

COVID-19 (CORONAVIRUS) MEMBER GUIDE

Frequently Asked Questions



MASTER BUILDERS
T A S M A N I A

Contents

General	1
1. What is COVID-19?	1
2. How is COVID-19 spread?	1
3. What measures can I take to protect myself and those around me from the virus?	1
Workplace Issues	3
1. One of my workers is unwell. What should I do?	3
2. Is there anything I can do to help prevent the spread of COVID-19 through my workplace?	3
3. An employee is due to return from an international holiday this week. What are my obligations?	4
4. What do I do if one of my employees is diagnosed with COVID-19?	5
5. I need further assistance with my obligations to workers. Can you help?	5
Contracts & Work	6
1. What should I know about contracts?	6
2. If someone on my site is diagnosed with COVID-19, do I need to shut down the site?	6
3. Is COVID-19 considered a “force majeure” event?	6
4. What does this mean for projects covered by the MBT Domestic Building Contract?	7
5. I am really concerned about the financial impact COVID-19 is going to have on my business – 2020 has been a tough year already. What can I do?	7
Supply of Building Products	8
1. Is there a shortage of supply of building products?	8
2. Where can I find out more information?	8
Additional Resources	9

The information in this Member Guide is general information only in relation to coronavirus (COVID-19) and may not deal with all your circumstances. Master Builders Association of Tasmania does not accept any responsibility or legal liability arising from or connected to the accuracy, reliability, currency or completeness of the information in this Member Guide. The situation in relation to COVID-19 is changing rapidly. If you have queries regarding specific circumstances, you should contact Master Builders Association of Tasmania on 6210 2000.

General

1. What is COVID-19?

According to the World Health Organization, COVID-19 is the infectious disease caused by the most recently discovered coronavirus. This new virus and disease were unknown before the outbreak began in Wuhan, China, in December 2019. The most common symptoms of COVID-19 are fever, tiredness, and dry cough. Some patients may have aches and pains, nasal congestion, runny nose, sore throat or diarrhea. These symptoms are usually mild and begin gradually. Some people become infected but don't develop any symptoms and don't feel unwell. Most people (about 80%) recover from the disease without needing special treatment.

2. How is COVID-19 spread?

COVID-19 spreads from person to person in a similar way to the flu:

- Close contact with an infected person
- From touching objects or surfaces contaminated by the sneeze or cough of an infected person and then touching your eyes, nose or mouth
- Symptoms similar to the flu, including fever, cough, sore throat, tiredness or shortness of breath

Most people who are infected experience mild to moderate symptoms from which they fully recover. However, some people may develop more serious illness with pneumonia and other complications. People at risk of more serious symptoms include the elderly, children, pregnant women, or those with immune system, cardiac or respiratory conditions.

3. What measures can I take to protect myself and those around me from the virus?

- Regularly and thoroughly clean your hands with an alcohol-based hand rub or wash them soap and warm water.
- Maintain at least 1.5 metres between yourself and anyone else (**social distancing**).
- Avoid touching your eyes, nose and mouth.
- Make sure you, and the people around you, follow good respiratory hygiene. This means covering your mouth and nose with your bent elbow or tissue when you cough or sneeze. Then dispose of the used tissue immediately.
- **Stay home if you feel unwell. If you have a fever, cough or difficulty breathing, seek medical attention and call in advance. Follow the directions of your local health authority.**
- Keep up to date on the latest COVID-19 hotspots (cities or local areas where COVID-19 is spreading widely). If possible, avoid travelling to places with known outbreaks of COVID-19.

4. What is the MBA doing about COVID-19?

Firstly, MBT is constantly monitoring the situation and taking advice from the Department of Health, the Federal government and the Tasmanian Government. As the situation can change so quickly, we are continuously considering our options and making decisions with the safety and welfare of our staff, members and the wider community being the paramount consideration.

We have made the decision to postpone all member events scheduled before 30 April.

Due to logistical requirement we be postponing the North West Regional Dinner to later in the year.

For our staff, contractors, and those attending training courses, we have increased the availability of hand sanitiser and are reminding everyone entering the building to adopt good hygiene practices.

We are asking anyone that has been overseas in the last 14 days, or are experiencing flu-like symptoms, to not come into the building.

The office remains open and it is business as usual for our training courses (with additional hygiene measures in place). We are considering reducing class sizes and will adopt any recommendations from the Tasmanian Government or Department of Health as the situation develops.

As a member, you can contact us on 6210 2000 for member advice as normal. Please keep in mind that we are experiencing an increase in queries (predominantly about COVID-19), so it may take a little longer than usual to come back to you. Although our office remains open at the moment, we would prefer to reduce the number of people in the building, and will reduce face-to-face meetings where possible.

