

Further changes to COVID-19 testing requirements and outbreak management in Victoria

As foreshadowed in our last [Bulletin](#), further changes have been made to Pandemic Orders giving effect to changes agreed at National Cabinet announced on 5 January 2022 to address current COVID-19 testing challenges through the **removal of the requirement for a PCR test to confirm a positive rapid antigen test result**.

In addition, a **density quotient of one person per two square metres** has been reintroduced **indoors for hospitality and entertainment venues** – which will apply to members who operate **food and drink facilities**. There has been no change to face mask wearing requirements.

Members should note that these further changes took effect from **11:59pm 6 January 2022**, following the commencement of the following updated Pandemic Orders made by the Victorian Minister for Health, relevant to the automotive industry:

- [Pandemic \(Quarantine, Isolation and Testing\) Order 2022 \(No. 3\)](#)
- [Pandemic \(Workplace\) Order 2022 \(No. 2\)](#)
- [Pandemic \(Open Premises\) Order 2022 \(No. 2\)](#)

What happens if a person tests positive on a Rapid Antigen Test (RAT)?

Under the changes, people who test positive for COVID-19 on a RAT will be considered 'probable' cases – and will be subject to the same requirements as a diagnosed person from a PCR test. That is, they must notify their contacts (including their **employer**) and self-quarantine for **7 days** from the date of the test. Like diagnosed persons, a **probable case** is automatically released from the isolation period after 7 days (or immediately if they receive a negative PCR test result). However, they are **not required** to get another test.

Who does a probable case have to notify?

Under the new Pandemic Orders, it is **mandatory** from **7 January 2022** for a person who tests positive on a RAT to notify the Department of Health through an [online form](#) or by phone on [1800 675 398](#).

A probable case must also notify their contacts, including their employer, that they have tested positive and their infectious period, if they have attended work during that infectious period.

What are my notification obligations as an employer regarding a probable case?

The notification obligations of an operator of a work premises who has been informed by a probable case (i.e. someone who has tested positive on a RAT) that the person attended work during their infectious period is the same as when informed by a diagnosed person (i.e. a person who has tested positive on a PCR test).

Accordingly, if the employee is in the workplace – the employer **must advise them to self-isolate immediately** by directing the worker to travel home (or if unable to travel home immediately,

directing the worker to isolate at the work premises, wear a face mask and remain at least 1.5 metres from any other person).

The employer must take **reasonable steps to notify** their workers who meet the definition of **exposed persons** that those workers:

- **may** have been exposed to COVID-19
- **must comply** with the relevant requirements set out in the current version of the Department of Health's [Testing Requirements for Contacts and Exposed Persons](#), including (where applicable) the COVID-19 rapid antigen test procedure
- **must produce to the employer acceptable evidence of a negative result** from any COVID-19 test they are required to complete before being permitted to return to the work premises.

The employer **must also inform all workers** (including any health and safety representatives) to be vigilant about the onset of COVID-19 symptoms and advise all workers to comply with the relevant requirements set out in the Department of Health's Testing Requirements for Contacts and Exposed Persons.

To assist members, VACC has updated its **Exposed Person notification template** that can be accessed [here](#). Members are encouraged to contact the IR Department should they need any assistance in tailoring the template to their business.

What information am I required to collect as an employer?

The employer must collect, record and store the following information:

- A list of employees who have been notified by the employer that they may have been exposed to COVID-19 (i.e. the list of Exposed Persons); and
- Any results of tests for COVID-19 of those employees.

Do I need to notify WorkSafe and/or the Department of Health of a probable case?

Yes. Clause 14(2) of *Pandemic (Workplace) Order 2022 (No. 2)* states that as soon as practicable after becoming aware of a **diagnosed person or a probable case** who has attended the work premises in the infectious period, the operator must notify both the Department of Health and WorkSafe in accordance with the *Occupational Health and Safety (COVID-19 Incident Notification) Regulations 2021*.

Members are reminded that where a COVID-19 notifiable incident arises, **WorkSafe** must be notified by either completion of the [COVID-19 Reporting Form](#) or by calling WorkSafe on **13 23 60**. Further guidance on COVID-19 notifiable incidents is available from the WorkSafe [website](#).

Members are reminded that when contacting the **Department of Health** on 1800 675 398 (or other entity nominated by the Department on its website), an employer must:

- Notify it of the actions taken to notify and inform workers (outlined above) and put in place appropriate control and/or risk management measures to reduce the risk of spreading COVID-19 at the work premises (e.g. increasing the implementation and enforcement of control measures such as face mask wearing and physical distancing)
- Provide it with a copy of the risk assessment conducted in regard to the implementation of the appropriate control and/or risk management measures
- Provide it with the contact details of any exposed persons
- Comply with any further directions given by the Department (or WorkSafe) in relation to the closure of the Work Premises (or part of the Work Premises) and/or cleaning.

What if my employee can't access a RAT?

The Victorian Government has announced that on 5 January 2022, free RATs were distributed to

four of the state's largest COVID-19 testing centres.

However, if a person is unable to access a RAT they should get a PCR test.

Members are also reminded that other COVIDSettings remain in effect. Members are encouraged to review previous Bulletins [here](#) and [here](#) for further information. Members are also encouraged to contact the **VACC OHSE Unit** on 03 9829 1265 for any further information or assistance in relation to COVIDSafe Plans or appropriate control and/or risk management measures to reduce the risk of spreading COVID-19 at the work premises reporting obligations.

VACC will continue to engage with Victorian Government officials over the coming days and will keep members advised of developments. In the interim, 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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