



26 August 2020

The Hon. Daniel Andrews, Premier of Victoria
1 Treasury Place
Melbourne Victoria 3002

By email: daniel.andrews@parliament.vic.gov.au

Dear Premier

We express appreciation for your commitment to the building, construction and development industry, and we thank you for your leadership and support throughout the COVID-19 pandemic in Victoria.

We write to you on behalf of the building, construction and development industry, and specifically the organisations listed in the attached document, to assure you that we remain totally committed to the safe continuation of all building, construction and development activity in Victoria and economic recovery for all Victorians.

As the Victorian Government manages the challenges of a second wave of COVID-19, we believe it is important to update you and the Crisis Council of Cabinet on the proactive measures and initiatives that we have actioned and planned supporting the Chief Health Officer's Directions, and enabling industry activity to continue within the limitations of the Stage 4 restrictions.

Our joint commitment to the building, construction and development industry has been key to our success in effectively maintaining safe workplaces. Our focused and unwavering efforts has ensured that our Coronavirus (COVID-19) Guidelines for the building, construction and development industry have provided a strong basis to rapidly prepare the required High Risk COVIDSafe Plans enabling businesses to operate. We support these COVIDSafe Plans as they have acted as a highly effective, quality assurance measure during the Stage 4 restrictions, and are a measure that we recommend continue for the duration of the pandemic.

We can report that positive cases of COVID-19 in the building, construction and development industry continue to remain very low in comparison to the overall case numbers in the Victorian community and they have continued to remain low over the last two weeks. Importantly, there appears to be very low transmission on sites and between sites with our data indicating that most cases can be traced to community transmission rather than close contact on sites.

Whilst we recognise that tackling the pandemic is akin to a marathon, there are optimistic signs that the Victorian Government's health-based strategies are yielding positive trends for reducing the spread of COVID-19.

Our industry is equipped and stands ready to return to the former Stage 3 restrictions as soon as possible. And, to demonstrate this, we have enclosed a joint Building, Construction and Development Industry COVID-19 paper. However,

should a more cautious health-based approach be required for returning to work, the paper also presents joint pro-active interim measures for consideration by your Government.

We must continue to keep the building, construction and development industry operating safely and productively, to keep the state of Victoria's engine room strong. You continue to have the unwavering commitment of us all to to work together for the wellbeing of our industry and of the Victorian economy.

Yours sincerely,



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CC:

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The Hon. Martin Pakula | Minister for Racing, Minister for Tourism, Sport and Major Events, Minister for the
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Building, Construction and Development Industry COVID-19

Return to Full Capacity Strategy – 26 August 2020

1. Purpose

- 1.1. To demonstrate our commitment, and provide confidence to the Premier and Crisis Council of Cabinet that the building, construction and development industry, continues to proactively implement actions and measures supporting the Chief Health Officer's (CHO) Directions, enabling industry activity to continue within the limitations of the Stage 4 restrictions.
- 1.2. To present an approach for easing Stage 4 restrictions for the building, construction and development industry, that will continue to protect workers and the community during the COVID-19 pandemic and enable a greater level of industry activity to resume soonest possible.
- 1.3. To demonstrate the building, construction and development industry's support for Victoria's economic recovery agenda and the ability of our industry to safely play a leading role in underpinning the efforts of the Victorian Government to stimulate economic activity in the wake of the COVID-19 crisis.

2. Building, construction and development industry COVID-19 data

Through the DHHS appointed Industry Liaison Officer (ILO), we can report the positive cases of COVID-19 on construction sites remains minimal in comparison to the overall case numbers in the Victorian community, and many other industry sectors.

- During the second wave in the Victorian community, the number of cases identified in the building, construction and development industry remains low, with a peak of only 10 reported cases on 29 July 2020.
- At the time of writing, over the last ten days there has been only 2 low impact positive COVID-19 cases reported from civil construction at housing estates, and no cases reported on any other large-scale construction sites.
- The data collected demonstrates that 0.04% of people working in the building, construction and development industry have so far contracted COVID-19, compared with 0.28% of people in the total Victorian population.
- Building, construction and development industry employees have therefore been more than seven times *less* likely to contract COVID-19 than the total Victorian population.
- Since March, a total of 81 construction sites have reported employees known to have contracted COVID-19, and only 18 sites appear to have experienced any on-site transmission. There have been less than 15 reported cases to date on small-scale construction and land development sites.
- In the civil construction sector, only 10 cases have been reported covering 19,000 workers on Melbourne Transport Infrastructure Authority projects including Melbourne Metro Tunnel, Level Crossing Removal and projects undertaken by Major Roads Projects Victoria.
- The few sites with identified community transmission have reported an average of 2.67 cases. This suggests that cases are being quickly identified and the measures in place to stop the virus spreading, are proving effective.