Workplace Issues

1. One of my workers is unwell. What should I do?

You should advise workers that if they are unwell and are displaying flu-like symptoms, then they should not be at work and should utilise their sick leave.

This policy should apply irrespective of the COVID-19 outbreak. Your existing work health and safety obligations continue to apply.

If you have an Enterprise Agreement, now is a good time for you to read through it to make sure you understand your obligations. If you need assistance with this, please contact Master Builders Tasmania.

2. Is there anything I can do to help prevent the spread of COVID-19 through my workplace?

There are some simple ways to prevent the spread of COVID-19 in your workplace including:

- Surfaces (e.g. desks and tables) and objects (e.g. telephones, keyboards) need to be wiped with disinfectant regularly
- Promote regular and thorough hand-washing by employees, contractors and customers
- Put sanitizing hand rub dispensers in prominent places around the workplace. Make sure these dispensers are regularly refilled
- Display posters promoting hand-washing – ask your local public health authority for these or download from the [World Health Organisation](#)
- Combine this with other communication measures such as offering guidance from occupational health and safety officers, briefings at meetings and information on the intranet to promote hand-washing
- Make sure that employees, contractors and customers have access to places where they can wash their hands with soap and water
- Display posters promoting respiratory hygiene. Combine this with other communication measures such as offering guidance from occupational health and safety officers, briefing at meetings and toolbox talks
- Ensure that face mask and paper tissues are available at your workplaces, for those who develop a runny nose or cough at work, along with closed bins for hygienically disposing of them
- Advise employees and contractors to consult national travel advice before going on business trips and consider restricting interstate travel

3. How can I prioritise the risks associated with COVID-19?

As with any risk associated to your business, it is important to **identify, assess, control and review** the **likelihood and potential consequences** of risks that COVID-19 may present to your business, including (but not limited to):

- **Physical and psychological health and well-being of internal and external stakeholders**
 - o Hygiene, amenities and cleaning (including sanitisation and decontamination)
 - o Psychological impacts (mental health, personal finances, isolation, high work demands etc)
 - o Panic/ hysteria/ being overwhelmed
 - o Infected persons or contact with infected persons
 - o Modes of contamination (such as water dispensers, taps, handles, small confined meeting rooms etc)
- **Financial risks**
 - o Limitations on trades/ imports and exports
 - o Limitations on supplies
 - o Loss of income/ revenue due to ceased works or activities
 - o Additional costs to allow remote works
 - o Payment of wages
 - o Impact to contracts
 - o Price increases
- **Business Continuity**
 - o Remote working capabilities
 - o Staff with children (if schools or day care centres are closed)
- **Compliance**
 - o Mandatory self-isolation
 - o Testing
 - o Up-to-date information from regulatory and governing authorities
- **Reputational risks**

You can contact us on 6210 2000 if you need further assistance with a risk assessment.

4. An employee is due to return from an international holiday this week. What are my obligations?

The Australian Government announced new travel measures from midnight on 15 March 2020 that will require anyone arriving in Australia will be forced to self-isolate for 14 days. This means they will not be able to physically attend work. Some jurisdictions have indicated that fines will apply to those people who do not adhere to the self-isolation requirements.

You should consider whether the employee is able to work from home during this period of self-isolation (assuming they are not unwell and are otherwise fit for work). If their role and your business can facilitate working from home, this should be your preferred option. If not, the employee may be entitled to access personal leave (if accrued). Full time and permanent employees may also access

other leave entitlements if they have exhausted their personal leave. There is no legal obligation to pay casual workers who are unable to attend work due to self-isolation requirements.

5. What do I do if one of my employees is diagnosed with COVID-19?

If an employee is diagnosed with COVID-19, we recommend that you immediately check the advice from the Department of Health regarding exposure and containment. This advice is rapidly changing as information about COVID-19 develops.

If the employee has come into contact with other employees, they may be required to self-isolate for a period of 14 days, or obtain a COVID-19 test (whether or not they are showing symptoms).

6. I need further assistance with my obligations to workers. Can you help?

You can contact the MBT on **6210 2000** and speak with our staff members regarding both your work health and safety obligations, and your employment responsibilities.

Contracts & Work

1. What should I know about contracts?

One of the key issues of concern raised with us over the past few days are the terms of contracts in regard to project delays in this situation. We believe that all parties to a contract should take a sensible approach given the circumstances and **not be legally opportunistic**. We have raised this issue with the Federal Government and have recommended that they take the lead with government contracts and ask that the private sector follow suit. This position has been reiterated by the Tasmanian Government and we understand that they will work with contractors to extend completion timeframes where necessary on Tasmanian Government projects.

