employer is the duty holder and responsible for assessing and controlling risks as far as is practicable, in conjunction with the Health and Safety Representatives. A risk assessment must therefore be made in assessing which of the following are the relevant control measures to be used in each location.

Additional control measures to reduce the risk include:

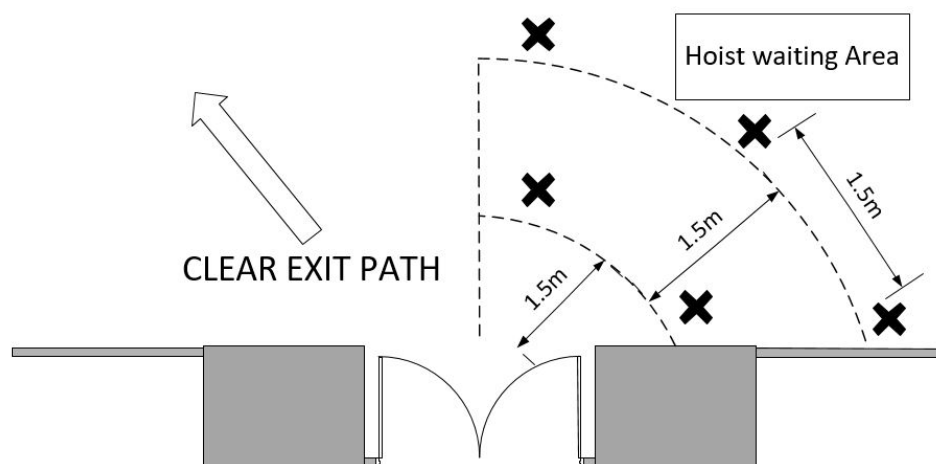
- Reviewing which hoists and lifts are available for use on site and identifying if additional hoists and lifts can be used (for example where a partially occupied building is under construction, consider whether a residential lift be used solely for construction persons).
- Increased Cleaning and Disinfecting of the site, common areas and the hoists and lifts in accordance with DH guidelines.
- Limiting worker movement between levels and floors on site, where it is possible and safe to do so.
- PPE (face masks) must be provided and worn for individual use of occupants in hoist /lift.
- Physical distancing of 1.5 m and hygiene systems to be followed when waiting for hoists and lifts, particularly on floors where worker volumes may increase during peak times (start, break, finish times). For example the ground floor, floors with meal or break out spaces and floors with bathroom amenities. The diagram below shows how physical distancing should be implemented in hoist waiting areas.
- sequencing of entering and exiting.

- Planning and systems to manage crowding at peak times
- During peak periods have system in place to limit crowding of workers entering/exiting the work area. For example:
  - developing a schedule for use of the hoist/lift.
  - staggering what floors workers are to use the hoist/lift.
- Mark the hoist/lift waiting area at each floor ensuring the physical distancing is maintained.
- Regularly communicate and remind workers (eg through posters, digital displays):
  - diagram of positioning of workers and sequence of worker entering.
  - not to touch walls/doors of the hoist/lift.
  - advise the cleaning regime in place.

Hoist/lift operators may be exposed to additional risk. They must:

- Be provided with PPE that protects them from worker to worker transmission and from touching contaminated surfaces (eg face shield or surgical mask/P2 respirator and glasses).
- Perform frequent hand washing with soap and water or the application of hand sanitiser positioned within the hoist/lift.
- Where possible, rotate hoist/lift operators into a different role.

### Example of physical distancing in hoist waiting areas



### 3.10 Personal Protective Equipment (PPE) and Face Masks

Employers must provide information, instruction and training on the safe use, decontamination and maintenance of any PPE provided.

Any PPE provided needs to be practical for the work environment (eg allowing the necessary visibility and mobility) and properly decontaminated or disposed of at the end of every shift.

Employers should monitor and encourage correct use of PPE, for example providing information on posters and digital screens about:

- Washing or sanitising hands before putting PPE on, and putting face protection on before gloves
- Removing gloves before face protection, washing or sanitising hands after removing PPE and decontaminating or disposing of used PPE safely.

### 3.11 Face Masks

3.11.1 Employers must ensure that an adequate supply of suitable face masks is available for use and provision is made for appropriate disposal of disposable face masks.

