



3 April 2020

COVID-19 Questions and Answers

Rhonda Sherriff, NZACA Clinical Advisor

1) Can we up-skill our Registered Nurses in Venepuncture techniques (taking blood samples) if laboratories can no longer visit our facilities to take blood samples?

Answer:

Registered Nurses can take blood providing they have received full education, training and proven competency.

Some DHBs and training facilities have online venepuncture education available for staff to study. Providing there are competent trainers to teach, provide practical demonstrations, observe the RN's practice and sign them off as competent, then they can perform this procedure. This may be advantageous if laboratories cut services to aged care facilities during the COVID-19 outbreak.

2) I have two employees (Caregivers) who are over 70 and as fit as a fiddle. They have told me they will remain at home because the Government has said that everyone over 70 has to stay at home. I query this as the Government have also said that they would be asking retired nurses and doctors to work again. It puts me in a very difficult situation as far as having enough staff on the floor. I would really appreciate your thoughts on this matter.

Answer:

Many managers are facing the exact same problem as yourself with staff over 70 choosing not to work, resigning, or getting doctors medical certificates to put themselves off work during Alert Level 4.

The Government's announcement that people over 70 were more at risk of contracting COVID-19 due to weaker immunity is adding further difficulties for management to staff their facilities.

Firstly, I recommend that you review your employment contract to ensure you are completely familiar with the employment clauses that would pertain to this particular situation.

I suggest that you speak individually with each of your two staff members to ascertain their thoughts, fears and concerns, and be able to provide a level of support/understanding. Assure them that you will do all you can to protect them whilst working in the facility, should they then choose to carry on working.



If they have a health condition, then they will be required to present a medical certificate for the time frame they will be off on sick leave.

Ultimately it is their decision to determine whether they wish to continue working in a health setting, but they need to ensure they follow employment practice and don't just abandon their employment. Communication will be paramount in this atypical situation.

Further Answer to Question 2 - information supplied to the NZACA by Barrister Wendy Aldred, Stout Street Chambers:

The Government has announced a new COVID-19 payment that will be available to essential businesses for essential workers from Monday 6 April 2020 when the details will be made available. This new payment is intended to support essential workers who have to stay at home to comply with public health guidance, and whose employers are unable to keep paying them. ARC employers will be able to access this payment. View details [here](#).

The Health and Safety at Work Act 2015 applies to all workplaces, and all persons conducting a business or undertaking (PCBUs) (which will include the operators of rest homes) are required by the Act to take all reasonably practicable steps to keep workers safe. Workers also have a right to refuse to work if they reasonably believe their work to be unsafe.

Any person over 70 and any person with an underlying health condition who has a doctor's opinion saying they should not be at work during the COVID-19 situation has a reasonable claim to not be safe at work in the present circumstances. That is confirmed by the Government's general advice to all vulnerable persons to stay at home to avoid the risk of contracting the virus. An employer requiring any vulnerable person to come to work would be likely held to be in breach of their obligations under the law and could be the subject of significant penalties under the health and safety legislation.

Rhonda Sherriff, NZACA Clinical Advisor, is available for members to seek clinical advice between 9.00am and 5.00pm Monday to Friday (excluding public holidays) on 0800 445 200 or helpline@nzaca.org.nz.