

## COVID-19 Mandatory Vaccination Policy

*Yarriambiack Shire Council encourages a working environment which promotes gender equality and models non-violent and respectful relationships.*

**Note:** if a government direction, public health order or law requires your employees to be vaccinated against COVID-19, the terms of this policy are superseded.

### 1. Policy

- 1.1 The purpose of this policy is to minimise the risk of the COVID-19 virus being contracted or transmitted by employees, volunteers and contractors of Yarriambiack Shire Council in the course of their duties.
- 1.2 Employees, volunteers and contractors in the roles listed in the Appendix, who have been assessed as being at risk of exposure to COVID-19 in their role, following a risk assessment, will be required to be vaccinated against COVID-19 and provide proof of vaccination to Yarriambiack Shire Council unless a medical exemption applies. This includes proof of booster shots as required from time to time.
- 1.3 If a public health order that applies to some or all of Yarriambiack Shire Council's employees, volunteers and contractors comes into operation, Yarriambiack Shire Council and relevant employees, volunteers and contractors will be required to comply with the terms of that public health order.
- 1.4 Yarriambiack Shire Council has a duty to eliminate (and if that's not possible, minimise) risks to health and safety of employees and the public who come into contact with our employees, so far as is reasonably practicable in accordance with the Occupational Health and Safety Act 2004 (Vic). Although mandatory vaccination is not addressed by a specific health order at the time this policy was prepared, vaccination against COVID-19 is a reasonably practicable step available to minimise the very serious public health risk that the COVID-19 pandemic presents.
- 1.5 Importantly, vaccination against COVID-19 is not the only control measure Yarriambiack Shire Council has in place to protect employees, volunteers and contractors and others who may come into contact with employees against transmission of COVID-19. However, vaccination is a safe and highly effective measure.

### 2 Review

- 2.1 Because of the changing nature of the COVID-19 pandemic and the regulatory guidance in relation to the vaccine rollout in Australia is constantly evolving, this policy may need to be reviewed more regularly than Yarriambiack Shire Council's other workplace policies.
- 2.2 It will first be reviewed at least every 6 months for the first 18 months of operation and then at least annually thereafter.

### 3 Consultation

This policy has been implemented following consultation with our Occupational Health and Safety Committee and Consultative Committee.

### 4 Responsibilities

- 4.1 *Managers* – are responsible for:
  - having completed a risk assessment under clause 5 of this of this policy for their work area and all employees, volunteers and contractors under their supervision prior to the implementation of this policy;

- determining whether, in consultation with the Chief Executive Officer, vaccination against COVID-19 is required for some of all of the employees, volunteers and contractors in their work area on the basis of the risk assessment;
- in the event a risk assessment dictates that vaccination against COVID-19 is required, in conjunction with the Chief Executive Officer ensuring that leave arrangements are made for the vaccination of relevant employees, volunteers and contractors in accordance with this policy;
- ensuring that all employees, volunteers and contractors who are required to be vaccinated against COVID-19 under this policy have provided satisfactory evidence of vaccination and are not permitted to perform the duties which may risk exposure to COVID-19 until that evidence is received;
- keeping an updated register of vaccination status of employees, volunteers and contractors under their supervision, including provision of evidence of vaccination;
- ongoing review of control measures in place to minimise the risk of exposure to and transmission of COVID-19 in the workplace or in connection with work duties; and
- ensuring that any new positions which require COVID-19 vaccination are clearly advertised on that basis.

#### 4.2 Employees, volunteers and contractors – are responsible for:

- reading and complying with this policy;
- ensuring they comply with all control measures put in place by Yarriambiack Shire Council from time to time, to reduce the risk of transmission of COVID-19. Such measures may include wearing face masks, testing, social distancing, isolation and quarantine and may be required regardless of whether an employee is required to be vaccinated under this policy;
- alerting their Manager and the Chief Executive Officer as soon as possible in the event of another employee or person at the work premises failing to comply with measures in place to reduce the risk of transmission of COVID-19;
- in the event vaccination against COVID-19 is required for the employee’s role, being vaccinated and providing satisfactory evidence of vaccination;