3. Ongoing industry actions supporting safe building, construction and development operations

We continue our joint efforts to update our extensive Coronavirus (COVID-19) Guidelines for the building and construction and development industry in Victoria, to ensure that the most recent health advice, CHO directions and current restrictions are included and distributed immediately to the industry. The Guidelines (now at version 7) have been adopted and agreed by unions and industry associations, endorsed by the Building Industry Consultative Council, and are overseen by WorkSafe, DHHS, DJPR and the Victorian Building Authority.

The Guidelines underpin our industry's success in providing leadership and self-regulation in managing worksites and workplace safety by:

- Rapidly evolving practical measures to align with CHO directives for industry and business operations.
- Setting out actions tailored to our workplaces giving effect to health directives through practical and safe work practices.
- Promoting a consistent approach to work practices, enabling easy implementation and communications across the industry.
- Providing guidance and resources suitable for application across a wide range of construction workplace settings including vertical, high-rise construction, smaller scale domestic, residential and commercial sites, land development settings, civil construction and major infrastructure sites.

The Guidelines have provided a strong basis for our industry to prepare the required High Risk COVIDSafe Plans, which have acted as a highly effective, quality assurance measure during the Stage 4 restrictions, and are a measure that we recommend continue for the duration of the pandemic.

The following measures are now required standard practice in the building, construction and development industry:

- Site inductions for COVID-19 Safety
- Two phase work entry screening process
- Face coverings
- Temperature screening protocols
- COVID safety training for workplace delegates.
- Procedures for personnel hoists

In addition, practices that are common and expanding in use, include contactless sign in and entry/exit procedures, and site movement mapping using digital applications.

A dedicated telephone hot line has also been established within the Victorian Building Authority call centre for the building, construction and development industry and workers. This service provides a rapid response to queries regarding COVID-19 and business restrictions, as well as provided a direct referral to the DHHS ILO for more complex matters and assistance.

Key initiatives that have been implemented to support COVIDSafe operations include:

- Random onsite asymptomatic testing of workers undertaken by the industry’s own Health Service provider – INCOLINK in partnership with Cbus and the ETU, supported by medical partner Australian Prostate Centre. Over 17,000 onsite tests of workers have been conducted at over 210 worksites since May. The INCOLINK team has been able to respond the next day to sites where a worker has been tested positive (from community transmissions). Out of the 17,000 tests on site, only 10 workers were found to test positive to COVID-19.
- Education programs for COVID-19 safety extensively rolled out through union and employer organisations, including infectious disease training.
- A substantial COVID-19 education program, including workplace mapping, has been rolled out to nearly 600 workplace delegates representing over 40,000 construction workers in high density commercial sites.

Emerging initiatives and research

The building, construction and development industry continues to pursue several initiatives and innovations that will further improve our industry’s ability to manage COVID-19 and maintain safe workplaces. These include:

- Investigating potential for disinfectant cleaning processes and trials for large sites.
- Partnering with Deakin University to trial new approaches to temperature testing, including real time measurement on workers throughout the day.
- Infection control COVID training, specific to the construction industry, will commence roll out by many registered training organisations in October this year as an ongoing training module.
- Exploring digital workplace mapping platforms to assist in managing workforce movements on sites. For example, Master Builders Victoria and Master Plumbers are trialling the 1BreadCrumb application, which creates a secure digital, geofenced site for workers and visitors to check in and out. Several other similar platforms are being actively deployed on worksites.
- SPA (Southern Program Alliance) Mask Screening initiative between Acciona and Presna at the Level Crossing Removal Authority Project, Cheltenham. In addition to standard High Risk COVIDSafe Plan practices, workers hygienically dispose of their face masks for dedicated environmental laboratory testing for COVID-19, not currently used for clinical testing, to ensure a quick response time, improved contact tracing and record keeping amongst sites.
- Developing CALD resources and media to support multicultural workers in the building, construction and development industry to fully understand their COVIDSafe obligations.
- Developing “take-home” messaging to ensure that all building, construction and development industry workers do the right thing at work, on the journey to and from work, and at home to protect their livelihoods and the communities where they live.
- Development and roll out of a specifically tailored induction program for all workers returning on-site that will commit to:
 - Compliance with the Industry COVID Guidelines.
 - Protocols for the journey to / from work to maintain physical distancing.
 - Workers to be tested should there be a COVID-19 positive case reported in the workplace.

