

Introduction

We have set out guidance below on how to plan for operations under Alert Level 3. The guidance will be updated as new information becomes available. Updates from the previous version are highlighted in yellow.

Alert Level 3 *does not mean business as usual*. While it does not require the most stringent measures that apply at Alert Level 4, we recommend that members 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. Alert Level 3 still requires a high degree of caution.

Members should also consider the increased risks posed by the Delta variant, which is more transmissible.

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

At Alert Level 3, the core principles you should consider are:

- **Stay home:** People should stay in their household bubbles, except for essential personal movement.
- **Safety:** 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. Note that the 2 metre rule may only be relaxed to 1 metre where necessary and only within the workplace for workers.
- **Traceability:** In the event that any workers, suppliers or customers of your business was 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. Workplaces are required to display a QR Code for the Government endorsed NZ COVID Tracer app.
- **No transmission:** The goal is to stop the spread. There are a number of key principles that remain relevant at this Alert Level e.g. physical distancing, PPE and appropriate hygiene/cleaning procedures.

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

The key aspects for winegrowers at Alert Level 3 are likely to be as follows:

- **Broad range of work in vineyards and wineries:** Work can be undertaken as long as it the workplace operates *safely*. Workers should work from home where possible.
- **Partial opening of cellar doors:** If you are able to sell wine remotely, you can have people collect items they have already ordered from your cellar door (provided they do not enter the premises and the collection is contactless).
- **Food businesses:** If you have a restaurant or café, you can open it to sell takeaway food. You could use a food delivery service, or people could pre-order items and collect the order from your premises (again, the customers must not enter the premises and collection must be contactless). You can undertake necessary work in your food business at Alert Level 4, in order to prepare the premises for reopening (however, you should still comply with Alert Level 4 requirements eg distancing).

More detail about each of these is set out below. All businesses operating at Alert Level 3 are required to have a **safety plan** for how they will operate.

As of 11 October 2021, Auckland is taking a three step transition out of this Alert Level. The general guidance in this document may be superseded based on whether a region is at standard Alert Level 3, or whether they are at one of the following steps:

- Step 1: For winegrowers, this step is essentially the same as standard Alert Level 3 restrictions. Cellar doors, restaurants and cafes can open for “contactless” pickup and delivery, but no customers are allowed on the premises. There is limited flexibility for outdoor gatherings and recreation.
- Step 2: Retail stores (eg cellar doors) can operate, with customers able to enter premises. Staff and customers must wear face coverings and keep 2 metres apart. Cellar doors will not be able to offer tastings at this step, only takeaway sales. There is more flexibility for outdoor gatherings and recreation.
- Step 3: This starts to look closer to Alert Level 2 for winegrowers, with cellar doors and winery cafes/restaurants able to open to customers tasting or dining on the premises for the first time. Hospitality venues can reopen with a limit of 50 people. Customers must be seated and kept separate, and mask wearing will be required by staff. Information in the Guidance for Alert Level 2 operations may be useful.

This guidance document refers to standard Alert Level 3 unless otherwise specified. If you are not sure which requirements apply to your business or to your region, please contact covidresponse@nzwine.com or check www.covid19.govt.nz

Safety plans

All businesses need to have a safety plan for your operations at Alert Level 3.

The Appendix to this guidance sets out some further details on creating a safety plan for Alert Level 3 operations, based on information previously provided by WorkSafe. You should review any previous safety plans to see if any changes are required, particularly noting that the Delta variant of COVID-19 is more transmissible than in previous lockdowns.

Expectations in all safety plans

There are clear expectations on all businesses operating at Alert Level 3:

- **Leadership:** The expectations of customers, the community, workers and regulators is that all workplaces will meet the highest possible standards and that managers, supervisors and individual workers actively manage adherence to the safety measures and expect all involved to demonstrate leadership and appropriate self-supervision to ensure that these standards are met and that they are looking out for the health and safety of their colleagues and community while at work.
- **Elimination:** Businesses must eliminate transmission risks where possible.
- **Participation:** Workplaces must engage with workers (as individuals or representatives) in any decision making for changes to work practices. Any consultation and/or feedback should be an ongoing process so that workplaces are able to improve practices and learn lessons to continuously improve management and safety.

Restaurants, cafés and cellar doors

You can open your cellar door for **takeaway sales only** (eg click and collect). Customers must have pre-ordered the items and the pickup must be contactless. You cannot physically interact with your customers and they must not enter the premises. Payment must also be contactless.

Remote sales of alcohol may continue under the terms of your existing licence.

