

Friday 16th July 2021 (following on from Friday 9th July, 2021)

COVID-19 UPDATE

ALL VICTORIAN UCB MEMBERS



COVID-19 Roundup | as at 14:00 15/07/2021

VIC - Lockdown...again

It may feel like groundhog day to many, but the Victorian Premier has announced a short 5 day lockdown for ALL of Victoria commencing at 23:59 Thursday 15/7/2021 until 23:59 Tuesday 20/7/2021. That is all of the State going into lockdown, though the Premier did flag that regional areas will be lifted out of lockdown early if possible.

The lockdown will be a, sadly now familiar, Stage 4 lockdown from a few weeks ago. All workers and businesses that were closed and restricted before will be closed and restricted again.

Practically for fuel retail and wholesale this means again;

- · Review your COVIDSafe Plan
- · Engage with your staff on cleaning, check in and mask requirements
- Encourage customers to check in and wear masks see attached

Business support will be forthcoming with the detail being worked on now and announcements expected tomorrow.

returned mask wearing requirements that apply for all persons over 12 years of age indoors (other than at home)

More information; https://www.coronavirus.vic.gov.au/coronavirus-covidsafe-settings

Vic – Financial Support Programs

These have been implemented with support from Federal Government and details are on the website

South East QLD - Mask requirements extended

The QLD has Premier announced that the current restrictions for South East Queensland including the face mask requirements, will continue for a further 7 days until 06:00 23 July 2021.

More information; https://www.qld.gov.au/health/conditions/health-alerts/coronavirus-covid-19/current-status/public-health-directions

ALL NSW UCB MEMBERS



COVID-19 Roundup | as at 11:15 14/07/2021

NSW - Greater Sydney Lockdown Extended

The current lockdown for Greater Sydney (including Blue Mountains, Central Coast, Wollongong and Shellharbour has been extended until 23:59 Friday 30/7/2021 with the same settings that are in place now.

Public Health Order - <a href="https://legislation.nsw.gov.au/file/Public%20Health%20(COVID-19%20Temporary%20Movement%20and%20Gathering%20Restrictions)%20Amendment%20(No%206)%20Order%202021.pdf

NSW – Surveillance Testing – Q & A

Questions of how this applies, the impact of staff refusing to get tested, the status of Uber drivers Q&A below:

Q: The Public Health Order says that right now (from 00:01 14/7/2021) I can't let someone into work if they live in Fairfield LGA and they can not show me that they have had a test in the last 72h, but I have also seen press conferences and official facebook posts from NSW Health that say the requirement to show a test doesn't start until the end of day on 16/7/2021...which one applies?

A: The Public Health Order is the law and it is what technically applied, but like most laws there is an accompanying enforcement strategy that is put into place from the responsible minister and the police, in this case the Premier, Minister Hazzard and the Police have confirmed that the enforcement strategy for this law will clearly take into account the fact that the Orders were not published until late in the afternoon Wednesday and came into effect at midnight and with testing queues hours long at this point they have announced that they will not be enforcing the test provision requirement of the Public Health Order until 00:01 17/7/2021.

This gives affected people time to get a test while still delivering their essential work.

Q: The Public Health Order says that the employee just needs to show me evidence of a test, not that it needs to be a negative...does that mean that the employee can still work while positive?

A: It's true that the Public Health Order states that the employee needs to show evidence of a recent test, but practical application includes the fact that there are three outcomes of a test;

- 1. A negative result which allows the employee to go about their life and can be shown as evidence of test until the next is required
- 2. An inconclusive result, which the other Public Health Orders will kick in and require the employee to retest and isolate until they receive a negative result
- 3. A positive result, which the other Public Health Orders will kick in and require the employee to isolate and follow other NSW Health instructions

But this wording in the Public Health Order DOES NOT MEAN permission for the employee to be at work while positive or inconclusive.

Q: So do I need to see evidence of a test being done or evidence of a negative

result?

A: The short answer is both...for the first few days evidence of doing a test is what is needed in terms of evidence, but after a few days the business should also be seeking evidence of a negative test result because anything other than a negative result necessitates an immediate response at the workplace.

So for the next few days if the business has an employee that lives in Fairfield LGA that is coming to work the business needs to ask the employee to show evidence of a test that was done in the last 72h, and after a few days the business should be asking to see the employees latest negative result and the latest test.

