

# WACOSS COVID-19 Vaccination Policy

<b>POLICY CREATED</b>	November 2021
<b>LAST MODIFIED</b>	15 November 2021
<b>SCOPE</b>	Whole Organisation
<b>RELATED DOCUMENTS</b>	Leave Procedure Fitness for Work Policy Performance Management Procedure Code of Ethics and Conduct Agreement Occupational Health & Safety Policy WACOSS Staff Agreement 2018
<b>LEGISLATION</b>	Australian Human Rights Commission Act 1986 (Cth) Fair Work Act 2009 (Cth) Occupational Safety and Health Act 1984 (WA) to be replaced by the Work Health and Safety Act 2020 (WA) when they come into effect Privacy Act 1988 (Cth) Public Health Act 2016 (WA)

## 1. Purpose

This policy applies to all WACOSS staff, volunteers, interns and contractors who may be performing work on behalf of WACOSS or working from WACOSS offices.

- 1.1 WACOSS is deeply committed to keeping our people, stakeholders and communities as safe as possible and recognises that in the current environment, COVID-19 vaccination is an essential element of our overall COVID-19 response planning.
- 1.2 The purpose of this policy is to ensure that reasonable preventive measures are taken to protect the health and safety of our workforce, their families, our stakeholders we work with and our communities in relation to the transmission of COVID-19.
- 1.3 We recognise the medical and scientific advice that affirms the role immunisation plays in protecting the community in the event of an outbreak of COVID-19. We also recognise that the extent of protection conferred by vaccination may be subject to change due to the evolving nature of the COVID-19 virus, and therefore flexible adaptation of all policy measures is key.
- 1.4 This policy outlines WACOSS's position on COVID-19 vaccinations in order to ensure that measures are implemented to:

- 1.4.1 comply with any applicable Public Health Orders, legislation or regulations;
- 1.4.2 mitigate risks to health and safety of all staff who need to attend WACOSS's premises and stakeholder sites;
- 1.4.3 mitigate risks to the health and safety of persons who come into contact with WACOSS as part of their work; and
- 1.4.4 be consistent with current Commonwealth and State health messaging regarding the national COVID-19 vaccination program, including content found on State and Commonwealth Department of Health websites.

## 2. Definitions

In this policy, the following terms have the meaning as set out below:

**Approved Vaccine** means any COVID-19 vaccination that has been registered or provisionally registered for use in Australia by the Therapeutic Goods Administration.

**Fit for work** means that an individual is in a state (including physical, mental, and emotional) which enables them to perform the inherent requirements of their role in a competent manner which does not compromise the health and safety of themselves or others.

**Fully Vaccinated** means having obtained the manufacturer's recommended dosage of any Approved Vaccine. For example, where a two-dose schedule is recommended by the manufacturer, a person will be considered fully vaccinated when they have received both doses of the vaccine.

This extends to obtaining booster doses as they become available in line with public health advice.

**Medical Exemption** means a medical exemption to an Approved Vaccine recorded on the Australian Immunisation Register and displayed on the individual's Immunisation History Statement.

**Physical health** refers to the well-being of the body and the proper functioning of an individual's internal and external body parts.

**Public Health Order or PHO** is a public health directive made under the Public Health Act 2016 (WA).

**Vaccination Certificate** is The Australian Government COVID-19 digital certificate or COVID passport. WACOSS will accept for these purposes a copy of Employee Immunisation History Statement, or alternatively a copy of their COVID-19 Digital Certificate (both of which can be obtained through the MyGov account portal).

**Workers** are individuals engaged on a monetary or volunteer basis, and includes contractors, students, interns, sub-contractors, board members, or any person serving on a WACOSS committee or in an advisory position.