You may **open your winery restaurant or café** only for takeaways but, as with cellar doors, collection must be contactless, and customers must not enter your premises. For example, you could:

- Allow contactless pre-ordered pickup by customers (e.g. click and collect).
- Work with a delivery service to deliver products or meals to customers who order them online/by phone.

If you open a cellar door, restaurant or café, you should still create and observe a safety plan that takes into account appropriate measures to stop the spread of COVID-19 (eg physical distancing for your workers and appropriate hygiene measures).

Other matters at Alert Level 3

Travel (including travel between regions)

There is a duty on essential businesses to have systems and processes in place to, so far as is reasonably practicable:

- minimise travel of its workers between districts or alert level areas; and
- mitigate the risks of spreading COVID-19 that arise to the extent that its workers travel between districts or alert level areas.

Travel across an Alert Level boundary: Vineyard and winery workers will be permitted to cross the boundary between Alert Level 2 and 3 if they are required to do so as part of their essential business. So far as reasonably practicable, anyone should travel directly without stopping while in the other alert level area (except for a permitted purpose). Travel across the boundary includes, if necessary, staying in no more than one place as temporary accommodation (but noting the

requirement to maintain bubbles). Otherwise, the requirement is to return to your home or place of residence afterwards.

However, all workers crossing the boundary for permitted activities must carry documentation to prove this – and Police will be checking for this at checkpoints.

To cross the border, every person must carry evidence of their need for travel.

- The Government issued **Business Travel Document** is strongly recommended, but is not a legal requirement. The document includes a QR code that proves the worker has the appropriate status to travel. We have produced a separate guidance document on how to apply for Business Travel Documents [here](#) (see “Guidance: How to Apply for a Business Travel Document”). Note: If you applied for a Business Travel Document during a previous lockdown, this will not be valid.
- A **letter from the business** explaining the nature of the business (i.e., that it is essential and why the person named on the business travel document must travel). The destination (business address) must be recorded on this letter. A template you can adapt is available on the NZW website [here](#).
- **Photo ID and proof of residential address.**

[Note: for freight, a copy of the waybill/delivery documents is also recommended]

Travel between regions at Alert Level 3: This travel is also permitted. If necessary, this includes staying in no more than one place as temporary accommodation (but noting the requirement to maintain bubbles).

Limits on events/gatherings

Gatherings of up to 10 people are only allowed in extremely limited circumstances.

Winegrowers should not hold any social gatherings of workers in person. While you should of course recognise the contributions of your workers, this can be done in other ways.

You could look at the possibility of holding events via videoconferencing, or giving thank you gifts to recognise outstanding work.

Appendix: Creating a safety plan

All businesses should have a safety plan at Alert Level 3. The below information is based on WorkSafe's earlier guidance at Alert Level 3 and will be updated as required.

The main thing will be making sure the plan is **complete**, **clear** and **communicated** to all those who need to use it.

WorkSafe previously set out **seven questions that your safety plan should address**. We have summarised each of these questions, and relevant considerations for winegrowers, under these seven headings below. More detail about each question and proposed responses is available on WorkSafe's [website](#). There is also a template plan you can fill out (although you are not required to use this format).

WorkSafe has also repeatedly emphasised the importance of engaging your workers in the plan – giving them opportunities to provide input to development of the plan and/or to provide feedback. This demonstrates to them that you have thought through your processes. They may also think of something you have overlooked.

This document should be read in conjunction with NZW's Guidelines for Winegrowers Operating at Alert Level 4. Many members will have already used it as the basis for their Alert Level 4 plan. The Guide is available [here](#).

1. How will you manage the risks of restarting part or all of your operations?

You need to think through what the risks might be from restarting parts of your business. These may be risks associated with your workers, facilities and any equipment/machinery.

You should consider:

- **Staffing:**
 - Ensuring you have the right people with the right skills to operate safely.
 - People at higher risk of severe illness (older people and those with existing medical conditions) are encouraged to stay at home where possible, and take additional precautions when leaving home. However, at Alert Level 3 they may choose to work (and if they do so, this must be carefully managed). More information is available [here](#).
- **Hygiene arrangements:** Whether workspaces/premises need to be cleaned or other hygiene arrangements made before they can be occupied again. MPI have a checklist for reopening a food business after a COVID-19 response shut down, available [here](#).
- **Maintenance:**
 - Any maintenance requirements for machinery and tools that have been out of use. For example, vehicles' warrants of fitness may have expired, or equipment may require a new compliance certificate or servicing.
 - Good air quality and ventilation is particularly important. This may be a good time to schedule maintenance of these facilities.

