

# EMPLOYER GUIDE

Managing safety in the workplace during COVID-19

>Face masks



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## Background

The Victorian Government has determined that from midnight Sunday 6<sup>th</sup> December those employees working in offices do not have to wear face masks. However, the social distancing rule of maintaining 1.5 metres of distance from other people remains and employees must carry a face mask with them at all times. If you are in a car alone or with someone from your household, you do not need to wear a face mask. If you are driving a car with people from outside your household then you are always required to wear your face mask.

Wearing a face mask provides a physical barrier to coronavirus (COVID-19), by preventing the spread of droplets generated when talking, coughing, or sneezing, which helps to protect others in the community. Employees may choose to continue to wear a face mask. For detailed information about the use of face masks refer to the [DHHS website](#).

## Legal duties and obligations

Under the OHS Act 2004, employers have a duty to provide and maintain a working environment that is safe and without risks to the health of their employees.

In short **employers** must:

- > Make sure their workplaces are safe for all employees, contractors (and their employees), visitors, customers/clients and anyone else whose health and safety may be adversely affected by what the organisation does or does not do;
- > Ensure safe systems of work for its employees and contractors;
- > Provide employees, including contractors (and their employees) with, so far as reasonably practicable, adequate facilities for the welfare of employees at any workplace under their management and control; and
- > Provide such information, instruction, training or supervision to its employees as is necessary to enable those persons to perform their work in a way that is safe and without risks to health.

Similarly, **employees**:

- > Must, while at work, take reasonable care of their own health and safety and persons who may be affected by the employee's acts or omissions at a workplace;
- > Must cooperate with their employer with respect to any action taken by it to comply with a requirement imposed by the Victorian Government or under the OHS Act 2004 or the OHS Regulations 2017;
- > Must not intentionally or recklessly interfere with or misuse anything provided at the workplace in the interests of health, safety or welfare;
- > Have the right to refuse to do unsafe work; and
- > If they are unsure about their rights, can get legal advice.

All employers should assess the level of risk to the health of their employees, contractors, other persons and members of the public from exposure to coronavirus (COVID-19) and implement controls to eliminate or reduce the risk as far as reasonably practicable.

The most effective control measures to reduce transmission of coronavirus (COVID-19) are to maintain a physical distance of 1.5 metres and to practice good hygiene by washing your hands thoroughly and regularly. Employers should encourage their employees to bring their own face mask wherever possible. However, the employer is obligated to provide a mask if an employee does not have one when attending for work.

## The provision of masks, hand sanitiser or other protective equipment in the workplace

Employers must take all reasonable steps to make sure that the workplace is safe for everyone and, as the [Victorian Government has ruled](#) that people must wear a face mask while at work and practise social distancing, employers must make sure that their employees:

- > are wearing a face mask while at work when they cannot maintain the 1.5 metre social distancing requirement;
- > practise social distancing at work;
- > wash their hands regularly with soap and water; and
- > follow all other rules from the local (Victorian) health authority and WorkSafe Victoria.

Where employees already wear personal protective equipment (PPE) to control risks associated with their work, they should continue to use such equipment.

The Victorian Government requirement for employees to wear a mask does not apply to people with breathing difficulties or a physical condition that makes it difficult to wear a mask. Face shields may no longer be used without wearing a face mask as well. If face shields are used, ensure they are properly designed to cover the sides of the face and below the chin. Reusable face shields should be cleaned and disinfected after each use. Disposable face masks and shields should only be worn once as they are for single use only.

## Do employees have to wear a face mask at work?

If work is undertaken outdoors or in offices, then employees do not need to wear a face mask if they can maintain a distance of 1.5 metres between themselves and other workers. If they cannot maintain a distance of 1.5 metres between themselves and other workers, they must still wear a face mask unless they meet any of the criteria for exception such as a medical condition or, if wearing a face mask creates a risk to the person related to their work, as determined through OH&S guidelines.

In some industries, employees are required to wear a face mask outdoors as part of the business's COVIDSafe Plan. Where this is the case, a face mask must still be worn outdoors. Where the business operates from an office or offices the organisation must review and revise its COVIDSafe Plan to state that employees must carry a face mask with them at all times but only need to wear them in the office when they cannot maintain the social distancing requirement of 1.5 metres from another employee.

Employees are not required to wear a mask while at their desk or other place of work. The time they spend being close to another person is not a factor for consideration. Employers must ensure masks are worn and proper hygiene is practiced. For this purpose, masks may need to be provided

by the employer along with sanitiser, anti-bacterial wipes, and places to properly dispose of used wipes and masks.

A person is not required to wear a mask when working in an office. When someone else enters and is closer than 1.5 metres they must wear a face mask. If the person is working by themselves in an **outdoor space**, they are not required to wear a face mask provided no other person is in the outdoor space (except a person who ordinarily resides at the same premises with them).

