

# COVID Safe Workplace Guidelines

## COURTS AND TRIBUNALS INDUSTRY



### Purpose

The COVID Safe Workplace Guidelines set out what employers should do as they continue, or seek to resume, business operations. By following these guidelines you will be able to show how you will comply with minimum standards determined by Public Health, and with the requirements of the Work Health and Safety Act. This will help keep your workers and others safe from COVID-19. Workplaces that do not show compliance with the standards may be subject to enforcement actions.

### About the courts and tribunals industry

The Supreme Court, Magistrates Court and a range of state-based boards and tribunals are each part of the third - or judicial arm - of government. The other arms are the legislature (Parliament) and the executive (Government).

Tasmanian Courts and tribunals provide a forum for resolution of legal disputes between individuals (including corporate entities), or individuals and the government.

The Supreme Court has unlimited jurisdiction in criminal and civil matters and acts as a court of review for the Magistrates Court and a range of other decision making bodies. The Supreme Court has registries in Hobart, Launceston and Burnie.

The Magistrates Court of Tasmania has registries in Hobart, Launceston, Devonport and Burnie, and several country courts on a regular circuit basis. Magistrates sit in the various Divisions of the Court, including the Criminal and General, Youth and Coroners Courts.

Tribunals and boards, including, for example, the Guardianship and Administration Board, the Mental Health Tribunal, the Resource Management and Planning Appeal Tribunal and the Workers Rehabilitation and Compensation Tribunal, are independent jurisdictions established by statute that make decisions on a range of matters. The Department of Justice is also progressing a project to establish a Tasmanian Civil and Administrative Tribunal whereby a number of existing tribunals and boards will co-locate from late July 2020.

Court and tribunal proceedings and premises are open to the public, with some exceptions.

To ensure respect for the doctrine of the Separation of Powers, it is important that courts and tribunals/boards can determine how to run their proceedings without interference from the government of the day. These jurisdictions must still adhere to the COVID Safe Workplace Guidelines and implement sufficient control measures to mitigate the risk of virus spread.

### How to comply with the new standards

Businesses must implement measures to achieve the minimum standards and must also document these measures.

You will need to do a risk assessment to decide which control measures are most suited to your industry and business. You will need to take into account the level of risk of the virus spreading that exists at the time. On the following pages are **examples** of control measures that will help you meet each new standard.

- ▶ [Template and example COVID-19 risk register](#) (Safe Work Australia): a template for doing a risk assessment.

### Managing other risks

You must manage other risks associated with COVID-19. These include:

- ▶ the risks to health and safety of workers doing unfamiliar tasks. Consult with these workers about their skills, training needs and workloads before they start new work
- ▶ the risks to mental health of workers due to the pandemic. Offer information and support, including counselling through an employee assistance program, a supportive workplace culture, or external service providers such as [Lifeline](#) or [Beyond Blue](#).

### Checklists and templates

A COVID-19 Safety Plan is a great way for businesses to document measures and show how they are keeping their customers, their workers and the community safe.

These templates and checklist will help you develop a COVID-19 Safety Plan.

- ▶ [COVID-19 Workplace Checklist](#): Use this checklist to keep your workers and others safe at the workplace and limit the spread of COVID-19. It covers working from home, physical distancing, handwashing/hygiene, cleaning and more. Update it on a regular basis.
- ▶ [COVID-19 Safety Plan small business template](#)
- ▶ [COVID-19 Safety Plan medium business template](#): Use these templates to show how you are planning to manage any risks arising from restarting your small or medium business.

# COVID Safe Workplace Guidelines **COURTS AND TRIBUNALS** INDUSTRY

Other resources that may assist you in completing your COVID-19 Safety Plan include:

- ▶ [Safe Work Australia industry information for COVID-19](#)
- ▶ [COVIDSafe Planning tool](#) (National COVID-19 Coordination Commission): online planning tool to help you keep your workers, customers and the community safe.
- ▶ [Pandemic Plan Advice](#) (WorkSafe Tasmania): includes planning, communication and consultation, risk management, and general control measures.
- ▶ [How to clean and disinfect your workplace](#) (Safe Work Australia): explains products to use and how to clean items specific to retail, such as cash registers and EFTPOS machines.
- ▶ [Safe Work Australia COVID-19 Resource Kit](#): includes checklists for:
  - Cleaning
  - Physical distancing
  - Health, hygiene and facilities
  - Printable signage.
- ▶ [Tasmanian Government Advice on gatherings](#)  
Check this site regularly, as the numbers permitted to attend gatherings will change as the three recovery stages are worked through.