We continue the open dialogue and collaboration between unions, employer associations and government stakeholders including DHHS, DJPR and Worksafe. We collaboratively and proactively input to the Victorian Government's Building and Construction Industry COVID-19 Taskforce (Rapid Industry Group), and our organisations and businesses are working closely with the ILO embedded in DHHS.

We have worked closely with DJPR, DHHS and the CHO to provide advice and insight into additional practical refinements to the Directions, which we have welcomed. We commend Victorian Government representatives for working proactively with us on these refinements that reflect our differing workplaces and projects including large and small-scale construction, early stage residential land development and civil works as well as critical service and maintenance work to ensure public health and asset preservation.

This effective collaboration has ensured a high level of understanding of business obligations introduced under Stage 4 restrictions and rapid responses by the industry to adjust to the CHO Directions. This has also enabled some level of building, construction and development operations to continue – further supporting our state's economy.

4. Stage 4 Business Impacts

Under the Stage 4 restrictions, construction activity has been reduced on large-scale projects and sites, equating in a reduction in productivity levels to around 25% due to minimum numbers of workers on site. This is expected to translate into significant costs due to project delays, inefficiencies in project continuation and need for repeat work tasks, as well as uncertainty about delivery timing.

These restrictions have also resulted in additional costs to support people working from home, extensive site cleaning, provision of additional site accommodation facilities, as well as high financing and administrative costs.

***Case Study:** One large-scale construction builder reports that, while they will have reduced costs on projects by 57% during the five-week period, productivity levels are forecast to be 25%. This is due to the minimum numbers of workers required to be retained on site for safety purposes, together with management of client expectations given the uncertainty of the operability of Stage 4 restrictions for the industry. It is estimated that 50% of the project staff costs during the Stage 4 period will be required to be repeated due to productivity levels not matching staffing levels. This will equate to additional project costs in the order of \$1 million. The compounding effect brings the total estimated cost of the Stage 4 restrictions, consisting of both fixed project preliminary cost wastage and project staff cost inefficiencies to over \$4.2 million. This is in addition to forecast \$3.5 million of reduced earnings for staff, or erosion of employee entitlements across this period.*

Across small scale-construction, activity has declined significantly, with feedback from domestic home builders estimating up to a 66% reduction in productivity during Stage 4. This reduced rate of housing production will result in an industry slow-down and severe bottleneck effect for delivery as trade activity is limited across sites.

Other lasting impacts to Victorian families and businesses are likely to include substantially delayed housing starts, delayed settlements, increased rental costs, as well as increased land holding and construction costs, adding additional financial pressure to already struggling households and businesses.

The limitation on movement of workers and specialist contractors between sites is also a major inhibitor for small-scale construction. Sequencing of trades for housing starts is very rigid and avoiding bottlenecks relies on the strength of every link in the sequence. For example, geotechnicians, drainage contractors, utility providers and earth works contractors are breaking the sequence as a result of not being able to attend more than three sites per week. These trades generally attend site, for the most part, when no other trade is present, and they also operate in enclosed construction machinery. The resulting impact will be a rapid decline in housing starts, standing down of employees and a significant dilution of the future housing pipeline.

Movement of workers and specialist contractors also impacts the completion of projects as supply and installers, and finishing trades, have been significantly reduced in their capacity. This prevents handover of homes and puts businesses under severe cashflow pressure due to the inability to access final payments. Many businesses in the building, construction and development industry are likely to stop work in the coming weeks if they are not able to increase the rate of completion.

Early stage land development projects are also experiencing major delays, with some projects stalling completely due to the limitations on specialist contractors and consultants not being able to attend their office or attend sites. For example, urban designers who need access to their high-tech scanners, are unable to attend their offices.

