

# Operating at COVID-19 Alert Level 2: Guidance for NZW members (with additional information on Alert Level 1 requirements)

*Version 12: Added on 23 February 2021 to reflect the move to Alert Level 1 for all of NZ.*

*Version 13: Added on 28 February 2021 to reflect the move to Alert Level 2 for all of NZ (except for the Auckland region, which is at Alert Level 3).*

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## Introduction

We have set out guidance below on how to plan for operations at Alert Level 2. We note that the Government has not offered to formally endorse guidance at Alert Level 2, so this guidance document represents NZW's best interpretation of the Government guidance that has been provided. This guidance will be updated as new information becomes available.

Updates to this latest version are highlighted in yellow.

This guidance focuses on business operations. The latest information for individuals and households is available at [www.covid19.govt.nz](http://www.covid19.govt.nz)

Over time, restrictions may vary between regions, so take note of any particular requirements within your region.

Some of the legal requirements in this guidance apply at Alert Level 1 as well as Alert Level 2 (eg the requirement to display QR Codes). These are highlighted in blue below. Where no Alert Level is specified, the guidance relates to Alert Level 2 only.

When operating at Alert Level 2, we recommend that members continue to take into account the risks posed by COVID-19 and design systems for their operations and for their workers which eliminate or minimise those risks.

The core principles you should consider are:

- **Play it Safe:** Alert Level 2 allows for more everyday activities than Alert Level 3, but people should still keep their distance from others in public, stay home when sick, etc.
- **Businesses must operate safely:** Your business must operate *safely*. This includes your workers, suppliers, customers and anyone else who you may interact with. Your workers should feel safe coming to work.

- **Traceability:** In the event that any workers, suppliers or customers of your business were diagnosed with COVID-19 (or are a suspected case), you should be able to quickly and accurately trace the contacts they have had with your business. Each workplace is required to display a QR Code for the Government endorsed NZ COVID Tracer app. Individuals should keep records of their movements.
- **No transmission:** The same public health measures that apply to your operations at Alert Levels 3 and 4 are relevant at Alert Level 2 e.g. physical distancing, PPE and appropriate hygiene/cleaning procedures. Everyone should follow the [latest Ministry of Health guidance](#).

If the situation deteriorates, there may also be a move to Alert Level 3 or 4, so businesses should have contingency plans in place for that.

At Alert Levels 3 and 4, all businesses are required to have plans in place to ensure they could operate safely. These should also apply at Alert Level 2, and be adapted if necessary (eg if you are opening up new parts of your business for the first time). WorkSafe has seven questions that your business should address in its plan. More information about these questions and how to respond to them is available in NZW's [Alert Level 3 Guidance](#). The questions are also relevant to lower Alert Levels, but there will be some additional flexibility at Alert Level 2 (eg allowing customers to enter your premises).

The key operational differences for winegrowers between operating at Alert Level 3 and Alert Level 2 are likely to be as follows. At Alert Level 2:

- **Opening businesses:** All businesses are permitted to open, subject to various restrictions to ensure safety.
- **Events and gatherings** are permitted subject to a limit of 100 people.
- **Travel between regions** that are at Alert Level 2 is permitted without restriction.

More detail about each of these is set out below.

## Opening businesses at Alert Level 2 – general guidance

At Alert Level 2, all businesses can open if they can do so safely. This includes safely allowing members of the public to enter your premises.

The key public health requirements are the same at both Alert Level 2 and 3. Businesses should maintain hygiene measures, including physical distancing, hand washing and regularly cleaning surfaces. More information on safety plans and their requirements is set out in our Alert Level 3 guidance, available [here](#) (see the archived section at the bottom of the page).

All businesses are required to have systems and processes in place to keep contact tracing records of persons who enter the workplace, and those who carry out work for their business (eg tradespeople).

Businesses are encouraged to use alternative ways of working where possible. This means that if you have staff who can work from home, you are encouraged to allow them to do so. You also need to consider how you will manage your workers who may be at a higher risk if they catch COVID-19 (or who have people at higher risk within their household).

While at Alert Level 2 you should also:

- Keep your workers engaged. Talk with your workers to identify risks and ways to manage them. Give them opportunities to provide input and feedback.
- Ask everyone to stay away from your premises if they have COVID-19 symptoms, and to contact their doctor or the 0800 358 5453 COVID-19 Healthline number. **Note that the list of possible COVID-19 symptoms has expanded beyond respiratory symptoms. Some recent cases have only experienced symptoms such as muscle aches and fatigue.**
- Minimise the number of shared surfaces and regularly disinfect them.