When you undertake your business activities they must be consistent with the Public Health directives at that time.

# COVID Safe Workplace Guidelines **COURTS AND TRIBUNALS** INDUSTRY

Title	Standard	Actions to control the risks associated with COVID-19 may include, but not limited to:
<p><b>1. Managing risks to health and safety</b></p>	<p>An employer must manage the risk of a person contracting or spreading COVID-19 disease:</p> <ol style="list-style-type: none"> <li>in the workplace; or</li> <li>in connection with the conduct of the business or undertaking.</li> </ol> <p>The employer must identify and manage the risks that may contribute to a person contracting or spreading COVID-19</p> <p>In managing the risks, the employer must take into account information that is published and accessible by the employer about:</p> <ul style="list-style-type: none"> <li>a duty or obligation imposed under the WHS Act, the Public Health Act or Emergency Management Act</li> <li>relevant information, recommendations or guidance materials published or specified by a public authority, an equivalent Commonwealth authority, or a relevant industry body, in relation to COVID-19</li> <li>the nature of the work being performed</li> <li>the nature of the industry in which the work is being performed</li> <li>the environmental conditions of the workplace, such as design, layout or systems of work, which may increase a person's exposure to COVID-19.</li> </ul> <p>The above information needs to be considered when:</p> <ol style="list-style-type: none"> <li>implementing the controls, and</li> <li>reviewing and adjusting the controls:</li> </ol>	<p>In managing risks, you must seek to eliminate the risk first, as far as is reasonably practicable. If you can't eliminate it, you must minimise the risk as far as is reasonably practicable.</p> <p>Apply the hierarchy of controls using the highest level of control that is reasonably practicable. You may need a combination of controls.</p> <p>Eliminating the risk is the best option, followed by substitution, then isolation and engineering controls. If the above can't be achieved, then reduce the risk through administrative controls. Reducing the risk by using personal protective equipment (PPE) is the lowest level of control.</p> <p>Maintain your control measures and review them regularly to ensure the highest level of effective control is being used.</p> <p>Consult with workers and/or their health and safety representatives (HSRs) throughout this process</p> <p>The first step is to undertake a risk assessment. This can help you:</p> <ul style="list-style-type: none"> <li>▶ identify which workers are at risk of exposure</li> <li>▶ determine what sources and processes are causing the risk</li> <li>▶ identify what kind of control measures should be put in place, and</li> <li>▶ check the effectiveness of existing control measures.</li> </ul> <p>Complete your risk assessment regularly to ensure your control measures are still working; or if risk levels change.</p> <p>Key things to consider:</p> <ul style="list-style-type: none"> <li>▶ What are the current legal requirements (e.g. public health orders, health directions) for my area and how do they apply to my business?</li> <li>▶ Does the nature of the work undertaken by my business increase the risk of my workers being exposed to COVID-19?</li> <li>▶ Does my workplace have facilities for hand washing and/or hand sanitising?</li> <li>▶ Does my workplace environment/layout increase the risk of my workers and/or clients being exposed to COVID-19 and can this be changed?</li> <li>▶ Do I have workers that fall within a vulnerable worker category?</li> <li>▶ What are my current cleaning and disinfecting arrangements?</li> <li>▶ How prepared is my business if there is a case of COVID-19 in the workplace?</li> <li>▶ Is there an increased risk of violence in my workplace?</li> <li>▶ What worker communication and support mechanisms are in place?</li> <li>▶ Do the changes I plan to make to my business or changes arising from COVID-19 change the risk?</li> <li>▶ Do I have a plan to review my control measures to ensure they are effective?</li> </ul>