If you have information about a party to a contract attempting to take advantage of the impact of COVID-19 (Coronavirus) please advise us by email.

2. If someone on my site is diagnosed with COVID-19, do I need to shut down the site?

The answer to this question depends on the specific circumstances. The factors that will need to be taken into account include the size of the site, when the person was diagnosed and who else on the site may have come into contact with the person infected by COVID-19 (and when). As a minimum precaution, you should arrange to have the site cleaned.

3. Is COVID-19 considered a “force majeure” event?

A force majeure event is an unforeseeable circumstance that prevents a party from fulfilling a contract. There is no standard force majeure clause in Australia, and the definition varies between contracts. There may also be circumstances where the head contract includes force majeure provisions that cover COVID-19, but subcontracts do not (or vice versa). Consideration should be given to the entire supply chain in these circumstances.

It is our view that COVID-19 is a force majeure event, and therefore parties to a contract are able to rely on the force majeure clauses that are often in most building and construction contracts. What this entitles a party to do will differ from contract to contract, including time extensions without financial penalty through to the ability to terminate a contract. We recommend that you read through your contract(s) and familiarise yourself with your legal rights, seeking independent legal advice where appropriate and necessary.

4. What does this mean for projects covered by the MBT Domestic Building Contract?

Clause 14 of the MBT Domestic Building Contract (edition DB-4) states that the Builder shall be entitled to a fair and reasonable extension of the Construction Period following causes or conditions resulting from *“any other matter, cause or thing beyond the control of the Builder”*.

There is a requirement on the Builder to serve a notice on the Owner outlining the cause of the delay. We recommend that this be done on any contract which you are concerned will be impacted by COVID-19 as soon as possible.

5. I am really concerned about the financial impact COVID-19 is going to have on my business – 2020 has been a tough year already. What can I do?

The Federal Government has released a stimulus package which you can read more about. MBT will continue to engage with the Tasmanian Government about local initiatives to ensure that our members, the building and construction industry and small and family businesses in particular are supported during these times.

If you are experiencing financial difficulty, we recommend that you consider the following:

- Speak with your creditors and discuss extended payment terms
- Regularly review your debtors and request prompt payment
- Contact your bank to see what support they may be able to provide
- Discuss the possibility of ATO arrangements with your accountant, such as a payment plan.

It is really important that everyone in the Tasmanian community and especially the building and construction industry MBT family support one another during what has been a horror start to 2020. If you are experiencing difficulties when engaging with customers, subcontractors or suppliers, please let us know. We may not be able to advocate or act on your behalf in individual circumstances, if we are able to identify trends then we may be able to assist generally.

Whilst MBT is unable to provide you with financial advice, we can try and direct you to the appropriate people, so please get in touch with us if you have concerns.

We also strongly recommend that you reach out to [OzHelp](#).

Supply of Building Products

1. Is there a shortage of supply of building products?

There are likely to be shortages of building products from China and delays in their delivery. There are already some reports of shortages of some imported glass and paint products. We have no definite information about the likely length of such delays or when they will occur, but there is concern that they could last for some months depending on the product.

The lack of information is undermining confidence and making it difficult for businesses to make decisions. Master Builders has requested that the Federal Government use its resources obtain as much concrete information as possible and make it available to industry as quickly as possible.

Factories in China ceased production over Chinese New Year and the restart of production as well as product supply chains have been disrupted and delayed by the Chinese Government's measures to try and contain the spread of the virus.

There are unverified reports that factories and supply chains are re-opening but that the continuance of some travel bans within the country are slowing the return of factory workforces and production to full capacity. With the escalation of mandatory country and regional shutdowns and travel bans over the weekend, the impact of the supply from Europe may exacerbate very quickly.

2. Where can I find out more information?

MBT is in regular contact with other MBA offices across Australia about the prevalence of a shortage building supply products. We will continue to provide updates on specific products, and any shortages generally, as the information becomes available.

You can also obtain information directly from your suppliers.

We encourage all members to keep MBT informed of any supply shortages that you are experiencing, so that we are able to provide all members with relevant and up to date information.

Additional Resources

Additional information can be found from the following sources:

[Department of Health](#) – for the latest information and advice about Coronavirus

[Fair Work Ombudsman](#) – for information about workplace entitlements and obligations

[Safe Work Australia](#) – for information and referrals about dealing with Coronavirus in the workplace

[World Health Organisation](#) – for information and guidance about the outbreak of Coronavirus

[OzHelp](#) – for specialised mental health advice and assistance