

PEOPLE BUSINESS EMPLOYMENT LAW

BULLETIN 10 February 2020 - Novel Coronavirus

This virus presents a severe risk of contagion, and employers and employees must assess and manage that risk.

Health and Safety at Work Act 2015

Section 45 of the Act provides that -

45 Duties of workers

While at work, a worker must-

- (a) take reasonable care for his or her own health and safety; and
- (b) take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and
- (c) comply, as far as the worker is reasonably able, with any reasonable instruction that is given by the PCBU to allow the PCBU to comply with this Act or regulations; and
- (d) co-operate with any reasonable policy or procedure of the PCBU relating to health or safety at the workplace that has been notified to workers.

Ministry of Health (MoH) directives

The Ministry advises that -

"Current status

There are no confirmed cases of 2019-nCoV in New Zealand to date but the likelihood of importing a case is high. The risk of an ongoing outbreak in New Zealand remains low, but the Ministry of Health is monitoring the situation closely. If any public health measures are needed for this virus, we will advise.

Advice about self-isolation

We have updated our <u>self-isolation guidance</u> at <u>https://www.health.govt.nz/our-work/diseases-and-</u> conditions/novel-coronavirus-2019-ncov/novel-coronavirus-self-isolation.

We are working with border agencies to ensure recent arrivals from mainland China are aware of the need to self-isolate and register for health checks through the new Healthline service.

For people arriving or transiting through mainland China we ask that you:

- Please register your details with Healthline within 24 hours of arrival
- Self-isolate for 14 days.

Please register your details with Healthline 0800 358 5453 while you are in New Zealand. This must include your personal mobile number. We are doing this to provide you with health support while you are in New Zealand.

Self-isolation guidance

If you have been in, or transited through, mainland China since 2 February 2020 or in the Hubei Province in the last 14 days, you may have been exposed to, and infected with, the Novel Coronavirus (2019-nCoV).

For some people it may take up to two weeks before symptoms present if they have been infected. So, to keep you and others safe, you should isolate yourself from other people for 14 days from the time you left or transited through mainland China, or were exposed to Novel Coronavirus.

If you have not been in contact with someone who has been infected with Novel Coronavirus, then your risk of being infected is very low.

We are asking people to take simple, common-sense steps to avoid close contact with other people as much as possible, like they would with the seasonal flu virus. We know it is a stressful time, but taking these simple measures will help protect you, your family, and all of New Zealand against 2019-nCoV and other common infectious diseases.

We are only asking people who have travelled to, or transited through, mainland China or the Hubei province to self-isolate, not any other people who they may be living with.

What does self-isolation mean?

Self-isolation means avoiding situations where you could infect other people. This means any situation where you may come in close contact with others (face to face contact closer than 1 metre for more than 15 minutes), such as social gatherings, work, school, child care/pre-school centres, university, faith-based gatherings, aged care and healthcare facilities, prisons, sports gatherings, restaurants, and all public gatherings.

If you are a visitor to New Zealand, this means you should avoid sitting in a restaurant or participating in any type of tour group.

If you are unsure if you should be self-isolating, or if you do not know where you can go, please contact Healthline for free on <u>0800 358 5453</u>."

In practice

- If an employee is ill and has a doctor's certificate, they are entitled to sick leave in accordance with the Holidays Act and their employment agreement.
- If an employee is not ill but is isolating themselves as directed by MoH, and
 - They are able to work from home set out that arrangement in writing
 - It is not possible or practicable for them to work from home consider sick- or annual leave, or sick- or annual leave in advance, or special paid or unpaid leave, and confirm in writing. It is important to remember the need for both parties to act in good faith and to be open, transparent and constructive.
- If an employee believes that they may be infected, they should see a doctor.

We suggest you communicate with employees returning from leave in advance of their return to ensure they are aware of your approach to the risks from Novel Coronavirus.

This article is brought to you by the Window and Glass Association's free employment helpline 0800 692 384. If you have any questions or would like to discuss the bulletin above, please call Philip or Anthony on the helpline.