**Workplace** includes any location a WACOSS employee goes, or is likely to be, within the course of their work.

### 3. Policy background and Public Health Orders

- 3.1 There are Public Health Orders which apply to Community Services sector which will limit the ability of unvaccinated employees to perform work at their workplaces. Although WACOSS employees are not mandated under current PHO's, a large proportion of our work is performed in collaboration with our members and sector partners who deliver direct services to vulnerable people and are mandated under PHOs.
- 3.2 Under the relevant PHOs, any sector employees, volunteers, students and interns who work at or regularly attend work sites performed by the Care Services which support vulnerable individuals or communities are required to be vaccinated by the below timeframes to work at these sites or with the vulnerable groups. Specifically, **Workers** are required to adhere to the following deadlines to access those facilities:

Tier	First dose deadline	Second dose deadline
Group 1	1 December 2021	1 January 2022

- 3.3 The vaccination requirements under the WA PHOs will impact various WACOSS stakeholders, members and partners. Please read [Community Care Services Worker \(Restrictions on Access\) Directions](#) published by WA Department of the Premier and Cabinet on 8<sup>th</sup> of November 2021.
- 3.4 In developing this policy WACOSS management surveyed and consulted staff to ensure the policy adhered with WACOSS's values, EBA and was fair and reasonable in our endeavours to keep the workplace safe.

### 4. WACOSS direction to employees

- 4.1 While the pandemic risk remains high, and as determined by public health advice for Community Care Services, workers will be required, as a condition of employment and entry to WACOSS work sites to maintain fully vaccinated status against COVID-19 unless the worker has an exemption in accordance with this policy, as set out below.
- 4.2 Full COVID-19 vaccination status may also extend to include getting booster doses of the COVID-19 vaccine as per public health guidelines.
- 4.3 From the date of this policy and on a temporary basis and until WACOSS determines otherwise, only employees who are vaccinated against COVID-19 or comply with the requirements in section 6 below will be permitted to attend the Workplace, and any stakeholder premises.
- 4.3 Specifically, all Employees will be required to be vaccinated to attend the Workplace by the following timeframes:

The <b>first COVID-19 vaccine dose</b>	<b>By 1 December 2021</b>
The <b>second COVID-19 vaccine dose</b>	<b>By 1 January 2022</b>

- 4.4 WACOSS recognises that, generally, personal health management falls outside of employment and is an employee's own concern. However, health related matters that are determined, through risk assessment, to have the potential to impact the health and safety of Workers and others, require WACOSS to take a considered policy approach. As part of the duty of care in relation to health and safety, Workers are expected to follow these requirements.

- 4.5 In the current COVID-19 pandemic environment, WACOSS recognises the critical importance of a significant level of the population being vaccinated to reduce the spread, severity, and fatal impacts of the virus.
- 4.6 As of 1 January 2022, it will be a requirement that all WACOSS employees must be fully vaccinated against COVID-19 to attend our Workplaces, unless they have been granted an exemption by WACOSS in accordance with this policy.

## **5. Evidence of vaccination and consent to disclose**

- 5.1 In order for WACOSS to permit an employee to attend a Workplace by the relevant timeframes listed above in sections 3 and 4, employees must first:
  - 5.1.1 provide evidence in the form of a Vaccine Certificate, or alternative evidence that WACOSS deems to be acceptable, of being fully vaccinated unless an exemption has been provided in accordance with this policy;
  - 5.1.2 consent to WACOSS collecting information about the employee's vaccination status and, if required by public health directions, evidence of their vaccination status; and
  - 5.1.3 consent to WACOSS disclosing the Worker's vaccination status and evidence of that status to relevant State government agencies only in the event that this is specifically required by public health directions.
- 5.2 These documents should be sighted by Manager Corporate Services and declaration signed by each employee.
- 5.3 If an employee does not provide WACOSS with evidence of their COVID-19 vaccination status and consent to collect and disclose that status, this policy serves as a direction to that employee not to attend a Workplace in line with this policy unless otherwise directed by WACOSS.
- 5.4 Prior to commencing work for WACOSS, all prospective workers are required to provide evidence of full COVID-19 vaccination or valid exemption in accordance with this policy.

## **6. Exemptions**

- 6.1 WACOSS understands that not all workers will be able to receive an Approved Vaccine, including due to medical conditions for which there is a Medical Exemption to receiving any of the Approved Vaccines. Further information on Medical Exemptions can be found [here](#).
- 6.2 Any Worker who have such a medical condition are required to provide medical evidence satisfactory to WACOSS of the medical condition and the reason for which they are unable to receive any of the Approved Vaccines.
- 6.3 Any medical certificate provided in this respect must be issued by a duly qualified medical practitioner with a current and valid registration and must clearly identify the medical condition and specify that the employee's medical condition gives rise to a Medical Exemption in respect

of all Approved Vaccines. Where a PHO applies, exemptions can only be granted in accordance with the terms of the applicable PHO.