In addition, it is **still mandatory** to wear a mask indoors and outside when physical distancing is not possible and when travelling to work on public transport or commercial passenger vehicles, in hospitals, care facilities, airports and recommended anytime when at a private gathering when you cannot maintain 1.5 metres physical distancing.

3.11.2. In line with best practice to provide the highest level of protection against COVID19 and in consideration of all OH&S risks related to our industry, these industry guidelines now prohibit the wearing of all scarves, bandanas, snoods, neck socks and the like – the only acceptable face covering that is allowed to be used in our industry and on our sites, by themselves, are fitted face masks.

3.11.3. A face mask needs to be a properly fitted face mask covering both your nose and mouth. A face shield alone is no longer allowed as at 11 October 2020.

3.11.4 The term face mask includes both cloth masks and single use face masks (commonly known as surgical masks). Both masks are suitable for use to prevent the spread of coronavirus (COVID -19).

3.11.5 The advice and recommendations on wearing face masks has been informed by current DH Workplace Directions and Foundations for Safety Victoria (FFSV).

<b>Mask Type</b>	<b>Use Frequency</b>	<b>Cleaning Frequency</b>	<b>Lifespan</b>
<i>Cloth</i>	<i>Multiple</i>	<i>Each day</i>	<i>Fair wear and tear</i>
<i>Surgical</i>	<i>Single</i>	<i>N/A throw out after use</i>	<i>Single use</i>
<i>KN95 or N95/P2*</i>	<i>Multiple</i>	<i>Each day</i>	<i>Follow manufacturers instructions</i>

\* Use of N95/ P2 masks, must be compliant with Australian Standard 1716.

### 3.12 Common areas

Common areas on sites such as the amenities and frequently touched surfaces pose risks, and these are reduced by ensuring the following measures are adopted. All frequently touched surfaces and equipment on site need to be wiped down with appropriate cleaning and sanitizing disinfectants, Sanitisers or disinfectant wipes should be readily available near frequent use appliances such as fridges, microwaves, drinking fountains, water bubblers etc.

3.12.1 The time spent in those areas must be limited so as not to breach time constraints recommended by DH.

3.12.2 Staggering of meal breaks and separation of work groups to achieve maximum personal space and reduce the number of workers accessing those areas at any one time consistent with the Government's Density Quotient.

Note that crib rooms, amenity areas and site offices must still comply with the overarching Department of Health Workplace Directions to ensure physical distancing of 1.5 metres at all times, including in these areas.

3.12.3 Cleaning and sanitisation must occur between occupation of amenities by different work groups.

3.12.4 Spread out furniture to ensure physical distancing measures in common areas.

3.12.5 There must be an increased frequency of industrial grade cleaning/additional cleaning with specific emphasis on cleaning after each meal breaks in those areas - employers must follow the specific guidance of DH).

<https://www.dhhs.vic.gov.au/cleaning-and-disinfecting-after-covid-19-case-non-healthcare-setting-doc>

3.12.6 Workers electing to minimize amenity access.

3.12.7 Staggered working hours must be considered on sites with appropriate consultation (consideration must be given to Construction Management Plans, and workers must be given adequate notice of a change in hours).

3.12.8 Where practical, workforce amenities may be placed at different levels of high rise building site.

3.12.9 In the event of inclement weather and potential congestion in amenities, consultation must occur in relation to relocation or other options.

3.12.10 Adequate ventilation and air flow should be maintained in enclosed amenities, for example by opening windows/doors to allow fresh air, installing fans and/or exhaust fans and/or air purifiers, turning air conditioners to 'fresh' not recirculate.

It is incontrovertible that improving ventilation and air flow will diminish the risk of Coronavirus transmission and it makes very good sense to do so, based on proper advice and the particular circumstances of each project and/or location.

### **3.13 Inspections**

Inspections of sites are likely to be conducted by Department of Justice and Community Services, WorkSafe and the Victorian Building Authority Authorised Officers. Everyone should ensure all measures are in place to ensure compliance. Employers and Health and Safety Representatives are encouraged to work together to assist in this important objective.

