

Draft COVID-19 Mandatory Vaccination Policy

COUNCIL POLICY	
Document ID	744950
Policy owner:	Chief Executive Officer
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Related Policies & Procedures:	Covid safe departmental plan Risk assessment for the function/team/department Working From Home CEO Directive Disciplinary CEO Directive

1. Policy

- 1.1 The purpose of this policy is to minimise the risk of coronavirus (COVID-19) being contracted or transmitted by employees of Strathbogie Shire Council (**Council**) in the course of their duties.
- 1.2 Employees, volunteers and contractors in the roles listed in the Appendix 1, 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 Council unless an 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 Council's employees comes into operation, Council's and relevant employees, contractors and volunteers will be required to comply with the terms of that public health order (refer Appendix 2 for a summary of the current public health orders).
- 1.4 All visitors to Council workplaces are required to be vaccinated against COVID-19 and provide proof of vaccination to Council prior to entry to a Council workplace unless an exemption applies.
- 1.5 If a public health order that applies to some or all of the visitors to Council workplaces comes into operation, visitors will be required to comply with the terms of that public health order.
- 1.6 Council has a duty to eliminate (and if that's not possible, minimise) risks to health and safety of employees, contractors, volunteers and members of the public who come into contact with other employees, Councillors, contractors and volunteers, so far as is reasonably practicable in accordance with the *Occupational Health and Safety Act 2004* (Vic). Vaccination against COVID-

19 is a reasonably practicable step available to minimise the very serious public health risk that the COVID-19 pandemic presents and ensures Council policy aligns with public health orders.

- 1.7 Importantly, vaccination against COVID-19 is not the only control measure identified in the risk assessments undertaken across the organisation (for each service and function) Council has in place to protect employees, volunteers and contractors and members of the community who may come into contact with them 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 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

- 3.1 This policy has been implemented following consultation with our Health and Safety Committee, Health and Safety Representatives, Councillors, Unions, employees and volunteers.

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 (CEO), Corporate Risk Officer and Executive Manager People & Culture, 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 CEO and the Corporate Risk Officer and Executive Manager People & Culture, ensuring that 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;

- ensuring that there are systems in place that are proactively implemented to ensure that all visitors to the workplace comply with this policy;
- ensuring that any unvaccinated employees, volunteers and contractors are provided with safe alternative duties, (where practicable – refer to clause 8.2), in accordance with this policy;
- ensuring that any unvaccinated visitors are provided with appropriate alternative service arrangements to ensure they still receive Council services;
- assisting the People and Culture department in the keeping of 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 and that the position description for the role makes this requirement clear.

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 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;
- if required, comply with any direction to perform alternative duties whilst their COVID-19 vaccination is being arranged or confirmed;
- alerting their Manager and their Executive Leadership Team representative or the CEO as soon as possible in the event of another employee, volunteer, contractor 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 **Corporate Risk Officer and Executive Manager People & Culture are 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 Friday 22 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, volunteers or contractors 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 10 of this policy.

5. Risk Assessments

- 5.1 Employees, contractors, volunteers and visitors to Council workplaces 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, volunteers, contractors and visitors to be vaccinated against COVID-19, a risk assessment (if not already completed) is not necessary in order for **Council** to require employees, volunteers, contractors and visitors 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 the extent of interaction with other staff, Councillors, Contractors, volunteers and members of the public in the conduct of their staffs' daily duties as set out in position descriptions
 - 5.3.5 other control measures in place or available; and

- 5.3.6 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 Corporate Risk Officer.

6. Notifying employees, contractors, volunteers and visitors

- 6.1 If, following a risk assessment, and after consultation with the CEO, a Manager considers that vaccination against COVID-19 is required, all employees, contractors and volunteers 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, volunteers or contractors 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 or other reasons (**Refusal**).
- 6.3 Managers will follow up with any employees, volunteers or contractors 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, volunteers or contractors 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.
- 6.5 If, following a risk assessment, and after consultation with the CEO, a Manager considers that vaccination against COVID-19 is required, all visitors to a Council workplace must be given notice through information on Council's website, notices on the doors and windows at the entries to Council workplaces of the requirements to show vaccination status, to be double vaccinated or have an exemption to enter the building.
- 6.6 Council must provide written information and notice to visitors and the community as to what alternative service arrangements are in place for people who are not vaccinated so as to avoid the need to enter the Council

workplace while ensuring services are still provided to all members of the community.