# COVID Safe Workplace Guidelines **COURTS AND TRIBUNALS** INDUSTRY

Title	Standard	Actions to control the risks associated with COVID-19 may include, but not limited to:
<p><b>2. Cleaning and hygiene</b></p>	<p><b>Cleaning</b></p> <p>The employer must prepare, implement and maintain a schedule for cleaning, and where appropriate disinfecting, that ensures the workplace is routinely cleaned. This must include furniture, equipment and other items</p> <p>The cleaning schedule should be in writing so that all workers are aware of the requirements. The schedule should take into account the level of risk of exposure to, contracting or spreading COVID-19 within the workplace.</p> <p>This schedule is to set out both the frequency and manner in which cleaning and disinfecting is to be done.</p> <p><b>Hygiene</b></p> <p>The employer is to put a hygiene procedure in place to ensure all persons at the workplace are observing appropriate hygiene measures to minimise the risk of exposure to, contracting or spreading COVID-19 within the workplace.</p> <p>This procedure is to address the cleaning of hands by workers and other persons in the workplace using soap and water or the use of hand sanitiser, as appropriate for the circumstances.</p> <p><b>Supplies and Equipment</b></p> <p>The employer must provide all the supplies and equipment necessary to ensure that the cleaning schedule and hygiene procedure implemented for the workplace is able to be complied with.</p>	<p><b>Cleaning</b></p> <ul style="list-style-type: none"> <li>▶ You should arrange for extra cleaning of frequently used surfaces. Document this in your cleaning schedule.</li> </ul> <p>Frequently used or touched surfaces or items, include:</p> <ul style="list-style-type: none"> <li>- table tops, counters, desks and furniture, handrails, doors, door handles, cupboards, cupboard handles and light switches</li> <li>- tills, phones, keyboards and EFTPOS facilities</li> <li>- amenities, including toilets and taps</li> </ul> <ul style="list-style-type: none"> <li>▶ Ensure the cleaning of less frequently used surfaces at least daily</li> <li>▶ Any surfaces that are visibly dirty, or have a spill, should be cleaned as soon as this is noticed, regardless of when they were last cleaned</li> <li>▶ Using detergent and water is appropriate for cleaning.</li> <li>▶ Cleaning should start with the cleanest surface first, progressively moving towards the dirtiest surface</li> <li>▶ When surfaces are clean they should be as dry as possible, to prevent slips/falls and the spread of viruses and bacteria through droplets</li> <li>▶ Disinfecting means using chemicals to kill germs on surfaces. These can be in the form of liquids/sprays or wipes, and are labelled as "disinfectant" on their packaging</li> <li>▶ Disinfectants are usually only necessary if a surface is contaminated with potentially infectious material, or if your workplace has many customers or others entering each day</li> <li>▶ It is important to clean before disinfecting</li> <li>▶ Consult with staff responsible for cleaning, or your cleaning contractor. Ensure they can maintain the increased cleaning schedule. Discuss any supplies or equipment needed</li> <li>▶ Display your cleaning schedule in the workplace. Ensure staff sign them off each time they clean the area/items.</li> </ul> <p><b>Hygiene</b></p> <ul style="list-style-type: none"> <li>▶ You should direct your workers and customers/visitors to practice good hygiene at your workplace, including avoiding touching their face, eyes, nose or mouth</li> <li>▶ Everyone should wash their hands for at least 20 seconds and dry them with clean paper towel. Use alcohol-based hand rub if unable to wash hands. This should occur: <ul style="list-style-type: none"> <li>- before and after eating</li> <li>- after coughing or sneezing (into elbow/tissue)</li> <li>- after going to the toilet</li> <li>- when changing tasks</li> <li>- after touching potentially contaminated surfaces</li> </ul> </li> <li>▶ Ensure signs on correct hand washing are available in toilets and the staff break room.</li> </ul> <p><b>Supplies and Equipment</b></p> <ul style="list-style-type: none"> <li>▶ Ensure cleaning products are available. Instruct workers in their safe use and make sure Safety Data Sheets are available</li> <li>▶ Establish/document procedures for the safe disposal of contaminated waste</li> <li>▶ Select and use appropriate cleaning and disinfecting products. Refer to the guidance from Safe Work Australia and Public Health</li> <li>▶ Wear gloves and eye protection when handling and preparing disinfecting solutions.</li> </ul>

