

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 61, 67 and 72A

COVID TRANSITION (CRITICAL WORKERS) AMENDMENT DIRECTIONS

The World Health Organization declared COVID-19 a pandemic on 11 March 2020.

On 15 March 2020, the Minister for Emergency Services declared a state of emergency with effect from 12 am on 16 March 2020 in respect of the pandemic caused by COVID-19 pursuant to section 56 of the *Emergency Management Act 2005 (WA)* (**Act**). The state of emergency applies to the State of Western Australia.

I, Christopher John Dawson, Commissioner of Police and State Emergency Coordinator, now give the following directions, pursuant to my powers under sections 61, 67 and 72A of the Act.

PREAMBLE

1. These directions amend the COVID Transition (Critical Worker) Directions (**Primary Directions**) and are for the purposes of preventing, controlling and abating the risks associated with the emergency presented by the pandemic caused by COVID-19.

CITATION

2. These directions may be referred to as the **COVID Transition (Critical Worker) Amendment Directions**.

COMMENCEMENT

3. These directions come into effect upon signing.

DIRECTIONS

4. The Primary Directions are amended by:
 - (a) deleting paragraph 5 and inserting in its place the following paragraph:
 5. A critical worker must continue to comply with the COVID Transition (Testing and Isolation) Directions (No 2) during any period:
 - (a) that is not a **relevant critical worker furlough period**; or
 - (b) that is a relevant critical worker furlough period but the particular critical worker does not meet the requirements of paragraph 6.

- (b) inserting the word "relevant" immediately after the words "during a" in the second line of paragraph 6;
- (c) deleting the word "particular" in paragraph 6(a)(iii) and inserting in its place the word "relevant";
- (d) deleting subparagraph 6(a)(vii) and inserting in its place the following subparagraph:
 - (vii) undertakes a **rapid antigen test**:
 - (A) before leaving their isolation premises to attend work each time they propose to attend work during their isolation period; or
 - (B) if, and only if, the worker travels to work alone and not with others (and for the avoidance of doubt, not by way of bus, train or other form of mass public transport or taxi or rideshare service), immediately upon arrival to their place of work,
 - and receives a **negative result** each time before leaving or commencing work (whichever applies); and
- (e) deleting subparagraph 7(e) and inserting the following paragraph after paragraph 7:
 - 7A. Where a critical worker is required to leave the workplace in circumstances to which paragraph 7(b) applies, the person must travel:
 - (a) wherever practicable, alone, or only with a member or members of their own household; and
 - (b) in any event, not by way of bus, train or other form of mass public transport unless there is no practicable alternative available.
- (f) deleting paragraph 18 and inserting the following paragraph in its place:
 - 18. **Critical worker furlough period** means any period which the State Emergency Coordinator or the Chief Health Officer from time to

time designates by notice in writing to be a critical worker furlough period, which notice may:

- (a) specify a start date and end date, in which case the critical worker furlough period shall operate on and from the start date until the end date; or
- (b) specify a start date only, in which case the critical worker furlough period shall continue to run until the State Emergency Coordinator or Chief Health Officer designates by notice in writing that the critical worker furlough period is to conclude; and
- (c) be stated to apply to:
 - (i) critical workers generally; or
 - (ii) a particular individual critical worker or a number of particular individual critical workers; or
 - (iii) a class or classes or category of critical workers; or
 - (iv) a critical worker or critical workers working at a particular premises or class of premises or at a particular type or types of business, organisation or undertaking; and
- (d) be limited to particular hours of operation during the critical worker furlough period.
- (g) Deleting the words "service., and" in the fourth line of paragraph 22 and inserting the words "service or in a voluntary capacity, and";
- (h) deleting subparagraph 27(a) and inserting the following subparagraph in its place:
 - (a) in respect of the SPIKEVAX, VAXZEVRIA, COMIRNATY – BNT162b2 and Nuvaxovid (Novavax) vaccines, two doses of the vaccine administered with an appropriate interval between doses;

- (i) inserting the following note immediately after paragraph 28:

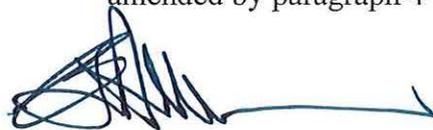
Note: Only fully vaccinated people can attend work under these directions. A person who is not vaccinated will not be permitted to go to work as a close contact under these directions even if that person has an exemption recorded on the Australian Immunisation Register or has been given a temporary exemption by the Chief Health Officer (or a person authorised by the Chief Health Officer) for the purposes of a different direction.

- (j) inserting the following paragraph immediately after paragraph 34:

34A. **Relevant critical worker furlough period** means a critical worker furlough period that applies to the particular critical worker.

- (k) deleting the words " air transport services including airport control room, airside runway safety team, airside maintenance team, network support and emergency response" where they appear in the "category of worker" column of Schedule 1 and inserting in their place the words "air transport services including airport control room, airside runway safety team, airside maintenance team, network support and emergency response, pilot services for critical cargo and freight services, medical and other critical flights".

5. For the avoidance of doubt, the Primary Directions continue in effect as in force immediately before the commencement of these directions but, from that time, as amended by paragraph 4 of these directions.



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Christopher John Dawson
Commissioner of Police and State Emergency Coordinator

27 February 2022 1510 hours