As an example;

- Joe lives in Fairfield but works at a service station in Liverpool
- Joe is an affected person for the Public Health Order
- Joe went and got a COVID test on 13/7/2021 at 22:00
- Joe received a slip of paper (or a text message) from the testing centre to show his work that he got his test and the date at the time of the test
- Joe is rostered to go into work at 14:00 on 14/7/2021, so he sends his manager a photo/screenshot of the date and time of the test that he was given by the testing centre
- Joes Manager clears Joe to work as rostered and outlines that when he gets his results to let the manager know (and the manager needs to be swift in responding to isolate work contacts, clean site and liaise with NSW Health if Joe gets a positive result)
- Joe can now present to start work in Test Window of the time between the 72h from 13/7/2021 22:00 to 16/7/2021 22:00 (this means that if Joe is working a shift that starts at 21:00 on 16/7/2021 he can work the whole shift as the Test Window
- If Joe is rostered to work any time after 16/7/2021 22:00 he will need to get another test to create another Test Window

Q: Workers have to carry copies of their test evidence to show police and managers, but what do I need to have as evidence as a business?

A: Businesses (premises where 'workers' work) have to be able to show police and inspectors the system in place to meet the requirements, and the outcomes of the system.

Practically a system will have several elements that will need to be able to be shown (paper or digital) to a police officer and would look something like;

- Who is an affected employee part 1 Employee List showing names and addresses of staff
- Who is an affected employee part 2 Confirmation (via email or text or messenger) from the staff of their current address (because addresses change)
- Affected Employee Communicating Requirements Confirmation (via email or test
 or messenger) from the business to the affected staff, that they are affected staff
 and will need to undertake surveillance testing and provide the business evidence
 of test (and later evidence of results) before they present to work see below for a
 communication template to employees that addresses this and other practical
 elements
- Affected Employee Testing Windows and Testing Evidence Communication from staff (via email or test or messenger) showing Testing Evidence and the Testing Window (time able to be rostered for a shift start) kept by the manager

Q: Are there penalties associated with surveillance testing breaches?

A: Yes. The worker faces a \$1,000 fine if they are in breach of the surveillance testing requirements (eg. they leave the Fairfield LGA without Testing Evidence on them). The business faces a \$5,000 fine if they are in breach of the surveillance testing requirements (eg. allowing a worker to start a shift when the Testing Evidence is not held showing that their shift started less than 72h after their last test).

Q: What if the employee refuses to get tested?

A: If an affected employee refuses to get tested then they are unable to present to work. If they present for work they are in breach of the Public Health Orders. If the

business allows them onsite to work then the business is in breach of the Public Health Orders. So if the employee refuses to get tested then they are to be stood down without pay. The reason it is without pay is that the reason for the stand down is something that is outside of the businesses control. The business did not se the Public Health Order and has no control over it. Remember when an employee is stood down without pay the business should make available to access any accrued leave entitlements (like personal and annual leave) and should confirm in writing the reason for the stand down...in this case "stood down without pay due to refusal to follow the Public Health Order requiring surveillance testing of all Fairfield LGA residents when leaving the Fairfield LGA for essential work".

Q: Can I just not roster workers from the Fairfield LGA?

A: This one is a bit harder to give a clear answer to. The Premier and Minister have pleaded with businesses to not use affected workers if at all possible, however, there are Fair Work implications to such actions that must be considered. When it comes to permanent staff there is a contractual commitment between the business and the employee about time that the employee will work and thus receive payment for. If the employee is willing to get tested and comply with the Public Health Orders then the business may be at risk of adverse action if the business chooses not to roster an employee based on where they live. ACAPMA cautions businesses against this course of action, much more desirable is active conversations with affected employees and seeking their engagement and agreement on any temporary changes to rosters that take into account these latest developments.

Q: Is driver delivering stock to my store a "worker"? What about a Uber/Menulog driver picking up from my store?