# COVID Safe Workplace Guidelines **COURTS AND TRIBUNALS** INDUSTRY

Title	Standard	Actions to control the risks associated with COVID-19 may include, but not limited to:
<p><b>3. Restrictions on entry to the workplace</b></p>	<p>The employer must take all reasonable steps to ensure that a worker does not enter or attend the workplace if the worker is required to isolate, or quarantine, under a direction by:</p> <ul style="list-style-type: none"> <li>• the Director of Public health, under the <i>Public Health Act 1997</i>, or</li> <li>• the State Controller under the <i>Emergency Management Act 2006</i></li> </ul> <p>A worker must not enter a workplace if the worker is required to isolate, or quarantine, under a direction made by:</p> <ul style="list-style-type: none"> <li>• the Director of Public Health, under the <i>Public Health Act 1997</i>, or</li> <li>• the State Controller under the <i>Emergency Management Act 2006</i></li> </ul> <p>However, a worker is able to be at a workplace for the following reasons:</p> <ol style="list-style-type: none"> <li>1. to obtain medical treatment or testing in relation to COVID-19, and the workplace is the appropriate place to receive such treatment or testing, or</li> <li>2. the worker is required or permitted, under a direction made in relation to COVID-19, to enter or be at the workplace, and does so in accordance with that direction, or</li> <li>3. there is an emergency and the worker is entering or at the workplace to protect: <ul style="list-style-type: none"> <li>- the safety of the worker, or</li> <li>- the safety of another person, or</li> <li>- the worker's property or the property of another person.</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>▶ Display signs at the front of your premises/workplace telling people not to enter if they have COVID-19 symptoms, cold/flu symptoms or have been in close contact with confirmed cases</li> <li>▶ Ask people to leave your premises if they display symptoms associated with COVID-19</li> <li>▶ Ensure contractors/suppliers confirm they are well when 'signing in'</li> <li>▶ Update your induction procedures to ensure all contractors are aware of your COVID-19 controls</li> <li>▶ Try to reduce contact with delivery drivers. Where practical, complete all paperwork electronically.</li> </ul> <p>To assist with contact tracing:</p> <ul style="list-style-type: none"> <li>▶ If possible you should put in place a process to enable workers, and other visitors to your workplace to sign in and out when they attend the workplace.</li> </ul>

# COVID Safe Workplace Guidelines **COURTS AND TRIBUNALS** INDUSTRY

Title	Standard	Actions to control the risks associated with COVID-19 may include, but not limited to:
<p><b>4. Physical distancing at the workplace</b></p>	<p>An employer must take all reasonable steps to ensure that as far as is reasonably practicable that the current physical distancing requirements are complied with. The current requirements are detailed on the <a href="https://www.worksafe.tas.gov.au">WorkSafe Tasmania website</a>.</p> <p>If it is not reasonably practicable to comply with the physical distancing requirements described above, then the employer should ensure that control measures are implemented in keeping with the requirements to manage the risks to health and safety relevant to COVID-19 as described in the "Managing Risks to Health and Safety" section of this document.</p> <p>A person at, entering or leaving a workplace must ensure that s/he complies with physical distancing requirements of that workplace, if it is reasonable to do so.</p> <p><i>Note: some premises may be exempt from the maximum density limits under the current Public Health Directions. Please refer to <a href="https://coronavirus.tas.gov.au">coronavirus.tas.gov.au</a> for the latest advice and Directions.</i></p>	<ul style="list-style-type: none"> <li>▶ Work out the capacity of your premises you can apply the appropriate density and physical distancing requirements. This may include measuring the area of a room/space and calculating its capacity against the current physical distancing requirements.</li> <li>▶ This will ensure you know the maximum capacity of your gathering spaces.</li> <li>▶ Limit the number of people into your premises at any one time to meet these requirements</li> <li>▶ Display signs at entrance of premises/venue and inside advising of these requirements</li> <li>▶ Use floor markings to keep workers and others at least 1.5m apart from each other</li> <li>▶ Separate tables/seating to ensure physical distancing</li> <li>▶ You should consider and make adjustments to the layout of the workplace or your workflows to enable workers to keep at least 1.5 metres apart</li> <li>▶ If changing the physical layout of your premises, you should ensure that workers and others are able to safely enter, exit and move about the workplace under normal working conditions and in an emergency situation</li> <li>▶ Where you can't achieve this physical distancing, identify appropriate alternative controls. These may include:             <ul style="list-style-type: none"> <li>- minimising the number of people within any area at any one time</li> <li>- limiting access to the workplace or parts of the workplace to essential workers only</li> <li>- staggering start, finish and break times</li> <li>- moving different tasks to different areas of the workplace, or off-site if possible</li> <li>- varying tasks to reduce the number of people required in indoor areas</li> <li>- separating workers into dedicated teams, working the same shifts, or working in a particular work area</li> <li>- ensuring each worker has their own tools and equipment</li> <li>- working from home where possible</li> <li>- personal protective equipment (PPE) may also be appropriate in some circumstances</li> </ul> </li> <li>▶ Practice physical distancing at all staff briefings.</li> </ul>

