

Directions giving effect to 'Phase C' restriction levels have commenced operation

Further to our previous [Bulletin](#), we advise that various public health directions ('Directions') giving effect to the Victorian Premier's 24 October 2021 [announcement](#) regarding the easing of restrictions at **80 per cent (16 years and over) fully vaccinated** target commenced operation at **6pm on Friday, 29 October 2021**. The Victorian Government has also updated a [revised 'Roadmap'](#) which incorporates the changes that have now taken effect this evening ('Phase C') – as well as those now **proposed at 'Phase D'**, which will now occur at **90 per cent (12 years and over) fully vaccinated**. The current indicative date for the move to 'Phase D' restriction levels is **Wednesday, 24 November 2021**.

The following list of Directions have been updated and have now commenced operation. Each of the updated Directions have a current nominal expiry date of **11:59pm, Thursday 18 November 2021**:

- [Workplace Directions \(No 54\)](#)
- [Open Premises Directions \(No 3\)](#)
- [COVID-19 Mandatory Vaccination \(Workers\) Directions \(No 6\)](#)
- [Stay Safe Directions \(Victoria\) \(No 28\)](#)

Key changes include:

- **Metropolitan Melbourne** and **Regional Victoria** are now on the same level of restrictions – with **no restriction on travel** between Metropolitan Melbourne and Regional Victoria.
- **Face masks** are **no longer required outdoors**, but remain mandatory indoors.
- **All retail premises may open** – subject to density quotient requirements provided below
- Greater **clarity on medical exemptions** has been provided in the updated **COVID-19 Mandatory Vaccination (Workers) Directions** - details below.

COVIDSafe Settings

Face masks

Face masks must be **carried at all times and worn indoors** throughout Victoria except if at home, or when visiting an intimate partner's place of residence or if an exemption applies. Face masks will **no longer be required to be worn outdoors**. However, it is **highly recommended** that masks continue to be worn outdoors where you cannot physically distance.

Travel to Work

For those who are **not authorised workers** performing work covered under the COVID-19 Mandatory Vaccination (Workers) Directions, the work settings move from *"must work from home"* to *"work from home if you can; OR Go to work if you are fully vaccinated"*.

There is **no change to the current vaccination status requirements** for those authorised to work outside their home under the COVID-19 Mandatory Vaccination (Workers) Directions.

Density quotients –

Density quotients in shared spaces and publicly accessible areas of **1 person per 4 square metres (DQ4)**, subject to the following:

- **All retail** – Open with DQ4 and **no customer vaccination requirements**, includes:
 - Essential Retail – i.e. **petrol stations, vehicle and mechanical repair services and car washes** that can operate in a fully contactless manner; and
 - General Retail – including **vehicle dealerships, auto parts retailers, car rentals**.

Note: The Victorian Government has indicated that on commencement of its revised 'Phase D' restriction arrangements expected around **24 November 2021**, **General Retail** premises operators will be required to **ensure customers and workers are fully vaccinated** in order to enter the premises.

- **Food and drink facilities (e.g. cafes and restaurants):**
 - Where customers and staff are fully vaccinated: **seated service only indoors and DQ4; and DQ2 with maximum of 500 outdoors. Smaller venues can have up to 25 people before DQ applies.** Food courts **open at DQ4**, with masks able to be removed to consume food and drink.
 - Otherwise: **Take-away only**

Note 1: A business operating a **food and drink facility** under the **fully vaccinated arrangements** must ensure that (with the exception of food courts), a worker is located at **each entrance to the premises** in the capacity of a **COVID Check-in Marshal**, who will ensure that patrons (16 years and over) show **acceptable evidence** that they are either **fully vaccinated** or an **excepted person**.

Note 2: A food and drink premises can operate a take-away and a seated service at the same time, with the customer vaccination and patron limit requirements not applying in relation to patrons that are purchasing take-away goods.

- **Office work environments** – DQ2 for areas non-accessible to public. Masks to be worn indoors.

QR Code Requirements

The electronic record keeping requirements through **Victorian Government QR Code Service** continue to apply throughout Victoria. **The requirement to make reasonable efforts to ensure people check-in and to prominently display QR Code signage at each entrance remains unchanged.**

COVIDSafe Plan

COVIDSafe Plans are mandatory for **all** Victorian workplaces. VACC recommends that COVIDSafe Plans should be **reviewed to ensure it is tailored to your business and remains up-to-date**; and that face covering, cleaning, signage, record-keeping and other requirements applicable to your business (including response to suspected or confirmed case of COVID-19 at the work premises) are being adhered to and communicated with all relevant staff. Members are encouraged contact the VACC OHSE Unit for any further information or assistance, including in relation to their [COVIDSafe Plan obligations](#) on 03 9829 1265.

COVID-19 Mandatory Vaccination (Workers) Directions

As noted above, **COVID-19 Mandatory Vaccination (Workers) Directions (No 6)** commenced operation from **6pm on 29 October 2021**. The updated Directions provide clarity on the issue of **medical exemptions** by defining, for the purposes of an **excepted person** residing in Australia, what constitutes **acceptable certification** from a medical practitioner.

From **6pm on 29 October 2021** until **6pm on 12 November 2021**, acceptable certification is:

- a **certificate issued by the person's medical practitioner** that states that the person is unable to receive a dose, or a further dose, of a COVID-19 vaccine due to a **medical contraindication** (as defined in the Directions) or an **acute medical illness**; or
- the **Australian Immunisation Register** immunisation **medical exemption form** that:
 - is **completed and signed** by the person's **medical practitioner**; and
 - **states** that the person is unable to receive a dose, or a further dose, of a COVID-19 vaccine due to a **medical contraindication** (as defined in the Directions) or an **acute medical illness**.

From **6pm on 12 November 2021** until **11:59pm on 18 November 2021**, acceptable certification will be limited to the **Australian Immunisation Register** immunisation **medical exemption form** that is completed as per above.

Members should also ensure that any correspondence that they issue in future to workers are **updated to reflect the latest version of the COVID-19 Mandatory Vaccination (Workers) Directions**. VACC have updated the references in the [Consultation Template](#) and [Confirmation of Termination Template](#) accordingly.

Members are reminded that they are strongly encouraged to seek member-specific advice and assistance from the IR Department before actioning the above (including how to facilitate vaccination exempted employees working at the workplace), to ensure that the written correspondence provided to an employee reflects the consultation process that has occurred – and that it is undertaken in a lawful and procedurally fair manner.

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

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