#### **Contact tracing and the NZ COVID Tracer app**

[Applies to all Alert Levels] You are required to have a QR Code displayed in a prominent place at or near the main entrance to the workplace. This QR Code must be for the Government endorsed NZ COVID Tracer app. **Other QR Codes are not sufficient.** More information on the app and how it works is available [here](#).

More information on how to obtain a valid QR Code is available [here](#).

In addition to the requirement to display the QR Code, you are also required to have other record keeping systems and processes in place to enable a contact tracing record to be kept for anyone who enters the workplace. A **contact tracing record** must include:

- full name;
- date and time of entry to the workplace; and
- a telephone number that may be used to easily contact the person.

## Posters for businesses

NZW has prepared a collection of printable resources that you can use in your business. These include posters reminding people about good handwashing practices, physical distancing and information about contact tracing. These posters are available to download [here](#). Some are relevant to Alert Level 1 as well as Alert Level 2.



Guidance for different kinds of businesses situations is set out below.

## Hospitality businesses (restaurants, cafes and cellar doors)

Winery cafes and restaurants can open at Alert Level 2. This includes premises that are licensed as taverns. Alcohol may be served to any patron regardless of whether they are there to dine; however, the usual requirements of the on-licence still apply (as does host responsibility).

Off-licensed premises, including winery cellar doors can also open. They are permitted to serve samples to customers, in accordance with the usual requirements of their licence, and in compliance with all other requirements set out below.

At Alert Level 2, customers can enter your premises, but you must meet a number of requirements.

You may have heard about the “three S’s”. As a general rule, for restaurants, cafes and cellar doors groups must be **Seated**, kept **Separated**, and use a **Single Server**. More information is set out below:

**Contact tracing:** You are also required to ensure, to the greatest extent practicable, that each person who enters the workplace either scans the QR Code or provides details in a contact tracing record that you collect. A **contact tracing record** must include:

- full name;
- date and time of entry to the workplace; and

- a telephone number that may be used to easily contact the person.

You may also wish to record the name of the server and the table number (where applicable). NZW has prepared templates for contact tracing that you may wish to use, available [here](#).

Our understanding is that all businesses will need to contact trace all workers and customers (including customers who only come onto your premises to buy products). This means that even if someone comes to a cellar door to purchase wine without sampling any, they will still need to scan using the QR Code or provide details for your contact tracing record. There are some limited exceptions to this requirement (eg supermarkets and petrol stations), but none of these apply to winegrowers.

To ensure compliance with the Privacy Act, you should notify people why you are collecting the information and that the information provided may be shared with appropriate agencies for COVID-19 contact tracing purposes if requested. This could be verbally, on signage or on forms that the individuals sign (or any combination of these). We have [prepared signage](#) that you can use at the entrance to your premises to assist with this.

You should also consider:

- how you'll make sure the register is being used and maintained correctly;
- where the register will be located and who is best to make the entries;
- whether you divide your workspace into zones and limit movement between the zones; and
- whether and how you will supervise or control the movement of visitors.

**Maintain physical distancing:** As a general rule, 2 metres remains the gold standard for physical distancing in public. It continues to apply in most cases, including to customers of businesses so far as is reasonably practicable. Workers must remain 1 metre away from each other, again "so far as is reasonably practicable".

To assist with this customers must be **seated at a table** at all times while on the premises, except in the following circumstances:

- entering or departing;
- using a toilet or bathroom;
- paying; and
- ordering or collecting food and drink (this only applies in limited circumstances – see the note below).

NOTE: Customers can only come to your counter to order or collect food or drink in premises that do not have an on-licence. If your cellar door has an off-licence only, this means that customers can come up to your counter to *order* or *collect* their food and drink (eg request four tastings for four people). It does not allow a full tasting to be conducted while the customers are standing.

In restaurants, cafes and cellar doors physical distancing can be reduced to **1 metre between groups of seated customers**. This is because of the additional measures and contact tracing register requirements that these businesses have to meet.

**Group sizes:** Each "defined space" in your premises may not have more than **100 customers or clients** present at any one time (this number excludes staff). An indoor space or outdoor space is classed as a defined space if there are walls, whether permanent or temporary, that substantially divide the space from other spaces. An outdoor space can also be separated into defined areas if the groups are kept 2 metres apart.

