

[COVID-19 – Guidance for the Construction industry at alert level 2 and above](#)

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This note considers the guidance issued by Construction Health and Safety New Zealand for Construction Operators, as New Zealand moves to alert levels 2 and 3.

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Standard for New Zealand Construction Operators operating at alert level 2 and above

Like many industries in NZ, the majority of work in the construction industry has been paused since New Zealand went into lockdown on 26 March 2020. [Construction Health and Safety New Zealand](#), together with the industry, has developed a new Standard for [New Zealand Construction Operators](#) which is aimed at preventing the spread of COVID-19, once the industry is able to operate again at level 3. This standard was released on 20 April 2020 and will come into effect when New Zealand drops down to alert level 3.

Guidance from the Standard for New Zealand Construction Operators

The Standard for New Zealand Construction Operations governs the principles that construction operations (including civil, commercial and residential construction) must maintain in order to operate under New Zealand Government COVID-19 alert levels 2 and above.

In accordance with the [Health and Safety at Work Act 2015](#), Persons Conducting a Business or Undertaking (PCBUs) in the construction industry should prepare and implement their site plans and processes with worker engagement and participation to ensure that these are embedded in practice. The term PCBU is defined in [Health and Safety at Work Act 2015, s17](#):

17 Meaning of PCBU

- (1) *In this Act, unless the context otherwise requires, a **person conducting a business or undertaking** or **PCBU**—*
- (a) *means a [person conducting a business or undertaking](#)—*
- (i) whether the [person](#) conducts a business or undertaking alone or with others; and*
 - (ii) whether or not the business or undertaking is conducted for profit or gain; but*
- (b) *does not include—*
- (i) a [person](#) to the extent that the person is employed or engaged solely as a [worker](#) in, or as an [officer](#) of, the business or undertaking;*
 - (ii) a [volunteer](#) association;*
 - (iii) an occupier of a [home](#) to the extent that the occupier employs or engages another [person](#) solely to do [residential work](#);*
 - (iv) a [statutory officer](#) to the extent that the [officer](#) is a [worker](#) in, or an officer of, the business or undertaking;*
 - (v) a [person](#), or class of persons, that is declared by [regulations](#) not to be a PCBU for the purposes of this Act or any provision of this Act.*

(2) In this section, **volunteer association** means a group of volunteers (whether incorporated or unincorporated) working together for 1 or more community purposes where none of the volunteers, whether alone or jointly with any other volunteers, employs any person to carry out work for the volunteer association.

The guidance under the Standard is separated into five sections:

1. Before Arriving on Site
2. Site Entry
3. Site Operations (including deliveries and visitors)
4. Leaving Site
5. Management Protocols

References:

[Health and Safety at Work Act 2015, s17](#)

See also:

[Kennedy-Grant and Weatherall on Construction Law](#), Part III The General Law: Statutory Controls, Chapter 7: Control of the process: other controls, I: Health and Safety at Work Act 2015

Additional Construction Protocols

In addition to the Standard for New Zealand Construction Operators, Construction Health and Safety New Zealand has provided additional protocols that sit below the Standard and provide 'how to' guidance. The protocols issued to date are:

1. [Vertical and Horizontal Protocol](#) – this Protocol provides guidance for Vertical (Commercial) and Horizontal (Civil) Construction Operators.
2. [Residential Construction Protocol](#) – this Protocol outlines the minimum standards to be implemented at residential construction sites to manage risk of COVID-19 transmission on site.

These protocols are designed so that they can develop and evolve as requirements change from government and industry experience and are, therefore, to be treated as working documents.

Resources to support the Construction industry

Construction Health and Safety New Zealand has produced various resources to assist those operating with the construction industry at alert level 3. These include:

- An [infographic](#), which can be printed and displayed on construction sites;
- A [webinar](#) providing guidance for returning to work under COVID-19 restrictions; and
- A [Health Declaration Form](#), which should be completed by all contractors and visitors to the site.

For further guidance see:

[Construction Health and Safety New Zealand](#)