

## Changes to Victorian Face Mask requirements take effect

Following yesterday's [announcement](#) by Victoria's Acting Premier that face mask requirements would be **extended to all indoor premises (except private homes)** in Victoria for people aged 8 years and over from **11:59pm, 23 December 2021** – [Pandemic \(Movement and Gathering\) Order 2021 \(No. 2\)](#) has commenced operation, giving effect to the announcement. The updated Pandemic Order has a current end date of **11:59pm, 12 January 2022** and also extends the face mask wearing requirement to persons attending an event with 30,000 or more patrons in attendance, unless the person is seated outdoors at the event.

### Face Mask Requirement Summary

Relevantly for members, the change means that face masks must now be carried at all times and **worn by workers and customers whilst in an indoor space** (except if an exemption applies).

Additionally, it is recommended that masks continue to be worn where physical distancing cannot be maintained, if individuals have any symptoms consistent with COVID-19 or for those who may be particularly vulnerable to COVID-19.

An employer must take reasonable steps to ensure that all workers carry and wear a face covering where required.

### Exemptions:

Similar to previous public health Directions, clause 8(2) of *Pandemic (Movement and Gathering) Order 2021 (No. 2)* provides a number of exemptions to the requirement to wear face masks, including:

- the person has a physical or mental health **illness or condition, or disability**, which makes wearing a face covering unsuitable
- **the nature of the person's work** means that wearing a face covering creates a **risk to their health and safety**
- the person is **working by themselves in an enclosed indoor space** (unless and until another person enters that indoor space)
- the person is consuming food or drink

Members are therefore encouraged to consider whether particular tasks being conducted in their premises would create a risk to a worker's health or safety (e.g. creates difficulty breathing).

Where face masks are identified as posing a risk to workers when conducting certain strenuous tasks, it may be removed. These particular tasks must be risk assessed and if deemed as hazardous, the worker can remove their face mask for these activities only. The tasks could include activities whereby:

- a worker is working on their own in a restricted space (i.e. under a vehicle in hot conditions)
- the task involves heavy lifting or is strenuous in nature
- the worker is required to wear protective equipment such as a face shield or goggles which fog up when wearing a face mask, therefore restricting vision

It is important to note that where a task has been risk assessed as not requiring the use of a face mask, social distancing should be strictly adhered to.

Employers must be able to demonstrate a documented risk assessment process has been conducted; and that as soon as the specific task is completed, the mask must be reapplied as soon as practical.

### **COVIDSafe Settings**

Members are reminded that with the exception of the above face mask changes, all other COVIDSafe Settings prescribed under the Pandemic Orders introduced last week, remain in effect.

Members can access a summary of these COVIDSafe Settings provided in our previous Bulletin [here](#).

Members seeking further advice or assistance are encouraged to contact VACC's Workplace Relations team on 03 9829 1123 or [ir@vacc.com.au](mailto:ir@vacc.com.au)

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