Specialists not identified on the list of specialist contractors, but critical to the planning and development approval process, are unable to attend sites. This is delaying and stalling projects which would otherwise be able to continue.

There is also a significant challenge as the industry continues to undertake service and maintenance activities, especially in domestic settings where the necessary stay-at-home orders mean use of systems has increased. Together with the wintry season, there is an increased demand for repair and replacement of heating, water and drainage systems.

We believe there is scope to clarify the ability to replace systems at owner-occupied sites where there is negligible to no contact with the householders (e.g. roof drainage systems, roof solar systems).

The impact of Stage 4 restrictions, together with the issues outlined above have also had a very significant impact on Victoria's Apprentice workforce. Apprentices are often the first to be stood down from worksites as, naturally, they are not as productive and require greater supervision than qualified and experienced workers. This has a long-lasting impact on their progression through their apprenticeships because when suspended from work, registered training organisations cannot continue their education.

5. Our return to full capacity strategy

Whilst we recognise that tackling the pandemic is akin to a marathon, there are optimistic signs that health-based restrictions are yielding positive trends for reducing the spread of COVID-19 as community transmission appears to be going down.

It is evident that building, construction and development industry worksites have not been a source of complex outbreaks, compared with other sectors. The nature of construction activity, the widespread application of our Guidelines, and the rapid implementation of High Risk COVIDSafe Plans on all worksites, has played a critically important part in maintaining our relatively low level of workplace COVID-19 risk.

Given the data presented and initiatives already actioned and planned, the building, construction and development industry stands ready to return to former Stage 3 restrictions as soon as possible, with all workforce caps/reductions and worker movement restrictions removed.

However, it is acknowledged that a cautiously optimistic approach may be required by the CHO for public health reasons. Therefore, building, construction and development industry employer associations and unions present the following joint pro-active interim measures for consideration, outlined in the table below.

To support these proposed interim measures, the Coronavirus (COVID-19) Guidelines for the Building and Construction Industry Victoria (Version 8) would be prepared for endorsement by the Building Industry Consultative Council and the Rapid Industry Group Taskforce. This version would specifically outline the protocols for safe work practices to be included in COVIDSafe Plans applicable to building, construction and development sites to operate at the adjusted levels.

These measures are also supported by a joint commitment to:

- High Risk COVIDSafe plans being formulated to comply with the Industry Guidelines (Version 8).
- Adherence to the worker density quotient of no more than one worker per 4 square metres.
- Prohibited car pooling, except in limited circumstances.

This return to work approach would significantly benefit the construction production capacity across all project settings, reducing longer term project delays, cost overruns and commercial and domestic financial pressures.

For large-scale construction, it will be important to complement the return to work strategy by specifically gazetting the next stages of restrictions for building, construction and development (even when that's back to Stage 3 or Stage 2), thereby triggering protection for builders and sub-contractors in relation to extensions of time and cost recovery for cleaning costs related to COVID-19. This approach is like the *COVID-19 (Temporary Measures) Act 2020* adopted by Singapore, which has key features that could have considerable merit and applicability for Victoria.

On small-scale construction sites, it is anticipated that this return to work strategy would allow industry to function at a more sustainable level with productivity across trades operating at more than 50% effectively reducing potential delivery bottlenecks. This is especially important as 39% of the small-scale construction trade/supplier base are listed as single operators, further minimising the risk of transmission across sites.

The building, construction and development industry recommends **returning to former Stage 3 restrictions on 14 September 2020**, or as soon as possible, with all workforce caps/reductions and worker/specialist contractor movement restrictions removed.

However, it is acknowledged that a cautiously optimistic approach may be required by the CHO for public health reasons. Therefore, building, construction and development industry employer associations and unions present the following joint pro-active interim measures for consideration.