### **3.14 COVID Marshal**

It is mandatory for all worksites to appoint a COVID Marshal. A designated employee or employees must be onsite whenever workers are onsite, except in relation to a small-scale construction site, where an employer may designate a supervisor or site manager to perform the role of COVID Marshal for multiple sites under their management or supervision at the same time.

COVID Marshals are appointed by the respective site managers and are responsible for supporting site compliance and providing advice to employers and workers on the following measures:

- Ensuring workers practice appropriate physical distancing measures
- Ensuring workers practice minimum level hygiene measures (as per Infection Control Awareness training)
- Ensuring adequate ventilation
- Maintaining accurate and robust record keeping (subject to audit)
- Informing required updates

The COVID Marshal is also the lead point of contact for contact management.

COVID Marshals are individuals who have (at a minimum) certifications and training for

- Infection Control Awareness Training (mandatory)
- First Aid (Level 2) – (recommended)

Site Managers can appoint multiple COVID Marshals. The role does not need to be a single dedicated appointment, however, the COVID Marshal role should be their primary role when on duty (ie an existing HSR or Site Supervisor can also be appointed as a COVID Marshal and perform this function as their primary role along with any existing duties). The employer has ultimate responsibility for ensuring the COVIDSafe obligations are met.

\*Large Scale Construction Sector is defined as

- Permitted to be (at completion) more than three storeys high (excluding basement) or
- Larger than 1,500m<sup>2</sup> floor size or
- Industrial, large format or retail use

### **3.15 Travel and Leaving Site**

Adequate arrangements are to be made by workers to ensure their travel to and from work is conducted safely in accordance with Government advice, and that adequate sanitisation facilities are in place for workers upon attending the work site and when returning to the work site during work. Note, car pooling to work is not recommended, save for transportation of apprentices. Work vehicles that are shared must be regularly cleaned to ensure adequate hygiene and protection.

### **3.16 General Communication and CALD Messaging**

3.16.1 Ensuring everyone is informed is fundamental to managing this pandemic and ensuring the safe operations of construction sites. Leadership organisations in Victoria's building, development and construction industry have collaborated on COVIDSafe communication materials tailored to reach the industry's culturally and linguistically diverse people.

This is an important campaign designed to keep the entire industry informed, engaged, safe and open. The COVIDSafe rules and responsibilities will be regularly communicated in different ways, recognising cultural differences will see some messages resonate with some more than others.

#### **What you need to do:**

Go to <https://www.culturalpulse.com.au/covidsafe-worksite-resources/>

- Print the posters, put them up in your workplace, in all languages relevant to your workforce.
- Share the social media tile with your community, colleagues, family and friends.

There you will find COVIDSafe messaging in 16 languages.

3.16.2 Site inductions Q&As should be updated as required to include information on coronavirus (COVID-19) potential risks and workplace specific controls that have been implemented such as daily screening, health checks and symptoms of coronavirus (COVID-19), staggered start, finish and meal times, good hygiene practices and cleaning regimes and PPE requirements.

3.16.3 Toolbox talks should be regularly conducted, and workers are to be encouraged to put forward practical ideas for changing work practices to avoid the spread of coronavirus (COVID-19). Toolbox talks should also provide clarity to workers on leave arrangements for those that cannot work, and to encourage self-reporting and minimise the spread of risk.

3.16.4 Toolbox talks should also include updates from the Chief Health Officer as they occur and additional information on the severity of the pandemic and the importance of physical distancing at toolbox meetings.

3.16.5 Site inductions, pre-starts and toolbox meetings to be held in suitably ventilated (open air where possible) in accordance with physical distancing, hygiene and PPE requirements.

### **3.17 Vulnerable workers**

DH has identified the following groups of people as vulnerable workers in relation to coronavirus:

- Aboriginal and Torres Strait Islander people 50 years and older with one or more chronic medical conditions.
- People 65 years and older with a chronic medical condition
- People 70 years and older
- People with compromised immune systems.
- People who are pregnant.



Employers are to risk assess roles that may have a higher chance of exposure to coronavirus (COVID-19) and implement controls to address these risks. For example, higher risk roles may include (Peggy/Cleaner, Hoist/ Lift Operator, First Aider). Where practical, reasonable action should be taken to minimize vulnerable workers from conducting higher risk roles.

