

Version 16: Added on 11 October 2021 to reflect the increase in numbers for indoor gatherings/hospitality venues.

Introduction

We have set out guidance below on how to plan for operations at Alert Level 2.

These guidelines provide advice to vineyards and wineries on the kinds of measures NZW considers members ought to have in place and enforce, to comply with the legal requirements of the [COVID-19 Public Health Response \(Alert Level Requirements\) Order \(No 12\) 2021](#).

Updates in each version will be highlighted in yellow.

This guidance focuses on business operations. The latest information for individuals and households is available at www.covid19.govt.nz

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

When operating at Alert Level 2, we recommend that members carefully consider the risks posed by COVID-19 and design systems for their operations and for their workers which eliminate or minimise those risks. This planning should also consider the increased risks posed by the Delta variant, which is more transmissible.

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* and eliminate transmission risks where possible. This includes your workers, suppliers, customers and anyone else who you may interact with. Your workers should feel safe coming to work. MPI expects that businesses will maintain or create practices that meet or exceed the Ministry of Health/WorkSafe guidelines.
- **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, and have other systems in place to allow people to contact trace (eg a manual register).
- **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 return 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 reopening some hospitality businesses to allow customers on the 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. **Restaurants, cafes and bars can seat as many customers as they like, provided the 100 person limit for one gathering isn't breached, and physical distancing can be maintained.**
- **Travel between regions** that are at Alert Level 2 is permitted without restriction. Travel across an Alert Level Boundary is still limited.

There are also new requirements for contact tracing and mask wearing for the first time at this Alert Level.

More detail about each of these is set out below.

General guidance for operating your business at Alert Level 2

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](#).

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 Healthline. 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

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. More information on the app and how it works is available [here](#). MPI has also advised that you need to have two QR Codes if you operate a dine in and a takeaway food business, as there are separate requirements for each business (more detail is available below under the takeaways section).

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.

[MPI also recommends including an email address, but this is not a legal requirement.]

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 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. MPI recommends that you test your contact tracing systems regularly.

Physical distancing in your business (excluding hospitality businesses, which are discussed below):

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 2 workplaces may reduce to 1 metre *between workers*. In other situations (eg interaction between your workers and visitors), 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.

Mask wearing: MPI’s advice is that masks are highly recommended at work where practicable (there are also some situations where these are a legal requirement, as discussed below).

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, mask wearing and information about contact tracing. These posters are available to download [here](#).



Other matters

The following are also recommended by MPI for workplaces at Alert Level 2 (more information is available [here](#)):

- Continue to be mindful of your workplace “bubbles” at Alert Level 2. Consider how staff travel to and from work, how people congregate during break times etc. Reducing the size of bubbles reduces the risk to your business in the event of a COVID-19 outbreak.
- Regular temperature checks and health screens for staff and visitors. This should include workers confirming their COVID-19 health status immediately before entering the workplace.

Specific guidance for hospitality (restaurants, cafes and cellar doors)

Important Note: The Guidance below only relates to businesses where people are coming to drink/dine *on the premises*. There are different rules for *retail businesses*, including takeaway food/drink offerings, which are discussed separately below.

Winery cafes and restaurants can open at Alert Level 2; 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. As a general rule, for restaurants, cafes and cellar doors groups must be **Seated** and kept **Separated** (more detail is available below).

Contact tracing: The contact tracing requirements noted above also apply to hospitality businesses, including for your customers.

Maintain physical distancing: In restaurants, cafes and cellar doors physical distancing can be reduced to **1 metre between groups of seated customers, and between customers and staff**. This is because of the additional measures that these businesses have to meet (eg number restrictions).

To ensure physical distancing, 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.

Group sizes: There is a limit of 100 people per social gathering (and there can only be a social gathering of up to 100 people in any defined space in your premises). There is no limit on how many people you can have at a cellar door/hospitality business. However, you will be restricted by how many people you can safely accommodate while complying with the requirements for people to be seated and to physically distance.

There may be more than one defined space in your premises if:

- For an indoor space: There are walls (including temporary walls) that substantially separate the space from other spaces, and the space does not share direct airflow with another indoor space.

- For an outdoor space: There are walls (including temporary walls) that substantially divide the space from other spaces, and all people in that space are separated by at least 2 metres from other people who are outside that space.

If you are setting up multiple defined spaces in your premises, you must have processes to ensure that people using each space (other than workers) do not mix closer than 2 metres with other persons using, entering or leaving the premises. This means that 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 host a gathering of up to 100 people (plus staff) in the restaurant, without that restricting the numbers you can host in the cellar door.

Physical distancing requirements still apply. Your premises may be too small to accommodate these numbers and observe the physical distancing rules.

Staffing: All staff must wear a mask when working with customers/clients on the premises of your food or drink business (there are limited exemptions to this requirement). This also means that any staff who will not be dealing with customers/clients (eg back office staff) do not need to wear a mask.

Previously there was a requirement for each table to have a single server. This is not a legal requirement in the current Order, but you may wish to use it anyway.

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.]

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.

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 covidresponse@nzwine.com

Takeaways

Takeaways are permitted at Alert Level 2, including ordering and collecting food inside from the counter. However, there are additional requirements for takeaway businesses under the Order. This includes:

- every person on the parts of the premises open to the public must wear a mask (both staff and customers); and
- 2 metre physical distancing (rather than one metre).

In order to have both types of business operating in the same space, MPI has advised that you need to have a clear demarcation between the takeaway and the dine in area (eg some kind of barrier), so that customers for each type do not mix. **MPI has also indicated that a separate QR Code is required for takeaway and dine in customers.**

Our understanding is that this also applies to cellar doors where people do not do a tasting and are purely using the space as a retail premises to purchase wine to takeaway.

If the food is purchased to take away and the customer does not enter the premises, our understanding is that contact tracing recordkeeping is not legally 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.

Social gatherings

Under Alert Level 2, all “social gatherings” must have no more than 50 people (indoors) and 100 people (outdoors) in each defined area. This number excludes your workers.

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 the permitted number of 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.

(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. When in retail businesses, masks are required to be worn. 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 handover stock in a contactless way (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.

Travel and transport – within Alert Level 2

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, or need to self-isolate for any reason.

Travel across an Alert Level boundary for work and the new testing requirements

This section applies to travel across an Alert Level boundary for work purposes only. There are other requirements for personal travel.

Businesses need to have systems and processes in place to, so far as is reasonably practicable:

- Minimise travel of its workers across Alert Level Boundaries; and
- Mitigate the risks of spreading COVID-19 that arise to the extent that its workers travel between different Alert Level areas.

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 at Alert Level 3). Otherwise, the requirement is to return to your home or place of residence afterwards. People travelling from Alert Level 3 to Alert Level 2 should 'take their Alert Level with them' and act as if they were still at Alert Level 3.

Transit *through* the Alert Level 3 area is also permitted if neither the place of departure nor the destination are in the Alert level 3 area, and it is necessary travel for a specified purpose (this includes for work).

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]

New testing requirements for cross-border travel: Anyone who is travelling across an Alert Level boundary for work must also carry evidence that they had a COVID-19 test no more than 7 days before their journey began (there is a limited exemption where a medical certificate may be provided instead).

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