

COVID-19 Information for business

Introduction

The economy and life for many New Zealanders has been disrupted by the COVID-19 virus. We know this is affecting everyone. The faster our economy can get back to normal the better for us all but there are a lot of things to think about. The country is moving to Alert Level 3 at 11:59pm on Monday 27 April 2020, so what does this mean for businesses?

COVID-19 Alert Level 3

The fundamental principle for businesses in Alert Level 3 is that the business can operate if it can be operated safely. However, everyone must still work from home unless that is not possible. Inconvenience is not enough; it must be not possible to work from home before a business can resume operations from its workplace.

A workplace can be reopened if work cannot be done from home and the workplace can operate consistently with the Public Health Guidance. If operating from the workplace then there must not be any face to face contact with the public, unless that business is currently an essential business such as a Supermarket, Dairy or Petrol Station. Retail businesses can operate through contactless purchases such as phone orders and delivery, drive thru, or click and collect. Retail store fronts cannot be open to the public except for Supermarkets, Dairies and Petrol Stations. Certain businesses such as personal grooming businesses cannot operate during Alert Level 3 because of the close client contact.

Where a workplace operates in a controlled environment, then those Persons who Control the Business or Undertaking ("PCBU") are able to manage risks. For example, by using masks and gloves, maintaining physical distancing policies, disinfecting workplace surfaces, ensuring personal hygiene and preventing persons entering the workplace who display any symptoms or other sickness. By using these measures, it is possible to manage the risk by using smaller safe distances such as one metre. However where effective controls cannot be implemented or the workplace is an uncontrolled environment, then a two-metre physical distance may remain the safest distance. A PCBU is under obligations under the Health and Safety at Work Act 2015 to take steps to mitigate the risks.

Alternate ways of working are also to be practiced to manage the risk. These may include remote working, using shift-based working to limit the number of people in a workplace, staggering meal breaks, and flexible work arrangements. Any changes to the contracted employment relationships must be negotiated in good faith and mutually agreed and recorded in writing.

House sales can be completed during Alert Level 3. Physical interaction must be done remotely, where possible, and if that is not possible then physical distancing and personal hygiene measures must be put in place. Moving companies can operate during Alert Level 3 and people can travel between regions in the course of completing a house sale.

Make an objective assessment as to whether it is appropriate to change from what you are doing at the moment. If you can open your workplace, you are still not allowed to physically interact with customers or have them on your premises. Implement a Health and Safety plan specific to COVID-19, which follows the Public Health guidelines. Keep a log of which employees were on site and when, and which visitors entered your workplace. If you have negotiated an agreement with your landlord, revisit it if you can use some but not all of your premises at Alert Level 3. Ensure that any agreement is recorded in writing. Ensure ongoing supply from important suppliers and communicate with your customers as to how they will be affected. If you have any questions, please contact us.