



COVID-19 Workplace Policy and Risk Assessment Resource

*For Health and Safety Representatives,
Delegates, and Organisers*



Contents

Introduction.....	3
Introduction to ‘Worker Engagement, Participation and Representation’ (WEPR)	3
Supporting those engaging in workplace processes.....	4
Educate, Expect, Support.....	5
Preparing to engage in the risk assessment	6
Understanding COVID transmission	6
Public health order requirements	6
The traffic light system – NZ’s COVID-19 protection framework....	7
The basics of a risk assessment (considering COVID measures).....	7
Analysing the assessment – what are some key considerations in relation to COVID-19 control measures?.....	14
Compulsory vaccination as a control measure	16
Vaccine certification as an entry requirement	17
Introduction of other controls.....	17
Public health information	18
Risk management	19
Continuous review.....	20
Dealing with outbreaks at work	21
Formulating a workplace plan	21
Right to stop unsafe work.....	22
Links.....	23

Introduction

The NZCTU position on the national response to COVID remains consistent with science based public health advice. We understand that the COVID vaccination is vitally important in keeping workers safe.

This resource sits alongside the [CTU COVID measures policy](#) on the CTU website, and is designed to assist Union officials and delegates, health and safety representatives, and the wider workforce to participate in workplace health and safety decision making.

Businesses have a legal requirement to ensure, so far as is reasonably practicable, the health and safety of workers.

This means that businesses must eliminate or otherwise minimise work health and safety risks so far as is reasonably practicable. This is known as risk management and includes the risks associated with COVID-19.

The information in this resource will help workers and unions to engage in the risk management process including assessing their workplace's risk. It also provides information for engaging in the development of workplace policies relating to COVID-19.

Introduction to 'Worker Engagement, Participation and Representation' (WEPR)

Effective worker engagement, participation and representation is required to ensure that New Zealand's workplace response to COVID-19 is robust and successful. To make effective decisions about COVID health and safety, Persons Conducting a Business or Undertaking ("PCBU") must draw on the knowledge and experience of the people who undertake the mahi.

[Workers \(and their representatives\) have a statutory right to be engaged on all matters that impact their health and safety.](#)

Unions, workplace health and safety reps (HSRs), and employers should work together to support working people (and their whānau) to gain an accurate understanding of COVID response measures, the vaccination process, and its benefits.

Workplace engagement plays a pivotal role in ensuring that workplace policies are fair and get buy in from the workforce. It is also consistent with good faith employment obligations to consult with workers on matters that impact their employment.

To ensure maximum uptake of measures and vaccination rates it will be important to ensure a high level of engagement with the workforce and their unions.

Supporting those engaging in workplace processes

As workplaces develop their internal policies and implement the Government's COVID-19 protection framework, there may be an increase in aggressive behaviour directed at those who participate in the development of policies.

Worker representatives including health and safety representatives, union delegates and organisers can be easy targets for aggressive behaviour from vaccination opponents.

It is critical that those who engage in workplace decision-making processes are provided support to do so and are protected from abuse and aggression. PCBU's must take responsibility and convey to the workforce that:

- Health and Safety Representatives and union delegates are engaged to represent the collective views of their colleagues. Any finalised workplace policies are the product of the business (PCBU).
- It is not the representatives' job to engage in "COVID sceptical" conversations. In such cases it probably best to let the individual know that their concerns will be passed on but that they do not represent the collective view of their colleagues.
- It is the PCBU's duty to ensure the health and safety of workers includes worker mental health.

Unions likewise need to be aware of potential risks to their staff and members and be clear with members on Union policy around vaccination. Unions also need to develop policies regarding how the union will represent members whose work changes because of workplace COVID policies.

- Unions will develop their own approaches to ensure members have been subject to fair and lawful process. This is unlikely to include pursuing legal challenges against lawful vaccine mandates or workplace policies that have been developed properly.

