

*Public Health Act 1997*

**DIRECTION UNDER SECTION 16**

*(Workplace COVID Plan – No. 2)*

I, MARK VEITCH, the Director of Public Health, in pursuance of section 16 of the *Public Health Act 1997* ("the Act"), in order to manage the threat to public health posed by the notifiable disease known as COVID-19 ("the disease"), direct that –

- (a) each person conducting a business or undertaking must implement measures in respect of the business or undertaking, or the workplace where the business or undertaking occurs, to ensure that –
  - (i) where practicable, each person on, or at, the workplace maintains a distance of no less than 1.5 metres between the person and any other person on, or at, the workplace; and
  - (ii) if it is not practicable for a person on, or at, the workplace to comply with subparagraph (i), other means or procedures to minimise the risk of the person being exposed to, or contracting or spreading, the disease within the workplace; and
  - (iii) the total number of persons in a single undivided space at the workplace at any one time, other than an exempt part of the workplace, does not exceed the number calculated by dividing, by 2, the total number of square metres of the floor area of that space unless –
    - (A) another direction made under the Act provides for another density limit for the workplace or for the removal of a density limit for the workplace; or
    - (B) the Director of Public Health, or his or her delegate, has authorised a different density limit for the workplace in accordance with an exemption under a direction made under the Act; and
  - (iv) information, recommendations, directions and guidance materials, that are relevant to the business, undertaking or workplace and

- provided or published by reputable sources, are reviewed at reasonable intervals to ensure that measures implemented are appropriate to mitigate the risk, posed by the disease, in respect of business, undertaking, workplace or to persons generally; and
- (v) cleaning and, if appropriate, disinfecting the workplace (including furniture, equipment and other items) is performed to the standard, and frequency, required to minimise the risk of a person being exposed to, or contracting or spreading, the disease within the workplace; and
  - (vi) persons entering on, or remaining at, a workplace are observing appropriate hygiene measures to minimise the risk of a person being exposed to, or contracting or spreading, the disease within the workplace; and
  - (vii) all supplies and equipment are provided in respect of a workplace to enable a person to perform the cleaning and disinfecting under subparagraph (v), or to observe a hygiene measure under subparagraph (vi), in respect of the workplace; and
  - (viii) each worker at a workplace where a business or undertaking is conducted –
    - (A) is provided with information, training and instruction on the measures imposed in respect of the workplace in order to minimise the risk of a person being exposed to, or contracting or spreading, the disease within the workplace; and
    - (B) is adequately supervised, and supported, to ensure compliance with the measures, schedules and procedures imposed under this direction in respect of the workplace; and
  - (ix) each person who is not a worker and who enters on, or remains at, the workplace is provided with information, that is reasonable in the circumstances, as to –
    - (A) the measures imposed to minimise the risk of a person being exposed to, or contracting or spreading, the disease within the workplace; and
    - (B) the requirements in respect of entering, or exiting, from the workplace; and

- (x) entry into the workplace of a person, or a person remaining at a workplace, is managed and controlled in a manner that is reasonable in the circumstances, if there are reasonable grounds for believing the person –
    - (A) shows one or more clinical symptoms of the disease; or
    - (B) is required to be in quarantine under a direction made under the Act in respect of the threat posed by the disease; or
    - (C) is required to be in isolation under a direction made under the Act in respect of the threat posed by the disease or under a direction made under the *Emergency Management Act 2006* in respect of the presence of the disease in Tasmania; and
  - (xi) if a record is kept in respect of the workplace, in any format, that would assist in notifying persons who enter and leave the workplace of any potential exposure to the disease, that record must be kept for at least 28 days if it is otherwise lawful for the record to be kept for that period; and
- (b) a person conducting a business or undertaking must ensure that measures implemented under paragraph (a) –
- (i) eliminate the risk posed by the disease or, if elimination of the risk is not possible, mitigate the risk so far as is reasonably practicable; and
  - (ii) are recorded in writing; and
- (c) in this direction –
- (i) **clinical symptoms of the disease** means the following symptoms:
    - (A) a temperature of 37.5°C or more;
    - (B) night sweats;
    - (C) chills;
    - (D) coughing;
    - (E) shortness of breath;
    - (F) sore throat;
    - (G) loss of taste;
    - (H) loss of smell; and

- (ii) **exempt part of a workplace** means one of the following places where work may be carried out:
    - (A) a vehicle, vessel, aircraft or other mobile structure;
    - (B) a lift, elevator or similar space; and
  - (iii) **person conducting a business or undertaking** has the same meaning as in the *Work Health and Safety Act 2012*; and
  - (iv) **worker** has the same meaning as in the *Work Health and Safety Act 2012*; and
  - (v) **workplace** has the same meaning as in the *Work Health and Safety Act 2012*; and
  - (vi) any other word, or phrase, used in this direction has the same meaning as it has in the *Work Health and Safety Act 2012*; and
- (d) the direction given by the Director of Public Health, given under section 16 of the Act on 14 June 2020 and entitled *Workplace COVID Plan – No. 1*, is revoked.

Dated: 18 December 2020

Signed: 

Director of Public Health