2. How will you ensure all workers are able to keep themselves safe from exposure to COVID-19?

You need to ensure your workers have access to the right information about keeping themselves well during the pandemic. This could include the following:

- Training your workers on your new processes and checking they have understood them.
- Discussing physical distancing and hygiene in regular team meetings. You should also regularly review the latest guidance and update your internal advice as needed.
- Conducting meetings virtually where possible.
- Providing relevant information to your workers, including a full copy of your safety plan. To assist with this, we have developed workplace posters for members to assist with key messages, such as the 2metre rule and vaccination. These are available on our website [here](#).
- Plans for inducting any new workers, to ensure they understand and observe your plan.
- Being clear with your workers about your expectations outside of work. You need to ensure that they understand and are complying with the requirements for their “isolation bubble”.

If you have workers who speak English as a second language, you must take steps to ensure they understand what is required of them. Most critical will be the 2 metre rule, hygiene measures, and what is required of them outside of work (ie stay at home). The [Government’s COVID-19 website](#) also has information available in multiple languages.

3. How will you gather information on your workers’ wellness to ensure that they are safe and well to work?

Consider how will you gather information on your workers’ wellness to ensure that they are safe and well to work. It is vital that workers who are unwell or suffering symptoms consistent with COVID-19 do not come into contact with other workers. If workers have COVID-like symptoms, they should go home immediately not come back to work until they have either recovered or have been tested and cleared from having COVID-19 and are no longer symptomatic. Advice should be sought from their GP or Healthline.

If someone in your workplace tests positive for COVID-19, you will need to liaise with public health officials about next steps. Some general information about what to expect is available [here](#).

Workers who have been diagnosed with COVID-19 are able to return to work, without risk to others, when they’ve been cleared from isolation. The criteria for being released from isolation depend on the circumstances, such as whether the person has been hospitalised. In all cases a health professional or health team assesses whether someone can be released from isolation, and so can return to work safely.

You should have a process to follow up regularly with affected individuals to check in on their progress. You should also check in regularly with all workers to ensure they’re well. This should be done each day.

You should accompany this with a system that provides a self-symptom check anyone entering the workplace. The frequency of checking will vary depending upon the nature of your work and what you and your worker representatives decide will be most effective. Some businesses may choose to do more extensive checking, such as temperature checks. Privacy requirements will apply to any personal information collected.

Consider how you will support staff who are immune compromised or may be particularly vulnerable if they were to catch COVID-19.

You may also wish to consider setting up flexible leave arrangements to ensure workers stay at home and are not financially pressured to come to work when they are unwell.

Up to date information on employment obligations can be found [here](#) and information on the government's Business Support Package can be found [here](#).

COVID-19 Manager

For each winery site/viticulture operation, businesses may appoint a person to be a dedicated COVID-19 Manager with absolute authority over and procedures involving staff or potential staff interactions. For smaller operations, a senior staff member could assume this role. This may also include keeping records of staff movements and interactions for contact tracing purposes (ie keeping additional records beyond the minimum legal requirements).

4. How will you operate your business in a way that keeps workers and others safe from exposure to COVID-19?

You need to have COVID-19 risk controls in place to be able to operate at Alert Level 3. The primary controls are:

- **Physical distancing:** should remain at 2 metres wherever possible. This remains the gold standard and the best chance of stopping the spread. However, the Government has said that at Alert Level 3 workplaces may reduce to 1 metre *if necessary and only between workers*. In all other situations, the 2 metre rule continues to apply. These requirements must be met to the extent it is reasonably practicable to do so. If it is not reasonably practicable, then other mitigation measures may be required (eg screens or PPE). Your business must have systems and processes in place to ensure physical distancing is maintained.

Remember that physical distancing also applies to lifts, stairwells and access ways, so far as is reasonably practicable. Internal doors, where fire safety rules allow, could be wedged open to minimise touching common areas and improve air flow.

- **Hygiene processes:** regularly disinfecting surfaces, tools etc and maintaining good hygiene (including hand hygiene and good cough/sneeze etiquette). You should ensure that cleaning of lifts and other shared spaces is not overlooked. Minimise shared surfaces wherever possible and document your cleaning processes.

If you are using hand sanitiser as part of your good hygiene practice, make sure you read and adhere to the safety information on the label.

MPI also recommends monitoring airflow across the workspace and directing it away from workers, plus maximising air flow to a level practicable.