People from different defined areas cannot intermingle in common spaces such as entrances, exits and toilets.

This means that: if you have a restaurant and a cellar door that have separate entrances, bathrooms etc, you can have up to 100 people (plus staff) in the restaurant and up to 100 people (plus staff) in the cellar door. Physical distancing requirements still apply.

Your premises may be too small to accommodate 100 and observe the physical distancing rules.

**Staffing:** Any group or table must be served by a single server, so far as is reasonably practicable. This means that any one group of customers should have the same one person serving them for their whole visit. That person may also be serving other groups. We recommend that your contact tracing register note the server for each group.

**Safe consumption of alcohol:** As is required by your licence, you need to ensure customers consume alcohol safely. Note that intoxicated customers may be less willing or able to comply with the other restrictions (eg physical distancing). **[NB: This guidance is relevant at all Alert Levels where licensed premises can operate.]**

**Takeaways:** Takeaways are permitted at Alert Level 2, including ordering and collecting food inside from the counter. If the food is purchased to take away and the customer does not enter the workplace, contact tracing recordkeeping is not required for those customers; however, you still need to ensure that 2 metre physical distancing and other appropriate hygiene measures are followed (for example, using markers to space out queues).

To simplify matters, you may wish to use contactless takeaway procedures similar to those required at Alert Level 3. Refer back to our [Alert Level 3 guidance](#) for more information about contactless takeaway options.

**Payment:** We recommend that payment should be taken at the table (ie you should go to the customer, rather than them coming to you). This could be done via a mobile EFTPOS machine, or otherwise by the customer providing a credit card which is processed at the till by the server, and then returned for the customer to sign the receipt. While you can take cash, it is not recommended, and if you do choose to take cash you should consider how you will reduce the risks associated with this.

**Reducing touchpoints:** Consider how you can minimise the number of surfaces that customers need to touch. As well as things like payWave, this could include using laminated tasting notes or menus, that can be easily sanitised in between guests. **[NB: This guidance is relevant at all Alert Levels where licensed premises can operate.]**

#### *Additional guidance for winery cellar doors (off-licence)*

At your cellar door, groups must be seated for sampling, and the requirement for 1 metre distance between groups of seated customers applies. If your cellar door has an off-licence only, customers may come to the counter to order and collect food and drink.

You should ensure that your displays (eg price lists) are easily visible from wherever your customers will be, so they do not need to wander around the premises to view them.

**Spittoons:** This is a particular risk for cellar doors. You should of course continue to provide spittoons as part of your host responsibility obligations; however, we recommend that spittoons

should be washed between each group, and should not be shared between different groups. **[NB: This guidance is relevant at all Alert Levels where licensed premises can operate.]**

**Winery tours as part of your cellar door experience:** We know that some members take guests around parts of their winery or vineyards as part of their cellar door experience. If you wish to do this at Alert Level 2, you should also plan for the risks posed by COVID-19 (in addition to your usual health and safety planning).

The physical distancing requirements on the tour differ, depending on the nature of the group you are hosting:

- If the group is a gathering of friends and whānau (a group where everyone knows each other), then they are permitted to be less than 1 metre away from each other, but should stay 2 metres apart from your workers while on the tour.
- If the group members are not a gathering of friends and whānau (eg a wine club event), then everyone must stay 2 metres apart (from each other, and from all of your workers) while they are on the tour. However, a gathering of friends and whānau that is within that wider group can be less than 1 metre apart from each other.

You may also want to ensure that:

- you limit/eliminate touching of any shared surfaces such as door handles in the winery; and
- where possible, guests use separate bathroom facilities to your vineyard / winery workers.

#### *Vineyard/Winery accommodation and other tourism activities*

We know that many winegrowers operate other tourism activities. The same public health measures apply as for any business, but there will be specific matters that you will need to address depending on the nature of the tourism you offer. For example, accommodation services providing food and drink for residents are exempted from some of the food and drink requirements.

Some sectors may also publish guidance that is directly relevant to your tourism operations. If there is an applicable industry body providing guidance for your specific type of activity (eg [Tourism Industry Aotearoa](#)) we recommend you check with them. If you have any outstanding questions, these can be directed to [virusresponse@nzwine.com](mailto:virusresponse@nzwine.com)

## Social gatherings

Under Alert Level 2, all “social gatherings” must have no more than 100 people (excluding workers providing services) in each defined area.