## Travel to and from the workplace

When travelling to and from work using public transport, the Government has advised that masks must worn as maintaining a safe distance of 1.5 metres from another traveller cannot be guaranteed. Employers do not need to provide masks to employees travelling to and from work, only for travel on public transport for work purposes and when employees are travelling in company vehicles. If employees wear a surgical mask while travelling to work on public transport then, upon arrival at work, the mask should be disposed of as this type of mask is single use only.

## What type of face mask should be provided?

The term 'face mask' includes both surgical (single-use) and cloth masks and both are suitable for use to prevent the spread of coronavirus (COVID-19).

Cloth masks are any nose and mouth covering made of washable fabric. The Victorian Department of Health and Human Services (DHHS) recommends a [cloth mask should be made of three layers of a mix of breathable fabrics to ensure adequate protection](#). The mask does not need to be of surgical quality to be effective.

Surgical masks are made of a non-woven melt-blown polypropylene layer and are for single use and cannot be washed and used again.

Other types of masks and respirators, such as P2 or N95 are not recommended for use in the community and not outside of healthcare or specific industries under health advice.

## Controlling the risk of heat-related illness

The risk of heat-related illness may be increased when employees wear face masks in hot weather.

When temperatures are expected to increase, employers should conduct a risk assessment. Where a risk assessment has already been undertaken, review and revise where necessary. This should be reflected in the COVIDSafe Plan for the workplace.

Any risk assessment must be undertaken in consultation with employees and HSRs, and take into account:

- > where the work is conducted (e.g. indoor or outdoor);
- > temperature, humidity and air movement in the work environment;
- > nature and type of work tasks (e.g. physical workload);
- > clothing and personal protective equipment (PPE); and
- > Heat-related illness can be a risk in indoor and outdoor working environments.

Employers need to implement control measures to reduce the risk, including those listed below.

#### For both indoor and outdoor work environments:

- > ensure water is readily accessible;
- > revise work and rest schedules to allow employees sufficient time to rehydrate;
- > where possible, this should include regular short breaks for employees to remove their masks to drink water. Physical distancing measures must be maintained during breaks;
- > provide employees with information, instruction and training to recognise early signs and symptoms of heat-related illness;
- > where possible have a buddy system in place so that any signs of heat stress can be quickly identified and addressed;
- > where possible ensure employees do not work alone;
- > consider rotating duties to reduce each employee's exposure to heat, including rotation between outdoor and indoor work (where relevant);
- > reduce physical demands by using mechanical aids or additional resourcing;
- > when face masks are likely to become damp or dirty, consider providing an additional supply of face masks to allow for regular replacement; and
- > use less restrictive face masks (eg surgical masks) where P2 masks are not required for the work that is being carried out.

#### For indoor work:

- > ensure the work area is ventilated as much as possible, for example by keeping doors and windows open;
- > where outside air is too hot for natural ventilation or there is no breeze, use air conditioning, ensuring the air conditioning system is using as much fresh air as possible, rather than recirculated air;
- > increase indoor air movement with temporary or permanently installed fans; and
- > where practical, use blinds to block direct sunlight from windows.

#### For outdoor work:

- > consider whether any employees are at higher risk of heat-related illnesses when working outdoors;
- > provide a shaded area where employees can maintain physical distancing, remove their masks and have a drink;
- > where possible, consider providing employees with face masks that are lightweight and a light colour;
- > if protective clothing is worn, such as coveralls, ensure it is lightweight, loose fitting and light in colour where possible;
- > re-evaluate the workload, taking into account the weather conditions and time of day when the work will be done; and
- > consider whether the work can be rescheduled to another time or day when the temperature will be cooler.

For more information about controlling the risk of heat-related illness see the guidance Working in heat.

### Working in heat

- > For information on how to prevent heat illness from working outdoors in hot weather, or where heat is generated as part of work go to: [worksafe.vic.gov.au/resources/working-heat](https://worksafe.vic.gov.au/resources/working-heat)

## So, I need to provide face masks for my employees. Where can I get them?

Currently there is an ample supply of face masks in Victoria for the community and for business to purchase through both retail and wholesale channels. If you are having trouble purchasing face masks through your usual supplier(s) then check the Victorian Government's Face Coverings Directory as this is a list of local manufacturers who supply surgical (single-use), reusable cloth masks and face shields. This directory is accessible from the Business Victoria website and is updated regularly.

There is increased demand for these products so there may be delays in receiving orders. However, if you have tried the normal suppliers, such as multiple retailers and have contacted the manufacturers in the face coverings directory and are still having trouble accessing face coverings, your business may be eligible to purchase single-use masks from the Victorian Government through the Business Access to Masks Service (BAMS).