A: A worker is a person who is conducting work at the site. Work can be paid or unpaid and includes;

- Suppliers delivering to the site
- Contractors doing construction and maintenance onsite
- Work Experience persons working onsite
- Volunteers working onsite

The question about Uber/Menulog drivers is a poinient one. According to the standard definition of a worker an Uber/Menulog driver is clearly a worker who is doing part of their work while picking up food/snack orders, and thus the business would need to see Testing Evidence...but practically this is a completely unworkable situation and it is clear from communications with Health that it is not the intention that every business that allows delivery with Uber/Menulog etc has to see the Residential Address (and for affected employees the Testing Evidence) for all Uber/Menulog etc drivers that arrive onsite.

ACAPMA is seeking formal advice on this area, but until it is received it is recommended that a specific notice to delivery partner workers be placed at the entrance to the store; "Notice to [Uber/Menulog/Deliveroo etc] workers. As required by Public Health Orders, you may not enter this workplace to do work if you are an affected worker (residing in the Fairfield Local Government Area) unless you have evidence of receiving a COVID-19 surveillance test in the last 72h. You may be asked to provide evidence of your residential address and/or your Testing Evidence if you enter this workplace".

Q: Is it all the same for persons from Greater Sydney (including Blue Mountains, Central Coast, Wollongong and Shellharbour)?

A: Yes, but the dates and the Testing Window differs. If a worker lives in Greater Sydney and is traveling more than 50km outside of Greater Sydney for work, then they must undergo surveillance testing for COVID-19 every 7 days and carry with them Testing Evidence. The grace period for enforcement for this is until 23:59 18/7/2021. Thereafter every worker leaving the Greater Sydney area must have Testing Evidence on them, and businesses must not allow workers onsite to work unless they have Testing Evidence showing that the shift starts within the 7 Day Testing Window since the last test. Just like with the affected workers from Fairfield LGA penalties apply to the worker and the business and if the employee refuses to get tested then standdown is appropriate.

Q: Is there a template letter to give to my staff?

A: Yes, every business is different but the draft below communicates the requirement, the system for communication and the scenarios of testing refusal;

Dear [name],

Thank you for confirming your place of residence.

Your place of residence is listed as being in the Fairfield Local Government Area.

As you know as a person who works at a fuel retail establishment you are an essential worker.

As you may know the NSW Government, via the Public Health Orders, have required that all persons that live in the Fairfield Local Government Area and who have to leave the Fairfield Local Government Area for essential work, must;

- not leave the Fairfield Local Government Area unless you have undergone surveillance testing for COVID-19 in the prior 72h
- keep Testing Evidence, evidence of getting the COVID-19 test (a text message or slip of paper with the date and time of the test), on you at all times when leaving the Fairfield Local Government Area
- present Testing Evidence to police or the operator of a premises where you do work (your manager) on request
- present Testing Results to police or the operator of a premises where you do work (your manager) on request

Failure to meet these requirements of the NSW Government is enforceable by the police and breaches will result in on the spot fines of \$1,000 to workers and \$5,000 to businesses, with more serious breaches leading to further prosecution.

What you need to do now;

- Before 23:59 16/7/2021 you will need to get a COVID-19 Test
- Send the Testing Evidence showing the date and time of your COVID-19 Test to [site manager name and phone/email]
- Carry your Testing Evidence with you when you leave the house to come to work
- Present your Testing Evidence to police and workplaces on request
- Send your Test Result to [site manager name and phone/email] when you receive it
- Get tested for COVID-19 again to make sure you are able to show the manager Testing Evidence that is no more than 72h before your rostered shift time

It must be noted that after 23:59 16/7/2021, if you refuse to present Testing Evidence that is within the 72h window before your shift start you will not be allowed onto site and will be stood down without pay as the business is not legally allowed to have you onsite to work and thus the business is not responsible for the prevention of your work. You will be allowed to access any accrued annual and personal leave that you have accrued in the event of a stand down without pay.

We understand that this is a stressful and frustrating time and appreciate your patience and cooperation in what is a necessary action.

Kindest Regards [name]

Q: How do I know the surveillance testing areas?

A: Surveillance Testing Information including maps - https://www.nsw.gov.au/covid-19/rules/greater-sydney-workers

NSW - Financial Support Programs

The Australian and NSW Governments has announced new measures to support small businesses during the current NSW lockdown.