A social gathering means a group of people intermingling, but does not include an activity undertaken by a business that complies with the normal Alert Level 2 requirements described above in this document. “Social gathering” does, however, include gatherings held in a business venue (for example if hired for the gathering). This may capture wine related events, such as a tasting, a discussion group, or a regional meeting.

If your venue is hired for a social gathering, then you must comply with the specific requirements for social gatherings rather than the standard requirements for Alert Level 2.



If you are organising a social gathering, or are allowing your premises to be used for a social gathering, you must ensure no more than 100 people (excluding workers providing services) are present.

The person responsible for the social gathering must ensure there are systems and processes in place to ensure that, so far as is reasonably practicable, each person who attends:

- scans the QR code for the social gathering; or
- provides details in a contact tracing record that is kept by one of the people responsible for or attending the social gathering.

(This requirement does not apply if every person at the social gathering knows, and can identify for the purposes of contact tracing, every other person who is a participant in the social gathering)

You should follow all the required public health measures, including hygiene measures, and physical distancing.

People cannot participate in any gatherings or events if they have COVID-19 symptoms or if they need to be in isolation/quarantine for any reason.

## Sales and merchandising staff

Some of your workers may be working offsite as merchandisers, and should comply with the relevant retailer's rules. You should only send your workers to supermarkets or other retailers if both you and they are satisfied that they will be safe.

If staff and merchandising staff are travelling between regions that are at Alert Level 2, they should follow the guidance below for travel between regions as well as taking appropriate public health measures. Consider what equipment your staff may require (eg hand sanitiser). In some circumstances you might consider limiting staff travel between regions to reduce the risk.

Sales staff should try and handover stock in a contactless way wherever possible (eg by putting the stock in an agreed place and for the customer to collect, rather than by handing it to someone). If they carry bottles around to be sampled at multiple places (eg at restaurants and retailers) then the bottle should only be handled by sales staff, to minimise shared surfaces.

If instore sampling will be permitted, you should work with the retailers to ensure all public health requirements are met. We do not recommend that people hand samples to customers. For example, they could put samples on a tray and hold the tray out to people (while maintaining physical distancing).

## Travel and transport

To ensure contact traceability, if your staff are travelling they should keep records of what travel services they used and who they came into contact with (QR codes are required to be displayed on all public transport, which should simplify this process). They should keep distance from groups they



do not know and minimise the number of stops. Obviously, there will be some exceptions to this, such as commercial travellers – for whom the very purpose of their role is to travel and make stops!

If taking commercial transport, follow any physical distancing and mask wearing instructions from transport operators. Face coverings are required by law for public transport in an Alert Level 2 area. There are limited exemptions, including:

- in emergencies;
- to ascertain identity; or
- where people have a physical or mental illness or disability that makes wearing a face covering unsuitable.

[A face covering is a covering of any type that covers a person's nose and mouth. There are no requirements about the type of fabric, number of layers etc.]

**Masks/face coverings are currently required at all Alert Levels on public transport nationwide, and on all domestic flights.**

People must not travel if they are displaying symptoms of COVID-19, awaiting a test, or need to self-isolate.

Where possible, people should try to limit public transport use, or use it at off-peak times, and avoid sitting next to those they don't know (as this creates a tracing risk).

## **PPE and masks/face coverings for Alert Level 2**

As a general rule, in Alert Level 2 *if you did not use Personal Protective Equipment in your business before COVID-19, you don't need it now*; however, there may be times where PPE becomes necessary. See also the above section on travel and transport, which sets out more information on the requirement for face coverings in some circumstances.

For example, with physical distancing, the general requirement is to organise your business to maintain a minimum 2 metre separation between people who enter the workplace *to the greatest extent practicable*, and for workers this can be reduced to 1 metre *to the greatest extent practicable*. To the extent that those requirements are not fully maintained, you are required to mitigate the risks that arise (and this may be, for example, by screens or additional PPE).

In general:

- Consider how you will be working, and how you are managing distancing requirements, and the requirements for minimising opportunities for transmission.
- You should choose the highest level of control that is reasonably practicable.
- If you used PPE in your business before COVID-19, then you can keep using it in the same way.
- If workers are worried about working without PPE, you should engage with them about those concerns.

The Government advises that under Alert Level 2 people should wear masks (a face covering that covers your mouth and nose) when you cannot maintain physical distance from people you do not

know. Further guidance can be found [here](#). Masks/face coverings are currently compulsory on public transport at Alert Levels 1 and 2.

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