### **3.18 Other measures**

Construction sites are diverse and vary in complexity, employers must apply a risk-based approach and implement reasonably practical controls based on the environment and specific hazards at each construction site. In addition to the aforementioned measures and controls mentioned in this section, employers should consider other measures for implementation such as:

- using alternatives to face to face meetings where practicable,
- reducing the length and size of meetings, especially for critical employees, by requiring some or all to dial in,
- consider off-site fabrication,
- ensuring working from home arrangements are enabled where feasible,
- structuring management teams to ensure contingency in the event of team members needing to be isolated or quarantined at home.
- Temperature screening – this is recommended for all large scale construction.

## 4.0 MANAGING POSITIVE CASES AND CLOSE CONTACTS

Employers can now use a [risk based approach](#) which classifies workplace contacts along a risk scale. It takes into account the duration of the contact, mask wearing and vaccination status. Isolation and testing requirements for contacts reflect their level of exposure risk. The most recent guidance on managing Positive Cases and Close Contacts issued by the Department of Health (DH) on 23 October 2021 can be found here: <https://www.coronavirus.vic.gov.au/confirmed-case-workplace>

### 4.1.1 Positive Case

If a worker becomes a confirmed case of coronavirus (COVID-19), the worker must not attend the workplace under any circumstances. This is part of the employer's and worker's obligation to ensure a safe workplace. Positive test results should also be immediately communicated by the worker to the employer. If the diagnosed worker is employed by a subcontractor working for the head/principal contractor, the worker's employer must immediately notify the head/principal contractor of the positive diagnosis.

### 4.1.2 Obligation to report to WorkSafe Victoria

Regulations approved under the Occupational Health and Safety Act (Victoria) 2004 on 28 July 2020 provide that employers are required to notify WorkSafe immediately on becoming aware that an employee or an independent contractor or a contractor's employee has received a confirmed COVID-19 diagnosis and has attended the workplace during the infectious period. Self-employed persons are also required to directly inform WorkSafe immediately on receiving a confirmed COVID-19 diagnosis if they have attended the workplace during the infectious period. Notify WorkSafe on 13 23 60 or <https://www.worksafe.vic.gov.au/notifiable-incidents-involving-coronavirus-covid-19>

4.1.4 The principal/head contractor must advise the unions and appropriate arrangements made to communicate with workers as to the required actions without delay. All workers on that site must be fully informed of what has occurred as soon as possible, ensuring appropriate privacy considerations are complied with.

4.1.5 The worker must follow all medical advice provided by their health care practitioner and/or the relevant government agency. This will include a period of self-isolation and testing requirements. Following DH determining release from isolation of the worker, the employer will facilitate an immediate return to work.

4.1.6 The employer is required to accept any advice and direction of DH regarding any actions required to minimise the risk of transmission which may include the partial or complete closure of the site for disinfecting and cleaning and the reopening of the site.

4.1.7 Following a coronavirus (COVID-19) confirmed case on site, the employer/principal must immediately implement a cleaning and disinfection regime which should be overseen by a competent person who can ensure that the process complies with any DH requirements and also manages the risks specific to the site.

4.1.8 Employers who are responsible for undertaking and overseeing the cleaning and disinfection regime following a confirmed case of coronavirus (COVID-19) must verify on its completion that the agreed process was fully executed and implemented, prior to the recommencing of work.

4.1.9 Large and complex building and construction sites present a greater risk of coronavirus (COVID-19) transmission in the event of a confirmed case on site. Larger sites involve more workers on site, high volumes of workers working in reasonably close proximity to one another, or workplaces which may have difficulty in confining workers and teams to specific areas of the site, site amenities and other common areas. For these sites where the employer and unions consider it warranted, a hygienist (or other suitably competent person) may be engaged for the purpose of verifying to the parties (employer and employee representatives) that the cleaning/disinfection process was undertaken in accordance with the DH guidance and requirements prior to recommencing work. The hygienist (or other suitably competent person) for these larger more complex sites will need to be engaged as early as possible and be provided with all relevant information to ensure that verification is not delayed once cleaning has been completed.

