

Critical COVID-19 Response Information for ACT Employers

Current as at Monday 2 November 2020

The following information is intended to assist businesses to navigate the unprecedented changes arising out of enhanced responses to the COVID-19 pandemic. Information about Government Response measures were current at the time of publication however, given the rapidly evolving situation, businesses should monitor reliable Government sources for updated information.

What is the current Stage Response?

Step 3.2 of the ACT's Recovery Plan commenced at 9:00am on **Friday 9 October 2020**.

Step 3.2 means:

- There will no longer be a limit on household visitation.
- All public gatherings will be set at 1 person per 4 square metres for each indoor space, and 1 person per 2 square metres for each outdoor space, up to a maximum of 200 people.
- For the following businesses:
 - licenced premises;
 - A hotel to the extent that it supplies food or beverages for consumption on site (not including any part of the hotel constituted by a bottle shop, accommodation provision, function facilities, takeaway meals or a meal delivery service);
 - A restaurant, café or canteen (not including takeaway or meal delivery services; a café or canteen at a hospital, residential aged care facility, school, correctional centre, community sporting facility, military café, or those providing food and drink to those experiencing homelessness);

must observe one of the following limits:

- 25 people across the whole premises; or
- for premises with a total usable space of 101 square metres or more, 50 people across the whole premises; or
- the sum of:
 - 1 person per 2 square metres per usable outdoor space up to 200 people; and
 - 1 person per 4 square metres per usable indoor space up to 200 people.

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In all cases, except to the extent that it is unreasonable or impracticable, customers must remain seated.

- A food court may have 1 person per 4 square metres per usable indoor space up to 200 people. Except to the extent that it is unreasonable or impracticable, customers must remain seated.
- A gym, health club, fitness centre, wellness centre; a centre providing yoga, barre, or spin classes; or a bootcamp or personal trainer may have the greater of 25 people across the whole premises, or if staffed, 1 person per 4 square metres per usable outdoor space or usable indoor space up to 200 people.
- An organised sporting activity (other than in an outdoor venue that is enclosed and has permanent tiered stadiums), or a swimming pool (other than a hydrotherapy pool) may have the sum of 1 person per 4 square metres for each indoor space, and 1 person per 2 square metres for each outdoor space, up to a maximum of 200 people.
- The following business may have the greater of 25 people across the whole premises or the sum of 1 person per 4 square metres for each indoor space, and 1 person per 2 square metres for each outdoor space, up to a maximum of 200 people:
 - community centre or facility, youth centre or facility;
 - an event at a conference or convention venue;
 - an indoor or outdoor place centre, or an indoor arcade or amusement centre;
 - musical rehearsals, including for choirs, bands and orchestras, except where the rehearsal is taking place in a venue described in another item;
 - a gaming or gambling venue, a casino or a betting agency;
 - hairdresser or barber;
 - nail salon;
 - a tattoo or body modification studio;
 - a place that provides beauty therapy, tanning or waxing services;
 - a day spa or place that provides massage services, steam based services (including

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saunas, steam rooms, steam cabinets and bathhouses)

- a strip club, brothel or escort agency;
 - an auction house;
 - a real estate auction, display home or open home.
- A place of worship including for a religious ceremony, but not including for a wedding or a funeral may have the greater of 25 people across the whole premises or the sum of 1 person per 4 square metres for each indoor space, and 1 person per 2 square metres for each outdoor space, up to a maximum of 200 people.
 - A wedding, funeral, or gathering following a wedding or funeral may have 1 person per 4 square metres per usable indoor or outdoor space up to 200 people.
 - A gallery, museum, national institution or historic site; an outdoor amusement park or attraction; or a library may have 1 person per 4 square metres for each indoor space, and 1 person per 2 square metres for each outdoor space.
 - A cinema or movie theatre may have 50% of seating capacity, up to 200 tickets, in each cinema or theatre. Attendance must be tickets and attendees remain seated.
 - An open-air drive-in cinema may have 200 vehicles and 200 people per usable outdoor space.
 - An event performance in any location, including a concert venue, theatre, arena or auditorium, but not including GIO Stadium or Manuka Oval; or an organised sporting activity in an outdoor venue that is enclosed and has permanent tiered stadiums may have 50% of seating capacity, up to 1000 tickets. Attendance must be tickets and attendees remain seated.
 - An event at GIO Stadium or Manuka Ova may have 50% of seating capacity. Attendance must be tickets and attendees remain seated.
 - Nightclubs must not operate.

Additionally, these businesses must display a sign specifying the maximum occupancy of that business and for contact tracing purposes, ask that each person who attends the business or undertaking record their attendance at the business or premises.

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	<p>Businesses must have a COVID-19 Safety Plan and adhere to the plan. Businesses may be asked to produce their COVID-19 Safety plans upon request by an authorised officer.</p> <p>Further information applicable to specific industries can be found on the ACT COVID-19 website.</p>
When will there be further easing of restrictions?	Stay tuned
Are the borders closed?	<p>From 12.01am on Wednesday 8 July 2020, the ACT has closed its borders for anyone travelling into the ACT from Victoria, unless they have an exemption to enter.</p> <p>There are restrictions on transiting through NSW from Victoria by road. If people wish to enter the ACT from Victoria by road, they will need to additionally apply for a border entry permit.</p> <p>ACT residents are approved to return to their home, subject to entering quarantine for a period of 14 days, from the day after leaving Victoria. ACT residents must notify ACT Health of their intention to enter to the ACT.</p> <p>For travel from NSW, people who have been in the specific Local Government Areas (LGAs) and suburbs in Greater Sydney are advised not to visit or work in high-risk settings, including aged care facilities, hospitals and correctional facilities, for a period of 14 days after leaving these areas</p> <p>There is no requirement for people traveling from NSW to quarantine.</p>
Do I need to keep paying workers?	<p>If your workers can work safely from home (discussed below), then they may do so.</p> <p>In the circumstances that impacted businesses experience a stoppage of work and all paid leave has been exhausted, there may arise the basis to implement a stand down without pay, however legal advice should be sought first.</p>
What should I be thinking about in implementing working from home arrangements?	<p>Kingston Reid has developed a Working from Home Checklist, to which employers may refer in preparing employees to work from home.</p> <p>This Checklist is not exhaustive, and employers should have regard to any particular safety, information security and other considerations that may be unique to the work undertaken by particular employees.</p>

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What are other safety measures that I should be considering right now?

The nature of the Response measures and the effect of isolation will invariably have an impact upon the mental health of all workers. Check in regularly with employees at home and ensure that all are reminded of Employee Assistance Programs.

Employers should remain mindful that, if employees are directed to undertake non-essential work, and they become infected, there will foreseeably arise exposure to workers' compensation and potentially negligence claims under the workers' compensation scheme.

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