- **Regulating access to your workplace:** This could be either a list of names, or descriptive based on roles. You could also impose a limit on the number of people who can be in your workplace at any one time (to ensure that physical distancing requirements will be met). This may be particularly important for small spaces like a cellar door.
- **QR Codes / contact tracing records:** You are required to have a QR Code displayed in a prominent place at or near each main entrance to your workplace (this applies at all Alert Levels). This QR Code must be for the Government endorsed NZ COVID Tracer app, other QR

Codes are not sufficient to meet the legal requirements. More information on the app and how it works is available [here](#).

The person in control of a workplace is also required to ensure that there are record keeping systems and processes in place to ensure (so far as is reasonably practicable) that each person aged 12 years or older who enters the workplace—

- scans the QR code for the workplace or otherwise makes their own contact record; or
- provides details in a contact tracing record that the person in control of the workplace collects.

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.

If a record is kept purely for contact tracing purposes, you must keep the record for a period of 60 days, and then dispose of that record.

When collecting any contact tracing records, you should 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;
- how you will prevent people from touching common surfaces, or using common equipment (eg pens and paper), in order to enter contact details;
- whether you divide your workspace into zones and limit movement between the zones;
- whether and how you will supervise visitors; and
- how you'll make sure workers are able to wash their hands regularly.

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 Government 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). A contact tracing poster that you can display in your business for this purpose is available [here](#).

If someone has tested positive, and you are contacted by a public health unit, you must be able to provide clear information regarding that person's contacts at work. They will provide advice about any further actions you are required to take. Consider who at your workplace is best to liaise with the public health unit if they call.

Separately, you should ask your workers to keep records of their whereabouts (including outside of work).

- **Working with suppliers and others who may come to your site:** You should consider how you will work with suppliers and contractors to ensure appropriate practices are followed by all. You are responsible for all activities on your worksite. One way you could do this is by

sharing your safety plan, so you know what procedures everyone is following. If you are concerned that their processes are insufficient, you should not continue working with them unless and until they are rectified.

No customers or clients may enter your workplace at Alert Level 3. You must have systems and processes in place to ensure, so far as is reasonably practicable, that this does not happen. You should also ensure that there is no close personal contact with or between customers or clients.

- **Requirements for those working offsite:**

- **Working from home:** If you have workers who are able to work from home, they should do so wherever possible. WorkSafe has previously advised that businesses must continue to look after their people, take a pragmatic approach and act in good faith at all times. They should ensure that all workers working remotely have access to appropriate equipment and support.
- **Merchandisers:** We expect that, at Alert Level 3, merchandisers can go to supermarkets and other retailers to carry out their work (however, note the obligations under the *Travel* section to minimise regional travel and have mitigation plans in place).

You should note that some of your workers may be working offsite as merchandisers, and will 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.

[Note: this only applies where site access is necessary. Any work that can be done remotely should be.]

- **Training:** Consider how you will inform and train workers on your new processes. You should also check that they have understood the training.
- **PPE (including masks/face coverings):** Consider when PPE will be used and why.
 - Consider how you will be working, and how you are managing distancing requirements, and the requirements for minimising opportunities for transmission. This could include workers each having their own, individually named, PPE.
 - Masks/face coverings are required on public transport nationwide, and on all domestic flights. There are limited exceptions to this requirement (eg if a person needs to prove their identity, or if they have a disability that makes it unsuitable to wear a face covering).

At Alert Level 3, masks are also legally required when on the premises of businesses and services that are open to customers. This includes supermarkets, pharmacies and petrol stations, but does not include vineyards and wineries as they are not open to customers.

The latest Government guidance on masks/face coverings is that they are strongly encouraged whenever you're outside of your home, especially if it is difficult to maintain physical distance from others. This is particularly important given the presence of the highly contagious Delta variant of COVID-19. Information on how to wear a mask safely is available [here](#).

- 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.
- **Travel:** You should consider how your workers will travel to, from and during work.
 - As set out above, workplaces can reduce to 1 metre physical separation where necessary. This may be relevant for your travel arrangements.
 - Under Alert Level 3, people can enter into extended bubble arrangements. Shared transport may be appropriate for those in the same isolation bubble in different households.
- **Supporting workers with flu-like symptoms to stay home:** Up to date information on employment obligations can be found [here](#) and information on the government's Business Support Package can be found [here](#).
- **Managing customer / delivery interactions for click-and-collect or takeaway orders:** If you are operating a cellar door, restaurant or café for takeaway/delivery only, there are additional requirements. Ordering, payment and pickup/delivery must be contactless. You cannot physically interact with your customers and they must not enter the premises. Payment must also be contactless. **[Note that this will change at Alert Level 3 steps 2 and 3]**