Industry Category	Weeks 1 – 2 1 to 13 September	Week 3 (14 September, or sooner) revert to Stage 3, or introduce the following interim measures, if the data does not permit	Week 4, or sooner, subject to the data, revert to Stage 3, with the following measures
Large-scale construction sites	<p>Daily maximum cap of workers lifted to 50%.</p> <p>Unlimited movement of workers and specialist contractors. However, if this is not possible, then movement of workers and specialist contractors permitted to 5-10 sites per week, especially where there is no other trade on site at same time.</p> <p>Allow specialist consultants to attend sites and their office-based duties to resume.</p> <p>Unlimited civil construction earthmoving services and works including the provision and maintenance of roads, bridges, pipelines, drainage and utilities (power, water, communications & gas) due to the “low risk” nature of works.</p> <p>Operating obligations: High Risk COVIDSafe Plan – full compliance with Industry Guidelines Version 8 with compulsory:</p> <ul style="list-style-type: none"> • Temperature testing • Contactless site tracking • Face coverings 	<p>Daily maximum cap of workers lifted to 75%.</p> <p>Unlimited movement of workers and specialist contractors. However, if this is not possible, then movement of workers and specialist contractors permitted to between 5-10 sites per week, especially where there is no other trade on site at same time.</p> <p>Allow specialist consultants to attend sites and their office-based duties to resume.</p> <p>Unlimited civil construction earthmoving services and works including the provision and maintenance of roads, bridges, pipelines, drainage and utilities (power, water, communications & gas) due to the “low risk” nature of works.</p> <p>Allow commercial car parks to operate to service essential workers in Metropolitan Melbourne</p> <p>Operating obligations: High Risk COVIDSafe Plan – full compliance with Industry Guidelines Version 8 with compulsory:</p> <ul style="list-style-type: none"> • Temperature testing • Contactless site tracking • Face coverings 	<p>All workforce caps/reductions and worker movement restrictions removed.</p> <p>Allow all building, construction and development industry workers to attend sites and their office-based duties to resume.</p> <p>Operating obligations: High Risk COVIDSafe Plan – full compliance with Industry Guidelines Version 8 with compulsory:</p> <ul style="list-style-type: none"> • Temperature testing • Contactless site tracking • Face coverings
Small-scale construction sites	Maximum 5 people on site plus supervisor.	Maximum 10 people on site plus supervisor.	All workforce caps/reductions and worker movement restrictions removed.

Industry Category	Weeks 1 – 2 1 to 13 September	Week 3 (14 September, or sooner) revert to Stage 3, or introduce the following interim measures, if the data does not permit	Week 4, or sooner, subject to the data, revert to Stage 3, with the following measures
	<p>Unlimited movement of workers and specialist contractors. However, if this is not possible, then movement of workers and specialist contractors permitted to 5-10 sites per week, especially where there is no other trade on site at same time.</p> <p>Allow specialist consultants to attend sites and their office-based duties to resume.</p> <p>Unlimited civil construction earthmoving services and works including the provision and maintenance of roads, bridges, pipelines, drainage and utilities (power, water, communications & gas) due to the “low risk” nature of works.</p> <p>Provide an exception from the limit of 5 workers for the safe pouring of concrete.</p> <p>Allow on-site contract client meetings by appointment only.</p> <p>Allow construction activities at owner-occupied sites external to the residential premises where there is negligible interaction.</p> <p>Allow display homes to open by appointment only with 4 sqm rule to apply in line with restricted retail activities. Customers temperature tested and sign-in procedures to apply.</p> <p>Operating obligations: High Risk COVIDSafe Plan</p> <p>Enhanced PPE and hygiene measures for workers moving between sites.</p>	<p>Unlimited movement of workers and specialist contractors. However, if this is not possible, then movement of workers and specialist contractors permitted to between 5-10 sites per week, especially where there is no other trade on site at same time.</p> <p>Allow specialist consultants to attend sites and their office-based duties to resume.</p> <p>Unlimited civil construction earthmoving services and works including the provision and maintenance of roads, bridges, pipelines, drainage and utilities (power, water, communications & gas) due to the “low risk” nature of works.</p> <p>Provide an exception from the limit of 10 workers for the safe pouring of concrete.</p> <p>Allow on-site contract client meetings by appointment only.</p> <p>Allow construction activities at owner-occupied sites external to the residential premises where there is negligible interaction.</p> <p>Allow display homes to open by appointment only with 4 sqm rule to apply in line with restricted retail activities. Customers temperature tested and sign-in procedures to apply.</p> <p>Operating obligations: High Risk COVIDSafe Plan</p> <p>Enhanced PPE and hygiene measures for workers moving between sites.</p>	<p>Allow all building, construction and development industry workers to attend sites and their office-based duties to resume.</p> <p>Operating obligations: High Risk COVIDSafe Plan</p>