[WorkSafeReps has options for de-escalation training](#), which provides workers with an understanding of identifying aggressive behaviour and providing tools for de-escalating such behaviour.

Educate, Expect, Support


Regardless of what policies workplaces create the best approach to take is to follow the educate, expect, support approach to vaccination:

- Ensure that official information is readily available for staff regarding the vaccine.
- Make accessing the vaccine as easy as possible for workers
- Develop safe channels for staff to raise questions and concerns

To assist with this, unions could look to develop a detailed and joint communications plan with the employer/ PCBU that includes working with unions, delegates and HSRs.

To support COVID safe workplaces – unions should engage on developing policies on:

- Enabling workers to stay home if they are unwell and get tested if necessary.
- Outline the processes to paid time to receive vaccination – as well as for any aftereffects.



Getting the right information matters

Be aware of incorrect or second-hand information on social media and other places.

You can get accurate and trusted information at:

- [Covid19.govt.nz/get-the-facts](https://www.covid19.govt.nz/get-the-facts)
- [Health.govt.nz/covid-vaccine](https://www.health.govt.nz/covid-vaccine)
- [karawhioa.nz](https://www.karawhioa.nz)
- or talk with your doctor.

How can I get the COVID-19 vaccine?

To book your appointment go to:
[BookMyVaccine.nz](https://www.BookMyVaccine.nz)

If you're unable to book online, you can call the COVID Vaccination Healthline on:
0800 28 29 26 (8am to 8pm, 7 days a week)
and we'll make the booking for you and answer any questions. Interpretation services are available if you need them.

Preparing to engage in the risk assessment

Before engaging in the risk assessment process, representatives should familiarise themselves with all the relevant information, including accessing information about hazards. Information about COVID and COVID vaccines, should be sourced from official sources.

Checklist

- Understanding how COVID transmission occurs
- Check the Public Health Order requirements
- Familiarise the NZ COVID Protection Framework (the “traffic light system”)

Understanding COVID transmission

It is important that workers understand how COVID transmissions occurs both for their own health as well as for developing control measures and policies in the workplace.

[This Ministry of Health page information about COVID-19](#) has details on how COVID transmission occurs. Public health’s understanding of transmission continues to develop. Currently there are 3 identified modes of transmission:

- Aerosol – breathing in air that contains infectious particles. These tiny respiratory droplets can float in the air for some time
- Droplets - These are larger droplets that spread through landing on your mouth, nose, or eyes through being coughed or sneezed.
- Contaminated surfaces – touching your mouth, nose, or eyes after touching surfaces that have been contaminated by the virus. The length of time a surface is contaminated depends on the conditions.

Public health order requirements

There are some requirements for businesses and workers [set out in the public health orders](#).

Outside of the Health and MIQ system, the primary order to consider is the “COVID-19 Public Health Response (Vaccinations) Order 2021”. This order sets out which workers fall under a Government Mandate requiring vaccination. Workers covered by the orders and subsequent amendments must be vaccinated as per the timelines specified in the order.