7. Vaccination and evidence of vaccination

- 7.1 All employees, volunteers and contractors 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 **7days** of being notified of the requirement. If this cannot reasonably be achieved, employees, volunteers and contractors 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, volunteers and contractors 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, volunteers and contractors should keep their Manager regularly updated as to their progress in this regard.
- 7.3 All employees, volunteers and contractors 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 Council at a relevant time. A requirement to obtain a booster shot will be based on the recommendations of ATAGI.
- 7.4 Council will continue to provide employees with half a day's leave in order to attend their vaccination appointment so that you are able to be vaccinated without loss of pay.
- 7.5 Visitors to Council workplaces must show their vaccination status prior to entering the workplace either through the Services Victoria Covid app, a hard copy vaccination certificate or a certified medical exemption document.

8. Alternative Duties

- 8.1 Employees who are required to be vaccinated against COVID-19 may be directed to:
- 8.1.1 perform those duties of their role which do not give rise to a risk of exposure to COVID-19; or
- 8.1.2 perform safe alternative duties,
- until such time as they have provided proof of vaccination against COVID-19 to their Manager.
- 8.2 Decisions around the suitability of alternative duties will be reliant on Council's capacity to support alternative work and the requirements of the employee's job description, along with the operational impacts of the staff member being transferred to alternative duties.

9. Refusals

- 9.1 Employees, contractors or volunteers 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. They may also be directed to perform alternative duties under clause **Error! Reference source not found.** on a temporary or permanent basis.
- 9.2 This clause does not apply to any employee, contractor or volunteer granted an exemption under clause 10.
- 9.3 Each case will be considered and determined on a case-by-case basis in accordance with Councils Disciplinary CEO Directive.

10. Exemptions

- 10.1 Employees, volunteers and contractors 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 Executive Manager People & Culture as soon as possible after receiving a notification under clause 6.1.
- 10.2 Exemptions will be considered on a case-by-case basis by the Manager, Executive Manager People and Culture and CEO.
- 10.3 Council will apply the exemption definitions and exemption criteria as set out under the current public health directions for the State of Victoria.
- 10.4 Employees, volunteers and contractors 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.
- 10.5 Decisions around the suitability of alternative duties will be reliant on Council's capacity to support alternative work and the inherent requirements of the employee's job description, along with the operational impacts of the staff member being transferred to alternative duties.

11. Information collected under this policy

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

Information will also be handed in accordance with applicable privacy and/or health information laws. Copies of vaccination certificates and vaccination data will need to be sighted, however copies of these documents will not be stored on our systems and Council's IT department will remove any related email transactions from the server.

12. Revision History

<i>Date</i>	<i>Version</i>	<i>Revisions</i>
October 2021	1.0	April 2022

Appendix 1

Informed by Risk Assessments as at 21 October 2021

Role (area)	Workplace Location
All staff	Euroa Civic Centre
	Euroa Community Cinema
	Euroa Operations Depot
	Nagambie Operations Depot
	Resource Recovery Centres (five locations)
	Maternal Child Health Centres
	Nagambie Visitor Information Centre
	All other Council facilities

Appendix 2

Summary of Public Health Orders and supporting directives from the Victorian State Government

- [COVID-19 Mandatory Vaccination \(Workers\) Directions \(No 2\).pdf \(dhhs.vic.gov.au\)](#)
- [COVID-19 Mandatory Vaccination \(Specified Facilities\) Directions \(No 7\).pdf \(dhhs.vic.gov.au\)](#)
- COVID-19 Maternal and Child Health and Early Parenting Centres - Regional Victoria
21 October 2021 V41

Construction

- Employees and contractors to provide evidence of meeting the first vaccination deadline of 2 October 2021
- Employees and contractors to provide evidence of meeting the second vaccination deadline of 13 November 2021.

Authorised Worker

- Employees, volunteers and contractors to provide evidence of vaccination status by 15 October 2021
- Employees, volunteers and contractors to provide evidence of meeting the first vaccination deadline of 22 October 2021
- Employees, volunteers and contractors to provide evidence of meeting the second vaccination deadline of 26 November 2021.