4.1.10 By way of example, upon confirmed diagnosis, the Principal contractor is required to commence cleaning on the site. The following is to take place:

- Through the workplace mapping process, identify all the areas the worker was in during the last 48 hours before the onset of symptoms or if asymptomatic, before the positive test was conducted
- Cleaning of the site is to be undertaken as per the DH advice or cleaning guidance material (see 4.1.11 below)
- A cleaner is to be engaged to conduct the cleaning in accordance with the above
- All common areas, hoists and the work areas where the worker had been in the last 48 hours (as per the workplace mapping) are to be cleaned.
- Cleaning is to be undertaken with no workers present in the affected area(s).
- Upon completion of the cleaning, a signed record is to be provided detailing the areas cleaned and the products used.
- This information is to be provided to the health and safety representative and unions.

4.1.11 For further information, refer to the Department of Health Cleaning Guidance Note – Following a Confirmed Case of coronavirus (COVID-19) On Site. This document includes an example cleaning checklist and verification of disinfecting form. A link to this document is: [https://www.coronavirus.vic.gov.au/preventing-infection-workplace - cleaning-and-disinfection](https://www.coronavirus.vic.gov.au/preventing-infection-workplace-cleaning-and-disinfection)

4.1.12 A worker who is diagnosed with coronavirus (COVID-19) will be able to use any entitlement they have to accrued paid personal/carer's leave. If the worker doesn't have sufficient accrual or an entitlement, the worker can access unpaid personal/carer's leave for the period they are unfit for work.

4.1.13 If the applicable Enterprise Agreement provides for Incolink or Protect entitlements, a worker experiencing hardship should contact Incolink/Protect for assistance.

4.1.14 Employers and workers should also ensure that they take steps to prevent workers discriminating against others of a particular race/ethnic background and/or those who have contracted coronavirus (COVID-19). Employers should ensure managers and supervisors have been trained to identify and prevent this sort of discriminatory behaviour and that support is in place for workers who feel they are being discriminated against for these sorts of reasons. Employers should ensure policies regarding anti-discrimination and privacy are up to date.

## **5.0 EMPLOYEE RELATIONS**

### **5.1 What if a worker is required to look after a dependent if their school or childcare has shut down?**

5.1.1 As a result of coronavirus (COVID-19), there may be disruptions to schools and childcare services.

5.1.2 If a worker is at work and they are required to collect their child from school or childcare because the facility was closed due to coronavirus (COVID-19), the worker may utilise their entitlement to personal/carer's leave to collect their child. In this circumstance, it can be considered an unexpected emergency and the personal/carer's leave entitlement may be utilised to collect the child and provide immediate care.

5.1.3 If the school or childcare centre remains closed for days or weeks following the initial closure, the worker may not be able to use their personal/carer's leave. If your child is not sick, personal/carer's leave can only be utilised in situations where there is an unexpected emergency. Where a child (or other dependent) becomes unwell, personal/carer's leave can be accessed to care for that child.

5.1.4 Where a worker has children that need ongoing care due to a school or childcare closure, the worker may be entitled to carer's leave to assist in an emergency and/or they should seek to arrange alternative care. If a worker is unable to find suitable care, the worker and employer may come to an agreement to use any entitlement to annual leave, long-service leave, banked RDOs or go on a period of unpaid leave. Employers are encouraged to assist wherever possible to avoid placing further burdens on childcare providers or on elderly relatives who should be protected as far as possible.

5.1.5 Alternatively, an employer and worker may reach an agreement to reduce working hours and pay pro-rata for the period of reduced hours. Any such arrangement should be in writing and signed by both the employer and worker. This can only be done in strict accordance with any applicable Enterprise Agreement.

### **5.2 What if an employer/principal has been directed by the Government to temporarily close a building site or project?**

5.2.1 We all must act in accordance with any lawful government directives and guidelines. This may include future mandatory local lock-downs, quarantines, exclusion areas or travel restrictions which stop work. Should there be a requirement to close a site for community health reasons, every endeavour should be made to ensure consultation with the relevant employers and unions, as far as practicable. This will enable sufficient planning and aims to minimise disruption as much as possible. No site will be partially or fully closed without direction or advice by the Victoria's Chief Health Officer or representative. DH may be required to close a site under the provisions of the Public Health and Wellbeing Act 2008 or other regulatory powers on public health grounds, which may not allow for consultation.