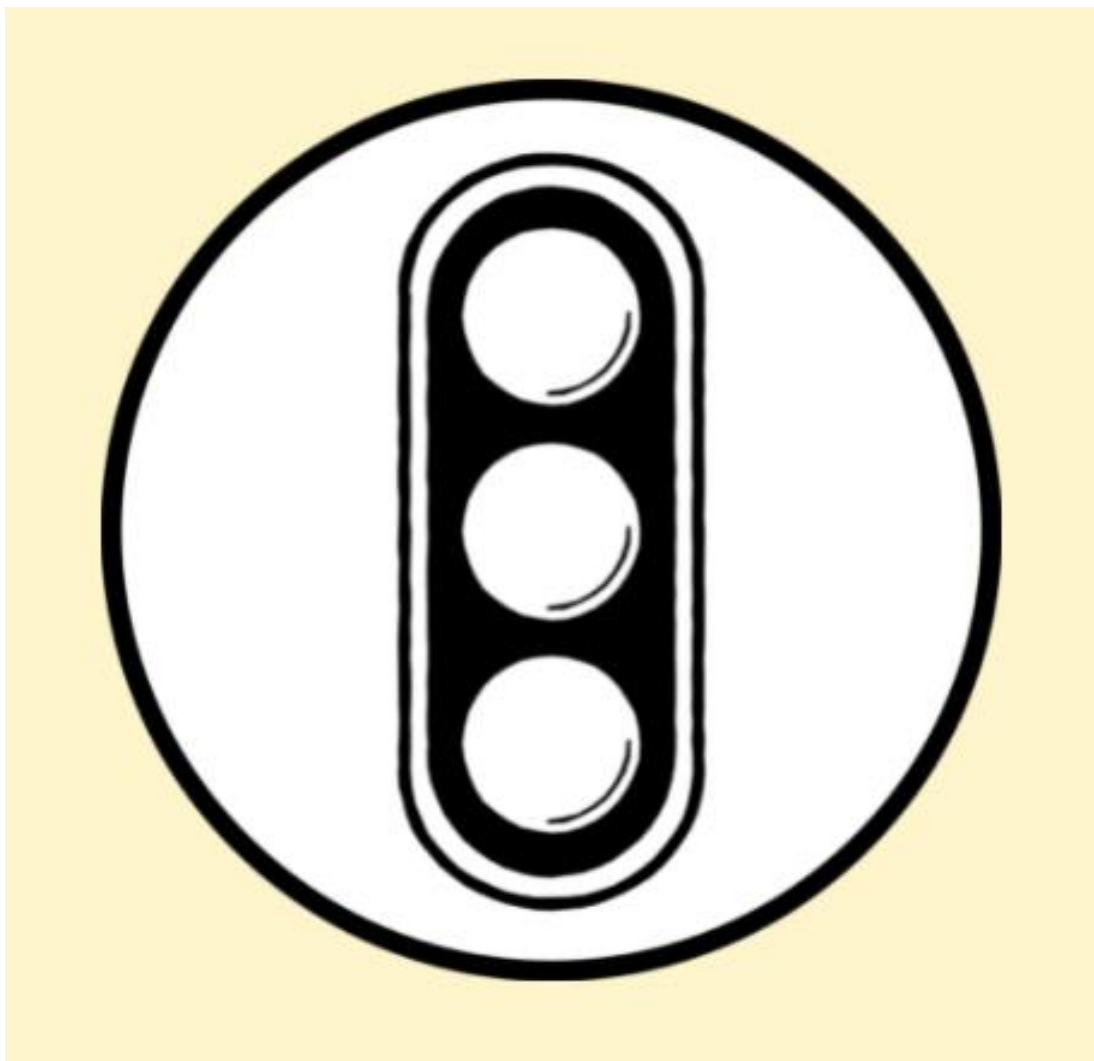
Workforces covered by the vaccination mandates are not exempt from the risk assessment processes. This is because vaccination needs to be supported with all other reasonably practicable measures.

The traffic light system – NZ's COVID-19 protection framework

As businesses develop their workplace policies and work through their risk assessment processes, they will need to consider how they will operate under the COVID-19 protection framework. Ensure the framework is reflected in the policies and procedures implemented.

<https://covid19.govt.nz/alert-levels-and-updates/covid-19-protection/>

- *Check the COVID.govt website for the most up to date version of the framework*



The basics of a risk assessment (considering COVID measures)

With this background information, union representatives can begin the risk assessment process:

- *This information is designed to provide some basic understanding of the risk assessment processes to enable workers to engage in assessing risks*
- *WorkSafe has [information on identifying, assessing and managing risks](#) & [for assessing whether a specific role needs to be performed by a vaccinated worker](#). & [for operating safely under COVID](#)*
- *Worker friendly training courses are [provided by WorkSafeReps](#). Their courses can be tailored to your workforce.*

Risk management is simply a process of stepping through the work tasks and work environment to identify who can be harmed and how, and then developing ways to prevent that harm:

- A **Hazard** is something that could cause harm
- **Risks** to worker health and safety arise from being exposed to hazards
- Processes to prevent harm are called **control measures**

Assessing the level of risk involves considering the severity of injury or illness that could occur and the likelihood of it occurring.