- 6.4 WACOSS reserves the right to contact the issuing medical practitioner to verify the authenticity of any such medical certificates.
- 6.5 Requests for an exemption will be considered by WACOSS on a case-by-case basis, with consideration given to the inherent requirements of the role, and any reasonable adjustments that may be made, as well as any applicable PHOs to the employee's role.
- 6.6 In order to ensure the health and safety of employees at WACOSS's workplaces, individuals granted an exemption may be subject to conditions or restrictions related to their job, facility access and/or safety requirements (e.g., masking, tests etc).
- 6.7 In the limited instance of an exemption being provided which is not on the basis of medical grounds, employees who are not fully vaccinated against COVID-19 will not be entitled to COVID-19 related additional benefits like COVID-19 Leave.

## **7. Confidential Register**

- 7.1 Any information provided to WACOSS in accordance with this policy will be treated confidentially, and will be used only for ensuring compliance with this policy.
- 7.2 WACOSS will keep a confidential register of the vaccination status of all employees and volunteers who are required to have an immunisation. Any employee will be able to view the information we hold on their vaccination status upon request.
- 7.3 Any employee who provides information to WACOSS in accordance with this policy is expected to provide accurate and truthful information. Failure to do so will be considered serious misconduct and may result in termination of employment.

## **8. Assistance**

- 8.1 WACOSS understands that some workers and community members may have a hesitancy to vaccinate on the advice of medical and government orders due to historical injustices. While WACOSS is deeply empathetic to these institutional impacts, we are committed to ensuring the safest possible work sites and communities
- 8.2 WACOSS will assist a worker to access accurate and culturally appropriate advice regarding vaccines via:
  - A support person
  - A community or cultural leader or consumer peak body who champions vaccination; and
  - Providing access to the WACOSS Employee Assistance Program.

Workers can also use widely available resources such as

Online: [www.rollup.wa.gov.au](http://www.rollup.wa.gov.au)

Or

[Call 13 COVID \(13 268 43\)](#)

- 8.3 WACOSS will provide access for up two days unpaid leave for the purpose of seeking counsel and support on COVID-19 vaccinations. Additional unpaid leave can be considered on a case-by-case basis.
- 8.4 Assistance may include amending working times while being mindful of needs and disruption to work requirements
- 8.5 Workers may use ordinary working hours to be vaccinated. Workers are to record the time taken as ordinary working hours on their timesheet
- 8.6 Personal leave (if part-time or full-time employee) may be used to support recovery from any vaccine side effects. Should full-time or part-time employees not have sufficient personal leave available, consideration of additional support may be given on a case-by-case basis.

## 9. Compliance

- 9.1 WACOSS will take all reasonable and pro-active steps to ensure staff are fully informed and supported to be fully vaccinated.
- 9.2 WACOSS will issue a letter to employees regarding our intent to implement the policy and provide a copy of the policy with the letter
- 9.3 Employees of WACOSS who refuse to be vaccinated or provide evidence of vaccination and do not have an approved medical exemption, the following steps may apply:
  - 1 on 1 conversation with your line manager with/and a support person of the employee's choice
  - Explore taking extended personal leave
  - Explore taking extended unpaid leave
  - Discussing a change in specified duties
  - Discuss if the person's duties can be successfully carried out at home
  - Reduce working hours to reflect the change in work location and duties
- 9.4 In the event a mutually agreed resolution cannot be arranged as outlined in 9.3, the employees will face disciplinary action in line with WACOSS EBA which may include termination of employment.
- 9.5 For all other employees, compliance with this policy is a condition of accessing any of WACOSS workplaces or workplaces of WACOSS stakeholders where COVID-19 vaccination is mandatory. For more information about the disciplinary process please refer to the Performance Management Procedure. Workers are encouraged to seek guidance and support from their direct manager or the Manager Corporate Services.

## 10. Operation of the policy

WACOSS will be continuously monitoring and assessing the operation of this policy in line with the latest information from Government and health authorities. WACOSS may amend, withdraw or replace this policy from time to time at its sole discretion.

## 11. Recruitment

All new workers recruited and potential workers will be made aware of WACOSS's Vaccination policy prior to any formal contract entered into.

## 12. Version Control

Version	Date	Approved By	Amendment
1	15 November 2021		Newly created policy