# COVID Safe Workplace Guidelines **COURTS AND TRIBUNALS** INDUSTRY

Title	Standard	Actions to control the risks associated with COVID-19 may include, but not limited to:
<p><b>5. Providing instruction, training and supervision in respect to COVID-19</b></p>	<p>The employer must provide each worker at the workplace (including contractors and volunteers) with information, training and instruction on:</p> <ul style="list-style-type: none"> <li>• the risks in relation to COVID-19, and</li> <li>• the control measures implemented in the workplace to mitigate those risks, in relation to COVID-19.</li> </ul> <p>The employer must provide adequate supervision to ensure that the control measures are implemented in the workplace in relation to COVID-19.</p> <p>The employer must also ensure that information and instruction is provided to other persons entering the workplace about the control measures in place to mitigate the risks of COVID-19 and the requirements of those persons to apply the control measures.</p> <p>The information and instructions are to be in a format that is reasonable to the circumstances.</p> <p>A worker or other person, at the workplace or entering or leaving the workplace, must comply, so far as the person is reasonably able, with any reasonable instruction that is given by the employer to allow the employer to manage the risks to health and safety within the workplace.</p>	<ul style="list-style-type: none"> <li>▶ Ensure everyone is aware of their responsibility to protect themselves, other workers, and the public</li> <li>▶ Provide workers with written advice on how to manage COVID-19 risks</li> <li>▶ Display signs around the workplace advising of risk control requirements. For example, covering coughs, maximum number of people in a room, not to enter workplace if unwell</li> <li>▶ Provide workers with training in COVID-19 controls (conduct training using physical distancing)</li> <li>▶ Brief workers on the symptoms of COVID-19. Tell workers to stay home if they aren't feeling well; even if they consider their symptoms minor</li> <li>▶ If workers need personal protective equipment (PPE), train workers to use it correctly</li> <li>▶ Ensure workers know what to do if someone at the workplace becomes infected with COVID-19</li> <li>▶ Give supervisors guidelines for ensuring COVID-19 controls are applied/enforced at all times</li> <li>▶ Document/record COVID-19 procedures; provide training to workers in these</li> <li>▶ Keep notes of issues raised and discuss at staff meetings or toolbox talks.</li> </ul>

Title	Standard	Actions to control the risks associated with COVID-19 may include, but not limited to:
<p><b>6. Responding to an incident of COVID-19 in the workplace</b></p>	<p>The employer at a workplace must ensure that an emergency plan is prepared for the workplace that provides for emergency procedures, testing of the procedures and the provision of information, training and instruction to relevant workers in implementing the emergency procedures.</p>	<p>An emergency plan is a document that sets out instructions for workers and others in the case of an emergency.</p> <p>A COVID-19 emergency response plan should detail:</p> <ul style="list-style-type: none"> <li>▶ How the business will respond in the event of contamination by a worker or customer</li> <li>▶ Who has responsibilities in this event.</li> </ul> <p>Immediately notify Public Health by phoning 1800 671 738 and follow their advice to:</p> <ul style="list-style-type: none"> <li>▶ Help the affected person receive medical treatment</li> <li>▶ Identify who has been in close contact with the ill person</li> <li>▶ Isolate the affected areas: keep staff and customers away. You may need to close the business until advised it is safe to reopen.</li> </ul> <p>Organise cleaning of the area as directed by Public Health.</p> <p>For cleaning:</p> <ul style="list-style-type: none"> <li>▶ Review the Safe Work Australia guidance on cleaning and disinfecting workplaces</li> <li>▶ Wear PPE: face mask, protective eyewear and gloves</li> <li>▶ Remove soiled or contaminated items and dispose of them in a safe way</li> <li>▶ Clean and disinfect all surfaces or items that may have been in contact with the ill person.</li> </ul> <p>In some cases, you must notify WorkSafe Tasmania. Check the <a href="#">WorkSafe Tasmania website</a> for requirements.</p> <p>You may need to include in your plan:</p> <ul style="list-style-type: none"> <li>▶ Contact details for people who have specific roles or responsibilities under the emergency plan. For example, managers, security, cleaners, or first aid officers</li> <li>▶ Contact details for COVID-19 notification to Public Health</li> <li>▶ A description of the method to alert people to an emergency or possible emergency – this may be affected by remote working</li> <li>▶ Any changes to evacuation procedures or assembly points</li> <li>▶ The post-incident follow-up process, including who must be notified. (This may include the process for notifying the business if a worker experiences an emergency while working from home.)</li> <li>▶ If you share facilities, include a process for advising other businesses about a diagnosis of COVID-19</li> <li>▶ Procedures for testing the emergency plan, including the frequency of testing must be included</li> <li>▶ Arrange training to ensure all staff are aware of, and understand the plan.</li> </ul>

**Acknowledgement**

Information based on material from Safe Work Australia and WorkSafe New Zealand

**Disclaimer**

To ensure this information is easy to understand, we refer to 'employers' and their responsibilities. However, under the work health and safety laws, duties apply to a 'person conducting a business or undertaking' (PCBU) which includes employers and also others who engage workers. See [information about PCBUs](#) for more detail.