5.2.2 If the Victorian Government determines to suspend or shut down government funded construction projects on account of public health concerns relating to coronavirus, it will make reasonable attempts to give advance notice of those decisions to relevant employers and

unions. No government site will be partially or fully closed on account of public health concerns relating to coronavirus without direction by or advice from the Victorian Chief Health Officer.

5.2.3 If the Victorian Government requires that work on a particular site should cease or be reduced in capacity, or the employer or workers lose access to the site or premises because of a lock down, as an alternative to a stand down of workers, the employer must consider:

- whether workers can be reasonably redeployed elsewhere;
- whether any of the workers can work from home;
- whether any other arrangements can be made so that the work can continue;
- agree to allow employees to have limited access paid or extended unpaid leave, including accrued RDO's, in a measured and sensible way.

5.2.4 If there is no capacity to apply the measures set out in 4.2.3 and a closure of the site must proceed, it is extremely important to ensure that the consultation between the employer and the union includes the preparation of a clear and reasonable process for workers to obtain access to relevant entitlements. The financial circumstances of the worker and the longer-term viability of the employer and sub-contractors needs to be considered by all affected. It will not serve the longer-term interests of the worker or the employer if for example all accrued leave entitlements were drawn upon at once. In the first instance it may be feasible for the worker and employer to access the government assistance in accordance with paragraph 4.10. If it is possible to structure a phased approach to drawing on accrued entitlements this will provide the best opportunity for the future viability of the business and the future employment of the worker following the coronavirus (COVID-19) disruption.

5.2.5 If the applicable Enterprise Agreement provides for Incolink or Protect entitlements, a worker experiencing hardship should contact Incolink/Protect for assistance.

5.2.6 Any site partially or fully closed/advised by the Victorian Chief Health Officer or their representative will be re-opened as soon as actions requested/required are completed and DH advised the site can be open. Workers without symptoms and/or negative test results, will be advised by the employer to return to work.

5.2.7 If a closure of a site must proceed, upon its reopening, the employer will ensure that its previous workforce is returned to work on a fair and reasonable basis. Consultation between the employer and the union is required.

### **5.3 What if the employer wants to shut down the site?**

5.3.1 It is understood that there is genuine concern for ensuring health and safety onsite. It is not in the interests of the employer or the workers to close a worksite unnecessarily and without direction from Government authorities. If a concern exists, the employer should immediately engage with the relevant Government authorities and engage in consultation with the workers and their union, prior to a closure of the site.

5.3.2 If the employer decides to close a worksite without being asked to do so by DH or required through a regulatory order, the employer should direct its employees to work at another worksite if possible. If work is not available in another location, the employer may direct employees not to attend for work and send them home on full pay. Alternatively, an employer can endeavor to come to an agreement with workers and their union for an alternative measure. Any such agreement should be in writing.

## **5.4 In what circumstances may an employer stand down workers without pay?**

5.4.1 Before any worker is stood down without pay, the employer needs to carefully consider the terms of any applicable Enterprise Agreement and/or the contract of employment.

5.4.2 The stand-down provisions in section 524 of the Fair Work Act 2009 provides for workers to be stood down without pay in certain circumstances including during a period where a worker cannot usefully be employed because of a stoppage of work for any cause which the employer cannot reasonably be held responsible for. This is a high bar and will not apply merely to a down-turn in work or economic conditions.

5.4.3 The ability to stand down a worker may be available in circumstances where the employer is directed by the government to cease its operations on-site, or there are local travel restrictions or exclusions zones which result in a stoppage of work. An employee is not taken to be stood down during a period when they are taking a paid or unpaid leave that is authorized by the employer or is otherwise authorized to be absent from their employment.

5.4.4 If a stand down of workers is being considered, employers may seek to reach agreement with workers to access a form of accrued paid leave (i.e. annual leave or long service leave) for the period of the stand down or may agree to go on unpaid leave. Where a worker is experiencing hardship and they receive Incolink or Protect redundancy contributions, they may be able to access Incolink or Protect benefits. Incolink and Protect have announced additional measures to assist affected workers. A worker may also be entitled to seek further assistance from the measures announced by the Commonwealth Government - refer paragraph 4.10.

