

Guidance for implementing the COVID-19 Public Health Response (COVID-19 Testing) Order 2020 – Ports of Auckland and Tauranga

1.1. Background

On 14 August 2020 the Minister of Health issued an Order under the COVID-19 Public Health Response Act 2020. The purpose of the Order is to prevent and limit the risk of the outbreak of COVID-19.

This is achieved by requiring all border officials and port workers who have worked at the Ports of Auckland and Port of Tauranga since 11.59pm on 21 July 2020 to undergo testing for COVID-19. Additionally, workers at managed isolation and quarantine facilities (MIQFS) and individuals who have transported persons to and from MIQFS must be tested. This guidance addresses port workers covered by the order only.

These persons must be tested between 11:59pm tonight and 11:59pm on 17 August 2020 (the testing deadline).

The only exceptions to the requirement to report and be tested is when a person has been tested since the commencement of the COVID-19 Public Health Response (Alert Levels 3 and 2) Order 2020. This was 11:59am on 12 August 2020. This guidance refers to this as the “exemption period”.

As the Order will need to be implemented within a short time-frame, this guidance provides advice on the process and roles and responsibilities for implementing the Order.

1.2. Process

1. The Auckland and Tauranga Port Authorities notify employers of border officials and port workers working at the Ports of Auckland and Tauranga about the Order and this guidance.
2. DHBs develop plans to test all border officials and port workers working at the Ports of Auckland and Tauranga before 11:59 pm on 16 August 2020. This includes planning and providing for the capacity needed to take samples from all staff.
3. DHBs communicate those plans to the employers of border officials and port workers working at the Ports of Auckland and Tauranga and provide instructions, guidance or other information to support staff working in the facilities to get tested.
4. Employers notify all staff that have worked at the Ports of Auckland and Tauranga from 11:59 pm 21 July 2020 that they must get a test and explain how this will be done.
5. All employers provide staff with times that they can access tests at their facility or provide them with vouchers that they can take to a community testing centre to get the test done.
6. DHBs report the following information to the Ministry of Health at 1.30 pm and 5.30 pm every day. This information show detail that which port they work at and be broken down by occupation:
 - Number of workers tested
 - Number of workers that have refused any part of the test
 - Number of workers exempted from testing by a suitably qualified health practitioner working at a community testing site

1.3. Roles and responsibilities

| Port Authorities | DHBs | Employers |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none">• Notify employers of the Order and guidance.• Link employers to resources for supporting staff who are dealing with logistic or hardship issues that act as a barrier to getting a test completed on time.• Also has the same responsibilities as other employers of staff working on site at the Ports. | <ul style="list-style-type: none">• Provide the health testing staff and arrange schedules to provide testing at facilities.• Ensure testing data is collected reported to the Ministry of Health at 1.30 pm and 5.30 pm each day.• Also has the same responsibilities as other employers of staff working on site at Ports. | <ul style="list-style-type: none">• Notify staff of the requirement to get tested and keep track of who has been tested.• Must support staff who have difficulties accessing testing to get a test completed on time. Port Authorities will link employers to resources as required. |

1.4. FAQs

Who must be tested?

- Every person who has performed work of any kind at the ports of Auckland or the Port of Tauranga since 11.59 pm on 21 July 2020 must report for and submit to medical examination and testing.
- This includes:
 - People that are currently working at these ports, or who are not currently working there but have worked at the relevant ports during that window
 - People that carry out, or have carried out, work in any capacity (whether paid or unpaid and whether or not that work is directly border-related).

Who doesn't need a test?

- If a health practitioner at the testing site determines that a test is clinically inappropriate, then a test is not required.
- Workers on ships who are currently in isolation or quarantine on a ship under the Maritime Border Order are excluded from the testing requirement.
- Workers who have been tested during the period starting 11.59am on 12 August 2020 and 11.59pm on 14 August 2020 are exempt.

When must they be tested by?

- No later than 11.59 pm on 17 August 2020.

Where should they be tested?

- Either at the port or a community testing centre.

What if they are on leave and away from home at the moment?

- They should contact their employer who will provide them with a voucher to get tested at a community testing centre.

What if they are working shifts which do not fit within the testing deadline?

- They should contact their employer who will provide them with a voucher to get tested at a community testing centre

What if they have already had a test – do they need another one?

- They will not need another test if they have reported for and submitted to medical examination and testing during the period starting 11.59am on 12 August 2020 and 11.59pm on 14 August 2020.

Do they need to be off work until they get my results?

- Staff should stay home if they are sick. Staff that are not sick can continue working.

Can a worker refuse to be tested?

- A test can only be refused if the worker has a particular physical or other need that a suitably qualified health practitioner determines would make it inappropriate for the person to be tested. An infringement offence will have been committed and an infringement fee or fine may be imposed.

What happens if they do not get a test done on time?

- If there is an exceptional reason for not being tested in the timeframe then the person must complete the testing as soon as possible. If this is not a good reason, then the person avoiding testing may be subject to enforcement action.

Appendix 1. Draft letter for employers to send employees

Dear [Name]

The Minister of Health has issued an Order under the COVID-19 Public Health Response Act 2020 that requires everyone who has worked at the Ports of Auckland and Tauranga to undergo testing for COVID-19 by 11:59pm on 17 August 2020.

Workers who have been tested since the commencement of the COVID-19 Public Health Response (Alert Levels 3 and 2) Order 2020 do not need to report for a further test. This means that if you have been tested since 11:59am on 12 August 2020 you are exempt.

The purpose of the Order is to prevent and limit the risk of the outbreak of COVID-19.

We are developing a plan with the other employers that have staff at the Ports of Auckland and Port of Tauranga. The plan will include arranging for onsite testing, or the provision of vouchers should it be easier for you to access a test at a community testing centre. We will provide you with more information on testing times and vouchers as soon as possible.

The Order requires all staff to undergo testing for the following:

- temperatures,
- seeking information on symptoms,
- carrying out chest auscultation (listening to the heart and lungs), and
- taking mouth or nose swabs (or both), as required to test for COVID-19.

This test is mandatory unless you have a particular physical or other need that a suitably qualified health practitioner determines would make it inappropriate for you to be tested.

You play a vital role in keeping New Zealanders safe and limiting the impact of Covid-19 on your communities. I thank you for your work so far and for taking the test.

Your sincerely,

[Name of employer]