#### 4.3 Chief Executive Officer – is responsible for:

- providing support to Managers in relation to the conduct of risk assessments and ensuring all Managers conduct a risk assessment by no later than 8<sup>th</sup> October 2021;
- providing support to Managers in dealing with queries or concerns raised by employees, including in relation to an unwillingness to be vaccinated;
- keeping an updated register of all risk assessments and roles and/or work areas in relation to which COVID-19 vaccination is required;
- providing support and guidance to employees in relation to their rights and obligations under this policy;
- ensuring that all employees who are required to be vaccinated against COVID-19 under this policy have provided satisfactory evidence of vaccination;
- keeping an updated register of employees who have been vaccinated, and evidence of vaccination;
- ensuring that appropriate control measures are implemented and regularly reviewed, to reduce the risk of transmission of COVID-19. Such measures may include wearing face masks, testing, social distancing, isolation and quarantine and may be required regardless of whether an employee is required to be vaccinated under this policy;
- collection of Exemption Applications under clause 1.2 of this policy.

## 5 Risk Assessments

- 5.1 Employees will only be required to be vaccinated against COVID-19 or provide evidence of vaccination, if, following a risk assessment, this is considered necessary in order to minimise a risk of exposure to COVID-19.
- 5.2 If a public health order requires employees to be vaccinated against COVID-19, a risk assessment (if not already completed) is not necessary in order for Yarriambiack Shire Council to require employees covered by the public health order to be vaccinated.
- 5.3 Managers should have regard to the following, in completing a risk assessment:
  - 5.3.1 the nature of the workplace;
  - 5.3.2 the nature of the duties required of the role;
  - 5.3.3 the extent of community transmission of COVID-19 (including variants of concern) in the location where work is performed;
  - 5.3.4 other control measures in place or available; and
  - 5.3.5 the current availability of vaccines.
- 5.4 Consideration of the above matters and any other relevant considerations must be documented in writing. A copy of the documented risk assessment should be provided to the Chief Executive Officer.

## 6 Notifying employees

- 6.1 If, following a risk assessment, and after consultation with the Chief Executive Officer, a Manager considers that vaccination against COVID-19 is required, all employees in the work area who are required to be vaccinated must be notified in writing and provided with a copy of the risk assessment.
- 6.2 Within **7 days** after receiving a notification under clause 6.1, employees must confirm in writing to their Manager whether:
  - 6.2.1 they have already received one or two doses of a COVID-19 vaccine approved for use in Australia – and if so, provide evidence of vaccination;
  - 6.2.2 they have an upcoming appointment to receive one or two doses of a COVID-19 vaccine – and if so, provide evidence of that appointment(s);
  - 6.2.3 they otherwise consent to being vaccinated and will make the necessary appointments to do so as soon as possible (in line with vaccine availability); or
  - 6.2.4 they are not vaccinated and for medical reasons cannot be vaccinated and wish to apply for an exemption (**Exemption**);
  - 6.2.5 they are not vaccinated and do not consent to being vaccinated for reasons other than medical reasons (**Refusal**).
- 6.3 Managers will follow up with any employees who have not provided a response under clause 6.2 and issue a written direction to respond to the notification within a further **2 days**. If an employee fails to respond within the further time period requested, they will be taken to have given a Refusal.
- 6.4 If a public health order requires employees to be vaccinated, or to have made a booking to be vaccinated, by a particular date, the timeframes required by the public health order will apply.

## 7 Vaccination and evidence of vaccination

- 7.1 All employees who are required to be vaccinated against COVID-19 following a risk assessment must, subject to vaccine availability, provide proof of vaccination, or first dose of vaccination, within **7 days** of being notified of the requirement. If this cannot reasonably be achieved, employees should discuss with their Manager the steps taken to be vaccinated and the likely time required to obtain an appointment.

- 7.2 The time by which employees are required to be fully vaccinated will be determined based on the recommendation of the Australian Technical Advisory Group on Immunisation (**ATAGI**) as to the time between doses of vaccines approved for use in Australia. Employees should keep their Manager regularly updated as to their progress in this regard.
- 7.3 All employees who are required to be vaccinated against COVID-19 may also be required to provide evidence of vaccination with a booster shot, as advised by Yarriambiack Shire Council at a relevant time. A requirement to obtain a booster shot will be based on the recommendations of ATAGI.