In relation to the risks of COVID-19:

- **Likelihood** references the likelihood of workers or others contracting or being exposed to COVID-19 while performing the role; and
- **Severity** refers to the potential consequences (i.e., the impact) of that exposure including to individuals and risk of community spread.

To score the level of risk, multiply the likelihood score by the severity score.

Use the following tables on the next pages to **assist you** to find a score.

Outlined on the following pages is one risk assessment tool, **if you decided to use this one, be aware to make it suit the specific facts and conditions in your workplace**. This tool has been edited to reflect some basic considerations for considering COVID in the workplace.

There are many risk assessment tools and processes available to use, however the general concepts stated underpin them all.

NOTE: In December 2021, the Government is introducing a simplified tool for considering vaccination as a control measure. More information on this is set out below in the next section.

LIKELIHOOD

What is the likelihood of contracting or being exposed to COVID-19?

5	ALMOST CERTAIN	<ul style="list-style-type: none">• Transmission/ exposure is a frequent occurrence under similar conditions• Expected to occur at least once unless preventative action is taken
4	LIKELY	<ul style="list-style-type: none">• Transmission to occur at some time under current risk control process.• Estimate 50/50 chance of occurrences under current conditions
3	POSSIBLE	<ul style="list-style-type: none">• Persons are aware of at least one occurrence under similar conditions.• Lack of evidence to provide assurance of impossibility.• Occurrence considered possible under current (or similar) conditions.
2	UNLIKELY	<ul style="list-style-type: none">• Transmission is not known to have occurred under similar conditions.• Occurrence considered unlikely under current or slightly changed conditions.
1	REMOTE	<ul style="list-style-type: none">• People are unaware of occurrences.• Occurrence considered unlikely even with significantly changed conditions.• Possibility considered unlikely even with significantly changed conditions

Considerations (non-exhaustive):

- Does this role cover [essential services/ does this role continue to work \(with others/ or on-site\) at higher alert levels or traffic lights?](#)
 - o Lower setting levels are based on there being a lower amount of community transmission, noting that at all levels of the traffic light that there is some level of community transmission.
 - o You should assess the risk based on different settings the business operates at.
- Are you able to physically distance in the workplace, are you able to limit externals from coming onsite? The less people who interact with the role, the less opportunities for transmission.
- What is the nature of the work? Does it include close personal contact?
 - o Also consider the length of time spent in close proximity
- What is the ventilation in the workplace like? Transmission is more likely in areas with poor ventilation.
 - o Are you able to identify who workers come into contact with (and/or do you know their vaccination status)? Will your business be using My Vaccine Pass?

SEVERITY

What will be the severity of the potential consequences of exposure?

1	2	3	4	5
MINOR	MODERATE	SERIOUS	MAJOR	CATASTROPHIC
Near miss event	<p>Restricted work for less than 28 days i.e., a worker requiring to isolate</p> <p>Medical treatment not requiring hospitalisation</p>	<p>Restricted work greater than 28 days</p> <p>Injury or illness requiring hospitalisation for less than 48 hours</p> <p>Lost time injury with lost days less than 2 weeks</p>	<p>Illness or injury requiring hospitalisation greater than 48 hours</p> <p>Lost time injury with lost days greater than 2 weeks</p>	<p>Single or multiple deaths</p> <p>Widespread community transmission</p>

Considerations (non-exhaustive):

- Again consider whether this role covers [essential services/ does this role continue to work \(with others/ or on-site\) at higher alert levels?](#) Operating only at low alert levels means the business is only open to the public when there is a low risk of community transmission.
- Who does the worker come into contact with while undertaking the role – does this include those [who are vulnerable or at risk?](#) Consider the risk profile of the workforce and those the workers come into contact with.
- How many people come into close contact in the role? And are they known or unknown to the worker/ business. Will your business be using CVCs?
- Currently vaccination is the only control measure that impacts the severity of COVID-19. The vaccine [“reduces the risk of getting infected and if you do get COVID-19, it means you could have no symptoms or will have much fewer, milder symptoms and recover faster”](#).