We suggest the following tips for operating a 'click and collect' (or similar) operation:

- Create a designated pickup area that is clearly signposted, and is away from the main entrance to the premises, to reduce the risk of people entering. The area should also be sheltered so that you can leave orders outdoors for a short time. Signage should also tell people coming to do pickups to remain 2 metres apart (you could even mark a line on the ground for someone to wait behind).
- Lock doors and/or signpost the entrance itself as closed, to reduce the risk of customers wandering in.
- Update your website to describe how click and collect will operate. If you take orders by phone, you could pre-write a script your workers can use explaining the process.
- Consider whether you will leave items out at a prearranged time or whether you will place them in the pickup area once the customer arrives. If using the latter, you should also communicate with the customer in advance about how they will remotely notify you they have arrived (eg by phone or text).
- If leaving multiple packages outside, ensure they are spaced out and well labelled, so people know which is theirs.
- Discuss with any delivery services you may use about how drivers will collect the items. Make sure you have discussed with them how you will operate and ensure that they understand the requirements of your safety plan.
- Consider how you will ensure the recipient is 18 or older if the order includes alcohol.

If this is new territory for your business, you will need to update your **Food Control Plan** to ensure that it addresses takeaway/delivery options. [MPI has a template Food Control Plan you can use](#) which includes content about packaging/transporting food and ensuring it is kept at an appropriate temperature. You will also need to let your Registration Authority (New Zealand Food Safety or your local council) know, by email or phone, that you want to add the operation to your scope. Note that there are additional requirements if you are intending to offer packaged chilled or frozen food for the first time.

There may also be requirements in your region that apply to takeaway/delivery services. If in doubt, contact your local Council for advice.

5. How will you manage an exposure or suspected exposure to COVID-19?

You will need to liaise with public health officials about next steps. Some general information about what to expect is available [here](#). Unless advised otherwise you may continue to operate but your plan needs to ensure that:

- If workers have COVID-like symptoms, they should go home **immediately** and not come back to work until they have either recovered or have been tested and cleared from having COVID-19 and are no longer symptomatic. Advice should be sought from their GP or Healthline.
- If someone has tested positive, and you are contacted by a public health unit, you must be able to provide clear information regarding that person's contacts at work. They will provide advice about any further actions you are required to take. Consider who at your workplace is best to liaise with the public health unit if they call.
- The work area of the unwell worker is disinfected in accordance with the cleaning procedures that you have implemented and public health guidance.
- That you know who was in contact with the worker from when the worker is suspected to have contracted COVID-19 (because this will assist with contact tracing).
- You keep in contact with unwell workers and track their progress.
- Minimising contact between people and providing good information about contacts may lessen the impact on your business. **Your plan must include how you will trace contacts of someone suspected or confirmed as having COVID-19.** See above for more information on contact tracing and QR Codes.
 - 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 Government 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). A contact tracing poster that you can display in your business for this purpose is available [here](#).
- More information is available under question 4 (contact tracing records).

6. How will you check to see if your work processes or risk controls are effective?

You and your workers will need to be prepared to *learn and adapt* to find the best ways to incorporate physical distancing, and good hygiene and cleaning practices.

You should consider how you will assess the effectiveness of your plan. This may include:

- How you will engage with workers (including health and safety representatives).
- Scheduling regular reviews of your plan (we suggest once or twice a week to start with, until your processes are more settled).
- How you will communicate new plans and processes and ensure they are rolled out effectively. You could use multiple methods of communication (eg emails to workers, supported by printed material displayed at your premises).
- How you might use health and safety representatives to evaluate the COVID-19 controls' implementation.

Many businesses will already have health and safety incident reporting approaches that could also be adapted to COVID-19.

7. How do any changes impact the risks of the work you do?

Changes to work procedures or practices may affect the way you routinely manage the usual risks that arise from your work. They may also create new risks or challenges.

- Your plan should include a list of your critical risks and how each of those risks will be controlled (including any changes to existing processes). The information in your plan can just be at a high level, with further detail in other documents or policies.
- Identify who was involved in identifying the risks and working out how to manage them – WorkSafe has said you must involve workers or worker representatives.
- When implementing new processes, carry out a new risk assessment.
- If your plan introduces shift work or splits teams that would normally work together, describe what you will do to manage the impacts of shift work (eg fatigue, transport, and childcare).

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