Industry Category	Weeks 1 – 2 1 to 13 September	Week 3 (14 September, or sooner) revert to Stage 3, or introduce the following interim measures, if the data does not permit	Week 4, or sooner, subject to the data, revert to Stage 3, with the following measures
Early stage land development	<p>No more than 15 workers per hectare</p> <p>Allow specialist consultants to attend sites and their office-based duties to resume.</p> <p>Unlimited geotechnicians, drainage contractors, utility providers and civil construction earthmoving services and works including the provision and maintenance of roads, bridges, pipelines, drainage and utilities (power, water, communications & gas) due to the “low risk” nature of works.</p> <p>Operating obligations: High Risk COVIDSafe Plan</p>	<p>No more than 20 workers per hectare</p> <p>Allow specialist consultants to attend sites and their office-based duties to resume.</p> <p>Unlimited geotechnicians, drainage contractors, utility providers and civil construction earthmoving services and works including the provision and maintenance of roads, bridges, pipelines, drainage and utilities (power, water, communications & gas) due to the “low risk” nature of works.</p> <p>Operating obligations: High Risk COVIDSafe Plan</p>	<p>All workforce caps/reductions and worker movement restrictions removed.</p> <p>Allow all building, construction and development industry workers to attend sites and their office-based duties to resume.</p> <p>Operating obligations: High Risk COVIDSafe Plan</p>

6. Industry support for COVID-19 testing

To support our industry efforts, we also seek the continuation of matched Government funding for the INCOLINK on site testing program and to support the vital roles of the Industry Liaison Officers in DHHS for the next 12 months as two vital initiatives to maintain safe work operations for the building, construction and development sector.

7. Conclusion

We will continue to assist the Victorian Government to maintain the building, construction and development industry as essential work and operate safe and healthy workplaces, and support efforts to simulate economic activity and recovery for all Victorians.

8. Participating unions and employer associations

	<i>Australian Institute of Building</i>	<i>Level 4, 332 Albert Street East Melbourne VIC 3002 Phone: 0412 326 898 Email: SReid@lusimon.com.au</i>
	<i>Australian Manufacturing Workers' Union (AMWU)</i>	<i>251 Queensberry Street Carlton VIC 3053 Phone: (03) 9230 5700 Email: amwu@amwu.org.au</i>
	<i>Air Conditioning & Mechanical Contractors' Association (AMCA)</i>	<i>30 Cromwell Street Burwood VIC 3125 Phone: (03) 8831 2800 Email: shannon.thomas@amca.com.au</i>
	<i>The Australian Workers' Union</i>	<i>685 Spencer Street West Melbourne VIC 3003 Phone: (03) 8327 0827 ben.davis@awu.net.au</i>
	<i>Construction, Forestry, Maritime, Mining and Energy Union (CFMEU)</i>	<i>540 Elizabeth Street Melbourne VIC 3000 Phone: (03) 9341 3444 Email: vicqueries@cfmeu.org</i>
	<i>Civil Contractors Federation (CCF)</i>	<i>9 Business Park Drive Notting Hill VIC 3168 Phone: (03) 9588 7600 Email: ccfvic@ccfvic.com.au</i>
	<i>Electrical Trades Union (ETU)</i>	<i>Level 1/200 Arden Street North Melbourne VIC 3051 Phone: (03) 8329 0000 Email: etu@etuvic.com.au</i>
	<i>Master Builders Victoria (MBV)</i>	<i>332 Albert Street East Melbourne VIC 3002 Phone: (03) 9411 4555 Email: ceo@mbav.com.au</i>
	<i>Master Plumbers</i>	<i>15/306-312 Albert Street Brunswick VIC 3056 Phone: (03) 9329 9622 Email: membership@plumber.com.au</i>
	<i>Prefab Aus</i>	<i>Phone: 0400165391 Email: anne.wilson@prefabaus.org.au</i>
	<i>National Fire Industry Association (NFIA)</i>	<i>PO Box 403 Petrie QLD 4502 Phone: 07 3882 2273 Email: info@nfia.com.au</i>
	<i>National Electrical and Communications Association (NECA)</i>	<i>12/222 Kings Way South Melbourne VIC 3205 Ph: (03) 9645 5533 Email: necavic@neca.asn.au</i>



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