Put the score(s) on the risk matrix to find the risk rating:

		SEVERITY					
		1	2	3	4	5	
		MINOR	MODERATE	SERIOUS	MAJOR	CATASTROPHI C	
LIKELIHOOD	5	ALMOST CERTAIN	5	10	15	20	25
	4	LIKELY	4	8	12	16	20
	3	POSSIBLE	3	6	9	12	15
	2	UNLIKELY	2	4	6	8	10
	1	REMOTE	1	2	3	4	5

The following table describes the risk level and action required:

RISK LEVEL	MANAGEMENT MEASURE	RECOMMENDED ACTION
EXTREME	Urgent action	<p>Risk Value 20-25 Immediate action required to control the risk, regardless of cost</p> <p>Work must cease until the risk is controlled.</p>
HIGH	Unacceptable risk	<p>Risk Value 11-16 Unacceptable risk under existing circumstances. Requires immediate action to eliminate or minimise risk so far as is reasonably practicable. This can include stopping work immediately until the risk is brought down to an acceptable level</p>
MODERATE	Review and manage risks and monitor	<p>Risk Value 4-10 Risk must be reviewed and managed with controls. Existing controls are not managing the risk to an acceptable level.</p>
LOW	Acceptable with controls	<p>Risk Value 1-3 Work can proceed with accepted controls in place and monitored.</p>

Use a table such as the one below to help identify the hazards and their potential impact, and to develop a list of potential control measures.

Hazards of the role
(Short description)

Potential Harm

Level of risk
*(Low, medium,
high, extreme)*

List of potential control measures
*(Suggested action for preventing
the hazard from causing harm)*

Analysing the assessment – what are some key considerations in relation to COVID-19 control measures?

The requirement for PCBU is to implement all [reasonably practicable](#) control measures to eliminate or otherwise mitigate the risk of COVID. There are some controls that businesses must implement such as QR code scanning for tracing purpose, and businesses must be aligned with Government requirements such as the Protection Framework and Public Health Orders.

Use the risk assessment process to help determine which control measures are reasonably practicable and provide the best protection.

Look to see if your industry has developed tripartite guidance for the sector (tripartite means it will have included unions in its development). This can help gauge consistency across the sector.

Compulsory vaccination as a control measure

Businesses (outside of those covered in public health orders) that want to implement a compulsory vaccination policy will need to have undertaken a risk assessment to support the policy. For considering compulsory vaccination as a control measure – the Government is providing a simplified risk assessment tool.

Businesses can choose to use the simplified tool or undertake a fuller risk assessment process.

The simplified tool only relates to consideration of vaccination as a control measure. If the simplified tool is used, businesses must still undertake a full risk assessment process for eliminating or otherwise minimising the remaining risk. Vaccination must be supported with all other reasonably practicable control measures.

Note that any risk assessments undertaken before the new tool becomes available will still be legitimate.

Vaccines will still need to be supported regardless of the outcome of the risk assessment. Voluntary vaccination supported by the expect, educate, support approach is a legitimate control measure itself.

Vaccine certification as an entry requirement

Vaccine Passes will come into effect with the NZ COVID Protection Framework – called My Vaccine Pass. Much like compulsory vaccination their introduction should be based upon a risk assessment process.

MBIE has some information regarding [My Vaccine Pass](#) – further Government guidance will likely be provided when My Vaccine Pass goes live.