- · These include:
- Increased small business support payments of \$7,500 and \$10,500 or \$15,000, depending on the decline in business turnover
- A "JobSaver" employee retention scheme providing cashflow support to businesses to help them retain staff. The cash boost will be up to 40% of weekly payroll with a payment of between \$1,500 to a maximum of \$10,000 per week, provided staffing levels are maintained at the level as of 13 July 2021. Non-employing businesses are eligible for \$1,000 per week
- \$1,500 grants per fortnight for microbusinesses (annual turnover between \$30,000 and \$75,000) that have suffered at least a 30% decline in turnover.
- Payroll tax deferrals for all businesses and a 25% concession for medium-sized businesses that have suffered a 30% revenue decline
- A requirement on landlords to participate in mediation before taking actions to evict or lock out tenants
- Up to 100% land tax concessions for commercial landlords who provide rent relief
- A \$75 million support package for the performing arts sector to be administered by Create NSW
- A support package for the accommodation sector worth \$26 million
- An increase in the payment amount for stood down workers from \$500 to \$600 per week for those who lost more than 20 hours, and to \$375 for those who lost between 8 and 20 hours, and for it to be available to workers outside of the Greater Sydney lockdown areas
- Expanded mental health services with programs targeted at young people and CALD communities

All States/Territories please use the below link to see COVID-19 Restrictions specific to your state:

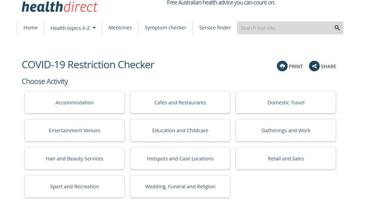
Recently, there have been changes to various restrictions by State – please take the time today to double check what you are required to do by your government.

All States/Territories, please use the below links to see Covid-19 restrictions specific to your state:

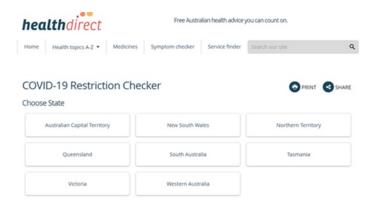
COVID Restriction Checker: Click on the image for further information.



One click takes you to area of query, eg. Retail and Sales



Second click takes you to State/Territory specific info – this is direct to the State Government websites.



You will need to assess each rule as it applies to your individual business. At UCB and with help from our friends at ACAPMA, we are here to offer advice.

Why not call the helpline from your State government – the people manning the lines are extremely helpful and the conversation can be very informative.

IMPORTANT COVID-19 WEBSITES

Up to date everything you need to know about Covid-19 in your State/Territory:

https://www.covid19.act.gov.au/
https://www.nsw.gov.au/covid-19
https://coronavirus.nt.gov.au/
https://www.covid19.qld.gov.au/
https://www.covid-19.sa.gov.au/
https://coronavirus.tas.gov.au/
https://www.dhhs.vic.gov.au/coronavirus
https://www.wa.gov.au/government/covid-19-coronavirus

COVID-19 Facts and Figures

Click here to visit:

https://covidlive.com.au/

Facemasks

Pacific Optics have full availability of face for UCB



Click on the image for further information.



Social Distancing Decals

Social distancing in stores. The UCB Floor stickers are still going strong at sites and do clean up well with a multi surface spray. One of our partners SPOS have a sticker available to order if you need more.

Click on the image for further information.



Hand Sanitiser Stations

We have attached an order form on image, which shows the four different types of Sanitiser Stations available from one of our partners, SPOS Group, along with a kit which can be customised.

They allow our members a further way to improve our responsible response to Covid-19 and to safeguard further our staff and our customers. Bulk Hand Sanitiser Fluid is available through SPOS as well as our other Trade Partners as we have previously notified in the Covid-19 Daily Update.

Click on the image for further information.



Stay Safe, Stay Strong Support Your Local!

Sincerely,
Darren Park
CEO, United Convenience Buyers Pty Ltd.

#OPEN7DAYS #HERE4YOU #SAFETOSHOP

Business Manager Members

Adam A'Vard - 0428 891 503 - WA.
Belinda Jones - 0434 692 552 - Metro and Central NSW, ACT, NT.
Jason Achterbosch - 0434 692 677 - Riverina NSW, VIC, SA and TAS.
Darren Baillie - 0402 611 826 - Northern NSW and QLD.
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