5.4.5 Employers should be aware that a contract of employment or Enterprise Agreement may modify the ability to stand down employees under section 524 of the Fair Work Act 2009 or allow for a stand down in circumstance different to those identified in section 524 of the Fair Work Act 2009. Any employer contemplating a stand- down should seek further advice from their relevant Industry Association.

## **5.5 What if a worker does not have coronavirus but does not want to come to work?**

5.5.1 Some workers may be particularly anxious in relation to coronavirus (COVID-19) for various reasons. For instance, a worker (or a member of their immediate family or household) may have a particular health condition that places them in a higher risk category in relation to coronavirus (COVID-19). As a result, such workers may not want to come into work, despite not having coronavirus (COVID-19).

5.5.2 In these circumstances, employers should consider whether they can accommodate a worker's request and either allow them to work from home or alternatively, to allow the worker to take annual leave, long service leave, banked RDOs or unpaid leave.

5.5.3 Employers that contribute to Incolink or Protect may be able to refer anxious and concerned employees to Incolink Wellbeing & Support Services or Protect Counseling services.

## **5.6 What to do if someone on site is unwell but says they don't have coronavirus?**

5.6.1 If a worker is showing signs of COVID-19 symptoms, they must not remain at work.

## **5.7 What impact is coronavirus going to have on casual employees?**

5.7.1 If any workers are engaged on a casual basis, those employees are unlikely to be entitled to personal leave, annual leave or long-service leave in normal circumstances. Coronavirus (COVID-19) is likely to have a major financial impact on casual workers if they are unable to work due to coronavirus (COVID-19) and do not have leave entitlements.

A worker may also be entitled to seek further assistance from the measures announced by the Commonwealth and Victorian Governments.

## **5.8 What if an employer has a significant reduction in work, or unable to pay employees wages because of the downturn?**

5.8.1 Coronavirus (COVID-19) will have an impact on businesses as well as cash flow and the ability to pay workers' entitlements if sites close. Where the impact may lead to redundancy the following must occur:

- consider whether there are any options for redeployment within the business or associated entities; and
- make sure the employer complies with consultation obligations under any enterprise agreements or modern awards.
- redundancies should only occur as a last resort.

If employers are considering making workers redundant, they should contact their relevant Industry Association before acting.

## **5.9 What if the parties cannot reach agreement in relation to any of the foregoing?**

5.9.1 In the event that a matter concerning the application of these Guidelines and measures cannot be resolved between the relevant parties, where an applicable Enterprise Agreement is in place, either party may refer the matter to the Victorian Building Industry Disputes Panel (VBIDP) for assistance and resolution. The VBIDP is an independent body and arbitrator that can provide further advice, arbitration and conciliation to the industry across a range of issues. This includes occupational health and safety, employment conditions such as hours of work, wages, allowances and leave entitlements. Visit VBIDP at <http://vbidb.org.au>.

## **5.10 Victorian Government Assistance**

The Victorian Government has a range of support programs for people and businesses affected by Coronavirus. See <https://www.coronavirus.vic.gov.au/financial-and-other-support-coronavirus-covid-19>.

This includes a \$450 payment for workers who are required to self isolate whilst waiting for results of a Coronavirus test and a \$1500 payment for workers required to quarantine for 14 days.

## 5.11 Additional points in relation to coronavirus (COVID-19)

5.11.1 We encourage all employers and workers to work together during this difficult time. Employer Associations and Unions are also available to their members to discuss any of the information in these Guidelines. For further guidance, you can call the DH hotline on 1800 675 398.

You can access more information and resources on the DH website: <https://www.dhhs.vic.gov.au/coronavirus>

Employers whose employees are feeling anxious and stressed and who contribute to Incolink or Protect may be able to refer their employees to the Incolink Wellbeing & Support Services or Protect Counselling services. If any worker is experiencing difficulties getting food or necessities, they can call 1800 675 398 for support. It should be noted that privacy is important and no private individual information should be shared with other workers or third parties.