- Under the COVID Protection Framework – businesses that do not use vaccine certification will have stricter limits than those that use them.
- Workplaces that are required to have vaccine certification will also be required to have all workers vaccinated as well.
- In your risk assessment processes, consider the introduction of CVCs alongside the toolbox of other control measures.

Be sure to carefully consider the potential introduction of new risks with CVCs (e.g., having to enforce them with members of the public). This is not a reason to be opposed to their introduction so long as any new risks are also mitigated.

Introduction of other controls

Always consider a range of control measures. Workers will have good ideas that the employer likely would not have considered for implementing controls. Also keep in mind the hierarchy of controls (page 19) and consider what is reasonably practicable in this workplace. Relevant controls might include:

Working remotely	Alternative duties
Added PPE	Extra ventilation
Testing	Segregated shifts (also known as pod rostering) and avoiding congestion (such as when scanning in)
Variable start times	

It will be important to consider how control measures will work together – what is reasonably practicable will vary within and across workplaces.

- **Be Aware** of the need to assess the impact of any extra control measures that have been agreed to.

Public health information

There is a raft of information out there on the best ways to stay safe from COVID, these should be reflected in your workplace's controls - Links are provided here for easy access

[Cleaning and disinfection advice](#)

[Masks and face coverings](#)

[Use of PPE](#)

[Good hygiene](#)

[Physical distancing](#)

[Record keeping](#)

[Enclosed spaces and ventilation](#)¹

When wearing a face covering you should avoid:



Touching the front of your mask.



Touching your face.



Moving your face covering.

¹ This source is the UK's H&S regulator – the Health and Safety Executive HSE

Risk management

When identifying and assessing control measures – always keep in mind the hierarchy of controls – not all control measures are created equal.

When determining control measures, try to incorporate higher level controls – these will have a bigger impact on the risk rating for example – for example working from home is an elimination/ minimise level control as it removes the worker from the source of spread.

[WorkSafe general guidance on risk management](#)

HIERARCHY OF CONTROL MEASURES <i>Start at the top and work down</i>	
Most effective control	ELIMINATION Remove the hazard that is causing the risk
	MINIMISATION Substitution E.g., Replace hazard with another that does the same job with a lower hazard level Isolation E.g., Put a barrier between the person and the hazard Engineering controls E.g., Change the process, equipment, or tools
	ADMINISTRATIVE CONTROLS (if risk remains) E.g., Guidelines, procedures, rosters, training etc to minimise the risk
Least effective control	PERSONAL PROTECTIVE EQUIPMENT (If risk still remains) E.g., Equipment worn to provide a temporary barrier

Continuous review

Given the changing nature of the understanding of COVID and its variants, it is highly likely that risk assessments will become outdated over time and need to be reviewed to remain up to date.

You may need to review and/or undertake another risk assessment if:

- A new variant is introduced
- Public health guidance changes or Government requirements change
- An incident or near miss occurs

It is good practice to have established when a set review of the control measures will be undertaken.

Ensure that the effectiveness of control measures put in place are being reviewed on a regular basis:

WORKER ENGAGEMENT	<p>PCBUs must implement appropriate means for workers to report incidents, near misses or health and safety concerns</p> <p>Workers and their representatives must be engaged when decision is being made on procedures for reviewing controls</p>
WHEN TO REVIEW	<p>As well as reviewing control measures on a scheduled basis, control measures should be reviewed after an incident, near miss, or serious concern is raised</p> <p>When alert levels change or there is a change to public health advice.</p>
HEALTH MONITORING	<p>Some workplaces might want to implement health monitoring as a way of reviewing the effectiveness of the control measures in place</p> <p>Worker engagement on health monitoring is essential given the nature of the information being collected. This information should only be used for its intended purpose. Privacy requirements will apply to these records</p>

Dealing with outbreaks at work

With the move into the COVID Protection Framework, the Government has indicated that some level of live community transmission will be present at all settings. It is still critical to manage the risk of COVID transmission as much as possible.

