

NZW Guidance: Documenting essential work during Alert Level 4

This document provides:

- guidance on how a you should decide what work your vineyard or winery is permitted to do while operating as an “Essential business” under Alert Level 4; and
- a template you may use for documenting your decision that work is “essential”

We are waiting on guidance from the Government on operating as a business under Alert Level 3. Early indications are that Alert Level 3 will focus on work that is “safe” rather than only what work is “essential”.

What work counts as “essential” during Alert Level 4?

As an essential business you can **only do work during the Alert Level 4 period that is essential during that period**. What does that mean?

- If it is urgent and needs to be done right now or your business will suffer (eg repair of a broken water main), then clearly it is “essential”.
- If it something could just as easily be done when Level 4 is lifted, or it would be only a minor inconvenience to defer it until then, then it is not “essential”.
- Between those two extremes lies the grey area, where you – as the business manager – need to make a reasonable judgement call about whether the work is, or is not, “essential”.

Factors you should consider in reaching a decision

Because vineyards and wineries are seasonal businesses, there is a cycle of work that needs to be completed each year. As harvest finishes, there will be tasks that need to be programmed in, sequenced, and carried out before spring, or before the next harvest.

Each essential business will need to carefully reflect on what counts as “essential” during the Alert Level 4 period, taking into account factors such as:

- the seriousness of the need to prevent the spread of COVID-19;
- the fact that when we drop to Level 3 fewer restrictions will be in place;
- the requirements of each vineyard or winery;
- the amount of work that needs to be completed before spring;
- the seasons and the weather;
- the availability of materials, suppliers and advisors;
- the availability of workers and contractors; and
- any other relevant factors.

A vineyard may, for example, conclude that some activities (such as starting pruning) can be deferred beyond the Alert Level 4 period, while other activities (such as irrigation maintenance, and other repairs) must be started now.

Documenting your decision

If you decide that work (such as pruning and maintenance) *does* need to be commenced during Alert Level 4, **we strongly recommend that you document how you reached that decision**, so that you can justify it when queried. The next page is a template for documenting why you have concluded a task, activity or service is essential.

If you have decided that certain work is essential, then you should inform your suppliers of that decision, and let them know that they are justified in providing you goods and services as suppliers to an essential business. You can expect that some of them will ask to you justify your decision, because they, in turn, need to be satisfied that they are supplying essential businesses carrying out essential work.

Essential Business activity: Template record of decision making

Use this form to record your decision that work needs to be carried out during Alert Level 4. Replace all grey text with your own responses.

1. Description of the work to be completed as essential during Alert Level 4

Insert response

2. When will the work be performed?

Insert response

3. Why is this work required now – during Alert Level 4?

This is the most important decision to record. Describe in detail why you have decided the work is essential during Alert Level 4. See NZW examples of relevant considerations on the previous page.

Examples of aspects to consider:

***Time sensitive** – This needs to be completed so additional tasks can be undertaken in/before spring, or because of health and safety or impact on other essential work.*

***Labour related** – there is labour available now, which I do not expect will be available after Alert Level 4 has ended.*

***Supplier requirements** – There is a shortage of a particular supply – we need to ensure we have this now and we complete the task at hand.*

4. You are already required to comply with Alert Level 4 safety requirements (which cover minimizing or eliminating possible physical interactions among staff etc; and ensuring appropriate health, hygiene and safety measures are in place).

If carrying out this work safely during Alert Level 4 will require you to apply any measures additional to your standard COVID-19 policies and procedures list them here.

Insert response

5. If applicable, how will you communicate to your suppliers, contractors and service providers that this work counts as “essential”? Do they also need to take any additional steps or meet any additional requirements?

For example, if applicable list or include here the communication you have had with your workers, managers, suppliers and contractors about working during this period.

What specific instructions/communications have you given? How have they changed the way they will work to ensure they meet these requirements?

Decision recorded by:.....

Dated:..... 2020