BAMS is a joint initiative between the Victorian Government, the Victorian Chamber of Commerce and Industry (VCCI) and the Australian Industry Group (Ai Group). VCCI is responsible for the sale and distribution of masks and the service is designed to assist businesses experiencing immediate difficulty accessing facemasks through normal retail and wholesale channels. This service is for emergency short term, one off use only. For more information, refer to [victorianchamber.com.au/business-support/crisis-information/covid-19-coronavirus-resources/business-access-to-masks-service](https://victorianchamber.com.au/business-support/crisis-information/covid-19-coronavirus-resources/business-access-to-masks-service)

## How to wear a mask correctly



### Surgical mask (single use)

- > Before putting on the mask, wash your hands for at least 20 seconds with soap and water, or use a hand sanitiser that is made up of over 60% alcohol.
- > Check for defects in the mask, such as tears or broken loops.
- > Position the coloured side of the mask outward.
- > If present, make sure the metallic strip is at the top of the mask and positioned against the bridge of your nose.
- > If the mask has:
  - Ear loops: Hold the mask by both ear loops and place one loop over each ear.
  - Ties: Hold the mask by the upper strings. Tie the upper strings in a secure bow near the crown of your head. Tie the bottom strings securely in a bow near the nape of your neck.
  - Dual elastic bands: Pull the bottom band over your head and position it against the nape of your neck. Pull the top band over your head and position it against the crown of your head
- > Mould the bendable metallic upper strip to the shape of your nose by pinching and pressing down on it with your fingers.
- > Pull the bottom of the mask over your mouth and chin.
- > Be sure the mask fits snugly.
- > Don't touch the mask once in position and avoid touching your face, eyes, nose, or mouth.
- > If the mask gets soiled or damp, replace it with a new one.
- > Dispose of the face mask properly after it is removed and wash your hands for at least 20 seconds with soap and water or use a hand sanitiser that is made up of over 60% alcohol.



## Cloth masks

A cloth mask should fit securely around the face, specifically covering the nose and the mouth areas. The mask should fit snugly on the face and be secured by ear loops or ties at the back of your head. If a mask with ear loops is being used, a plastic clip or tie to join the ends together at the back of the head can be used to make sure it fits snug on the face.

Cloth masks should be handled in the same way as disposable masks however these masks can be washed and re-used. It is recommended that you have at least two cloth masks at any given time as they should be washed daily after use. If travelling on public transport, don't re-use the same cloth mask to go home that you used to get to work. Put each cloth mask in a zip lock bag to take home to wash.

You will know your mask is working to protect you if it is well fitted. If the ties are loose, tighten them to ensure a snug fit. The mask should fit snugly and cover your nose and mouth. Keep an eye on the integrity of the fabric as with repeated washing it may thin over time. If this happens, replace the mask.

## Can staff wear a scarf or bandana instead?

No. The Victorian Government has stated that a fitted face mask must be worn. Properly constructed cloth masks are made from at least three layers of materials, including a water-resistant outer layer.

## Can I temperature check my employees?

During the pandemic, it is considered a lawful and reasonable direction to require employees to have a temperature-test at work (for example, with a thermal scanner).

If the test shows that an employee has a high temperature, you can direct them to go home, get checked for COVID-19 and self-isolate until you are informed that the test result is negative. If the test result is positive, they must self-isolate for the required period.

## Can I ask for a medical clearance before a staff member returns to work?

You can ask an employee to get a medical clearance if it is considered lawful and reasonable. For example, if a medical clearance is needed to protect the employee or their co-worker's health and safety, this is reasonable.

It is not reasonable for an employer to ask for them to pay for or provide a medical clearance if:

- > they do not need to self-isolate according to the [Australian government's rules](#); and
- > they are healthy and able to work.

## References:

The advice given in this fact sheet was drawn from the:

Victorian Department of Health and Human Services website <https://www.dhhs.vic.gov.au/>.

[Restricted Activity Directions](#):

[WorkSafe Victoria Coronavirus \(COVID-19\) website](#)

[Victorian Government Fact Sheet: Sourcing Face Masks for your Business](#)

## Contacting the Victorian Chamber of Commerce and Industry

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The Victorian Chamber's team of experienced health, safety and wellbeing and workplace relations advisors can assist members with a range of health, safety, wellbeing, employment, human resources and industrial relations issues.

Our experienced health, safety and wellbeing and workplace relations consultants can also provide assistance to both members and non-members on a range of more complex matters for a fee-for-service. The consultants can, among other things, provide health, safety and wellbeing consulting and training to employees, conduct investigations and provide representation at proceedings at the Fair Work Commission.

For assistance or more information, please contact the Advice Line on **(03) 8662 5222**.

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