Like with other risks it is important to have a plan in place for if something does go wrong. Establishing a plan with the PCBU ensures that workers know what to do if there is a case in the workplace.

Refer the Ministry of Health's ['guidance for workplaces that have a case of COVID-19'](#).

Formulating a workplace plan

Be ready

- *New Zealand's protection framework envisages living with COVID, likelihood of a case at work has increased*
- *Have your risk assessment done – implement all reasonably practicable controls*

Report a workplace case

- *As soon as possible after finding out about a potential case at work – have the person contact MoH Hotline immediately*
- *Follow all MoH instructions*
- *Have a plan if there is a delay in response from MoH*
 - *Do staff need to work from home in interim?*
 - *Enable close contacts to get tested*

Monitor and support

- *Effectuated workers – what support do they need?*
- *Maintain a connection with impacted workers*

Return to work

- *Follow MoH guidance*
- *Need for site cleaning*
- *What conditions before workers return?*

Right to stop unsafe work

Workers have a legislative right to cease doing unsafe work

Section 83 of the Health and Safety at Work Act 2015 provides workers with the right to cease or refuse to carry out unsafe work if:

- they believe that carrying out the work would expose them or another person to serious risk to their health and safety, and
- the risk of exposure to the hazard must be immediate or imminent.

A worker who has ceased or refused work in this circumstance is required to notify their manager as soon as possible of the issue and attempt to resolve the matter. In addition, the worker must make themselves available to do alternative (safe) tasks whilst the matter is resolved.

Links

For those using a paper copy of this resource

CTU COVID response policy: <https://union.org.nz/wp-content/uploads/2021/11/CTU-COVID-Policy-Oct-2021.pdf>

COVID19.govt: <https://covid19.govt.nz/covid-19-vaccines/>

MBIE official vaccination guidance: <https://www.employment.govt.nz/leave-and-holidays/other-types-of-leave/coronavirus-workplace/covid-19-vaccination-and-employment/>

MBIE – Vaccine assessment tool & My Vaccine Pass guidance

<https://www.worksafe.govt.nz/managing-health-and-safety/novel-coronavirus-covid/operating-safely-what-you-need-to-think-about/>

Ministry of Health – getting the vaccine: <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-vaccines/covid-19-getting-vaccine>

Ministry of Health – Vaccine effectiveness and protection - <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-vaccines/covid-19-vaccine-effectiveness-and-protection>

Karawhiua (Ministry for Māori Development led unifying campaign): <https://karawhiua.nz/>

Public Health Response (Vaccinations) Order:

<https://www.legislation.govt.nz/regulation/public/2021/0094/latest/LMS487853.html>

WorkSafe – assessing whether a specific role needs to be performed by a vaccinated worker:

<https://www.worksafe.govt.nz/managing-health-and-safety/novel-coronavirus-covid/assessing-whether-a-specific-role-needs-to-be-performed-by-a-vaccinated-worker/>

WorkSafe – Operating safely, what you need to think about:

<https://www.worksafe.govt.nz/managing-health-and-safety/novel-coronavirus-covid/operating-safely-what-you-need-to-think-about/>

World Health Organisation (WHO) resources and information - <https://www.who.int/teams/risk-communication/covid-19-transmission-package>

Immunisation Advisory Centre – How the Comirnaty vaccine works: <https://covid.immune.org.nz/covid-19-vaccines-nz/comirnaty-mrna-pfizerbiontech-vaccine/how-comirnaty-vaccine-works-and>

Building trust in the vaccine: <https://www.theworkshop.org.nz/publications/how-to-talk-about-covid-19-vaccinations-building-trust-in-vaccination-a-guide-2021>

Public Service – Te Kawa Mataaho: <https://www.publicservice.govt.nz/resources/covid-19-vaccination-roll-out-guidance/>