## 8 Refusals

- 8.1 Employees who are required to be vaccinated under this policy and who do not comply with the requirement to be vaccinated (in accordance with clauses 6.2 and 7 above) may be subject to disciplinary action, up to and including termination of employment.
- 8.2 This clause does not apply to any employee granted a medical exemption under clause 9.
- 8.3 A staff member who refuses to be vaccinated will have access to their annual or long service leave or if they have exhausted their leave entitlements, up to twelve weeks unpaid leave if requested.


## 9 Medical Exemptions

- 9.1 Employees who wish to apply for an exemption to the requirement to be vaccinated must provide sufficient information and supporting evidence, if applicable, to their Manager and Chief Executive Officer as soon as possible after receiving a notification under clause 6.1.
- 9.2 Exemptions will be considered on a case-by-case basis by the Manager and Chief Executive Officer and must be in accordance with the medical practitioner requirements set down by the Victorian State Health Directions.
- 9.3 Employees who are granted an exemption may be required to perform safe or alternative duties for periods of time, depending on the degree of risk of exposure to COVID-19. Additional control measures may be required including working from a different location, testing and/or eating and drinking only in specified locations.

## 10 Information collected under this policy

All information, including health information, collected under this policy will be treated confidentially, so far as is possible.

CEO Approved Policy

<b>Adopted:</b>	CEO Approved Date	CEO Name	CEO Signature
	28 October 2021	Jessie Holmes	
<b>Reviewed:</b>	28 April 2022		

## Appendix

As at October 2021

<b>Role</b>	<b>Workplace Location</b>	<b>Risk Assessment</b>
Heavy and Medium Plant Operator	Various	Covid 19 Mandatory Vaccination Direction No 5 – Section 9, Part 2
Town Maintenance	Various	Covid 19 Mandatory Vaccination (Workers) Direction
Mechanics	Various	Covid 19 Mandatory Vaccination Direction No 5 – Section 9, Part 2
Supervisors	Various	Covid 19 Mandatory Vaccination Direction No 5 – Section 9, Part 2
Cleaners	Various	Covid 19 Mandatory Vaccination (Workers) Direction
Local Laws Officers	Various	Covid 19 Mandatory Vaccination (Workers) Direction
Emergency Management Officers	Various	Covid 19 Mandatory Vaccination (Workers) Direction
Saleyards Officers	Saleyards, Warracknabeal	Covid 19 Mandatory Vaccination (Workers) Direction
Landfill Operators	Various	Covid 19 Mandatory Vaccination (Workers) Direction
Community Care Workers	Various	Covid 19 Mandatory Vaccination (Workers) Direction
Early Childhood Educators	Various	Covid 19 Mandatory Vaccination Direction No 5 – Section 9, Part 4
Project and Engineering Officers	Various	Covid 19 Mandatory Vaccination Direction No 5 – Section 9, Part 2
Pool Lifeguards	Hopetoun	Covid 19 Mandatory Vaccination (Workers) Direction
Statutory Staff	Various	Covid 19 Mandatory Vaccination Direction No 5 – Section 9, Part 2
Library Officers	Various	Covid 19 Mandatory Vaccination (Workers) Direction
Assessment Officer	Various	Covid 19 Mandatory Vaccination (Workers) Direction
Customer Service Officers	Office, Warracknabeal	Covid 19 Mandatory Vaccination (Workers) Direction
Caravan Park Attendants	Various	Covid 19 Mandatory Vaccination (Workers) Direction
Non Physical employees (Corporate)	Various	Covid 19 Mandatory Vaccination (Workers) Direction
Maternal Child Health Nurses	Various	Covid 19 Mandatory Vaccination Direction No 5 – Section 9, Part 3
Volunteers	Various	Covid 19 Mandatory Vaccination (Workers) Direction
Contractors	Various	Covid 19 Mandatory Vaccination Direction No 5 – Section 9, Part 2 and Covid 19 Mandatory Vaccination (Workers) Direction