

Public Health (COVID-19 Self-Isolation) Order (No 4) 2021

Critical worker exemption from the Public Health (COVID-19 Self-Isolation) Order (No 4) 2021 (*No 2*)

I, Elizabeth Koff, Secretary NSW Health and delegate of the Minister for Health, being satisfied that it is necessary to protect the health, welfare, safety and wellbeing of members of the public, grant the following exemption under clause 15 of the *Public Health (COVID-19 Self-Isolation) Order (No 4) 2021* (the **Order**).

- 1) A critical worker is exempt from clauses 7A and 8 of the Order for the purpose of attending work, subject to the following conditions:
 - a) Critical workers must only attend work if approved by or on behalf of their employer for the purposes of the exemption.
 - b) Critical workers must travel directly to and from their place of residence and their workplace(s).
 - c) Critical workers must wear a mask at all times in the workplace, unless eating or drinking or if the mask needs to be removed for safety reasons.
 - d) Critical workers must undergo daily Rapid Antigen Tests (**RATs**) for a period of 7 days from when they last had contact with the diagnosed person, and must notify their employer of each result.

Note – Any person who tests positive for COVID-19 following a RAT must immediately self-isolate for 7 days under clause 6 of the Order.

- e) If a critical worker has any symptoms of COVID-19, they must immediately self-isolate and may only return to work with evidence of a negative PCR test taken after the onset of symptoms.
 - f) Critical workers must comply with any other reasonable measures put in place by their employer to minimise the risk of transmission of COVID-19.
- 2) In this instrument, **critical worker** means a person listed in the table below:
 - a) whose absence from the workplace poses a high risk of disruption to the delivery of critical services or activities; and
 - b) who is unable to work from home,as determined by or on behalf of the person's employer.
 - 3) Where the list below specifies an activity, the effect is to exempt a critical worker employed or engaged to perform, or to provide services that are necessary for, that activity.
 - 4) For the purposes of this instrument, **employer** includes a person or body responsible for a volunteer worker.
 - 5) Employers should have reference to the [Critical worker self-isolation exemption guidance](#) available at nsw.gov.au.

Item	Sector	Exempted activity or person
1.	Public administration and safety	<ul style="list-style-type: none"> • a member of the NSW Police Force, Fire and Rescue NSW, the NSW State Emergency Service, or the NSW Rural Fire Service • a person who provides ancillary or support services to the work of an emergency services worker • the operation of correctional centres and community corrections • a person employed by Resilience NSW • a member of Surf Life Saving New South Wales, Volunteer Marine Rescue NSW, or New South Wales Volunteer Rescue Association Inc
2.	Health care and social assistance	<ul style="list-style-type: none"> • a person employed or engaged by the Department of Communities and Justice to provide housing or homelessness services, or child protection services • a community housing provider • a person employed or engaged to provide: <ul style="list-style-type: none"> ○ family violence and sexual assault services ○ drug and alcohol services
3.	Agriculture	<ul style="list-style-type: none"> • biosecurity and food safety personnel undertaking critical duties
4.	Manufacturing	<ul style="list-style-type: none"> • production and manufacturing of food, beverages, groceries, cleaning and sanitary products • food and fibre processing and manufacturing • manufacture of food and beverage packaging • manufacture of medical equipment, consumables and personal protective equipment • manufacture of pharmaceutical and blood products • manufacture of coffins and caskets
5.	Transport, postal and warehousing	<ul style="list-style-type: none"> • seaport operations • freight (air, sea, road and rail), logistics, postal, courier or delivery services: <ul style="list-style-type: none"> — including food logistics, delivery and grocery fulfilment — but not including home and office removals • export supply chain operators • distribution of food, groceries and sanitary products for sale by supermarkets, grocery shops or other shops that predominantly sell food or drinks • a person employed or engaged to work in retail premises that are supermarkets, grocery shops, or other shops that predominantly sell food and drinks to undertake shelf-packing or nightfill duties which do not require direct interaction with retail customers • warehousing

Item	Sector	Exempted activity or person
6.	Funerals	<ul style="list-style-type: none">• funeral, crematorium and cemetery services, and mortuaries and morgues
7.	Electricity, gas, water and waste services	<ul style="list-style-type: none">• electricity services• operation of energy systems• gas services• sale, supply and distribution of liquid fuels• water supply, sewerage, sanitation and drainage services• waste and resource recovery services (including collection, treatment and disposal services)
8.	Information, media and telecommunications	<ul style="list-style-type: none">• telecommunications services, internet service providers, web search portals and data processing services• data specialists and technicians• data storage• journalism and media services for news and other critical public communications purposes

Signed:



Elizabeth Koff

Secretary, NSW Health

14/1/22

Date and time:

8.45am