*Incolink*

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## 6.0 INDUSTRY COVID-19 TASKFORCE

An Industry COVID-19 Taskforce has been established by the Victorian Government to oversee the resources and response capability of the Building and Construction Industry in response to the current health crisis. The Taskforce operates under the auspices of the Building Industry Consultative Committee (BICC), reporting to the Minister for Industrial Relations Victoria and comprises representatives from:

- Victorian Department of Health (DH)
- Victorian Department of Jobs, Precincts and Regions (DJPR)
- Department of Transport (DOT)
- Department of Premier and Cabinet (DPC)
- WorkSafe Victoria (VWA)
- Victorian Building Authority (VBA)
- Employers (MBV)
- Unions (CFMEU)

A dedicated Industry Liaison Officer has been appointed to be the authoritative single point of contact to provide rapid guidance to industry parties for clarification or explanation of these Industry Guidelines. Industry stakeholders are encouraged to seek on site assistance in applying these Guidelines, which has proven to be helpful in their implementation in specific sites. Industry Liaison Officer Michael Paynter can be contacted on Ph 0418268555 or by email [mpaynter@peregrineindustrial.com.au](mailto:mpaynter@peregrineindustrial.com.au).

## 7.0 PARTICIPATING UNION & INDUSTRY ASSOCIATIONS

	<i>Australian Institute of Building</i>	Level 4, 332 Albert Street East Melbourne VIC 3002 Phone: 0412 326 898 Email: SReid@lusimon.com.au
	<i>Australian Manufacturing Workers' Union (AMWU)</i>	251 Queensberry Street Carlton VIC 3053 Phone: (03) 9230 5700 Email: amwu@amwu.org.au
	<i>Air Conditioning &amp; Mechanical Contractors' Association (AMCA)</i>	30 Cromwell Street Burwood VIC 3125 Phone: (03) 8831 2800 Email: shannon.thomas@amca.com.au
	<i>The Australian Workers' Union AWU VIC Branch</i>	685 Spencer Street West Melbourne VIC 3003 Phone: (03) 8327 0827 ben.davis@awu.net.au
	<i>Construction, Forestry, Maritime, Mining and Energy Union (CFMEU)</i>	540 Elizabeth Street Melbourne VIC 3000 Phone: (03) 9341 3444 Email: vicqueries@cfmeu.org
	<i>Civil Contractors Federation (CCF)</i>	9 Business Park Drive Notting Hill VIC 3168 Phone: (03) 9588 7600 Email: ccfvic@ccfvic.com.au
	<i>Electrical Trades Union (ETU)</i>	Level 1/200 Arden Street North Melbourne VIC 3051 Phone: (03) 8329 0000 Email: etu@etuvic.com.au
	<i>Master Builders Victoria (MBV)</i>	332 Albert Street East Melbourne VIC 3002 Phone: (03) 9411 4555 Email: ceo@mbav.com.au
	<i>Master Plumbers</i>	15/306-312 Albert Street Brunswick VIC 3056 Phone: (03) 9329 9622 Email: membership@plumber.com.au Phone: 0400165391 Email: anne.wilson@prefabaus.org.au
	<i>Prefab Aus</i>	
	<i>National Fire Industry Association (NFIA)</i>	PO Box 403 Petrie QLD 4502 Phone: 07 3882 2273 Email: info@nfia.com.au
	<i>National Electrical and Communications Association (NECA)</i>	12/222 Kings Way South Melbourne VIC 3205 Ph: (03) 9645 5533 Email: necavic@neca.asn.au
	<i>Plumbing and Pipe Trades Employees Union (PPTEU)</i>	52 Victoria Street Carlton South VIC 3053 Phone: 03 9662 3388 Email: info@ppteu.asn.au
	<i>Property Council of Australia</i>	136 Exhibition Street Melbourne VIC 3000 Phone: (03) 9650 8300 Email: vic@propertycouncil.com.au
	<i>SPASA Australia</i>	8/13 King William Rd Unley SA 5061 Phone: 1300 021 482 Email: askus@spasa.com.au
	<i>Urban Development Institute of Aus</i>	Victorian Office 4 Melbourne VIC 3004 Phone: (03) 9832 9600 Email: info@udiavic.com.au