

Purpose

This policy statement outlines Life Without Barriers (LWB) policy regarding COVID-19 vaccination. It should be read in conjunction with any relevant Public Health Orders for each jurisdiction (as varied or in force from time to time).

Scope

This policy applies to:

1. All employees who perform work for LWB.

This policy is effective from 11 May 2022, noting that Government Directions / Public Health Orders may apply additional vaccination requirements for certain workers.

It is the responsibility of every person within the scope of the policy to ensure they comply with the requirements of this policy.

Failure to adhere to this policy and related procedures, all relevant Government Directions / Public Health Orders or a related reasonable and lawful direction can lead to a direction not to attend LWB premises and/or disciplinary action up to and including termination of employment.

Definitions

Vaccine - For the purposes of this policy, unless specified otherwise, the term “vaccine” refers to one or more of the COVID-19 vaccines approved by Therapeutic Goods Administration (TGA) for use in Australia, from time to time.

Vaccinated - For LWB employees, “vaccinated” means two (2) doses of any COVID-19 vaccine.

Vaccination Policy

It is a condition of employment to be “vaccinated” against COVID-19 unless an authorised medical exemption applies. An authorised medical exemption is defined as being those conditions which are prescribed by the Australian Technical Advisory Group (ATAGI) as temporary or permanent medical contraindications for vaccination.

Where possible, LWB strongly encourages employees to maintain an “up-to-date” COVID-19 vaccination status in line with the latest recommendations from ATAGI.

This policy is consistent with the legal obligation of Life Without Barriers to take steps to protect the health and safety of its workers and other persons impacted by its operations. Specifically, it is consistent with an attempt by Life Without Barriers to eliminate, or if that is not reasonably practicable, to minimise the risk of exposure to COVID-19 to persons arising from or in the workplace; and, in the case becoming COVID-19 positive, to reduce the health impact on the person.

Policy Background

This vaccination policy strengthens the suite of COVID safe measures within LWB which may be adjusted over time in accordance with risk and required controls.

The World Health Organisation (WHO), Centres for Disease Control and Prevention (CDC), the Australian Government Department of Health and Work Safe Australia unanimously advise that the key benefits of COVID-19 vaccination include:

1. Significantly lower risk of severe illness and death from COVID-19; and
2. Reducing the likelihood of transmission – contracting the virus in the first instance and spreading it to others.

Given that vaccination is generally safe and widely available it is the position of LWB that when considered in conjunction with other controls such as social-distancing, increased PPE, and good personal hygiene, vaccination is a vital measure to reduce the impact of COVID-19 on individual employees and clients, and effectively reduce the transmission of COVID-19 and the risk to others.

Record Keeping – COVID-19 Vaccination

Obtaining Consent to Record COVID-19 Vaccination Status

All employees will be requested to complete the Staff COVID-19 Vaccination Status Record form to provide their written consent before providing LWB with their COVID-19 vaccination status. A record of this completed form will be kept on the employee's file.

LWB respects the privacy of its employees and ensure that vaccination information is treated in accordance with the relevant state and federal privacy legislation. It may be used for the purposes of managing compliance, risk and related workforce planning.

Employees who provide the required vaccination evidence without also completing the written consent form will be deemed to have provided consent by virtue of submitting their vaccination evidence to LWB.

An employee who declines to give consent for LWB to record their COVID-19 vaccination status will be deemed as unvaccinated against COVID-19 and managed in accordance with this policy.

Existing Employees and Evidence

Employees are required to provide valid proof of COVID-19 vaccination, such as the MyGov Digital Vaccination Certificate or an Immunisation History Statement routinely and may be required to update that information when requested LWB, to ensure records are current and accurate.

As an alternative to providing proof of COVID-19 vaccination, an employee may provide evidence of an authorised medical exemption in accordance with the requirements set out in this Policy, below.

Employees who require further information in relation to their own health should consider obtaining advice from a medical practitioner prior to receiving a COVID-19 vaccination.

New Employees Evidence

As part of the onboarding process, all new employees will need to provide valid evidence of their COVID-19 vaccination or authorised medical exemption in accordance with the requirements set out in this Policy below.

Record Management

Employee COVID-19 vaccination records will be kept and stored securely by LWB in accordance with Commonwealth *Privacy Act* (1988).

The LWB COVID Response Unit has responsibility to manage employee COVID-19 vaccination records. LWB will limit its use and disclosure of a person's vaccination status to what is reasonably necessary to prevent and manage COVID-19 safety and workforce planning and to comply with any Direction from government bodies or regulators.

Medical Exemptions – COVID-19 Vaccination

Employees who are unable to receive the COVID-19 vaccination due to medical contraindications as defined by ATAGI, can have their eligible health professional apply for an Australian Immunisation Register (AIR) – immunisation medical exemption which LWB will accept as evidence of same.

Any costs associated with obtaining evidence of a medical exemption is the responsibility of the person claiming the exemption.

Where an employee provides LWB with evidence of a medical exemption, a risk assessment will be undertaken to determine if they can safely undertake their work and/or determine if any additional risk mitigation measures are required, including identifying any other suitable duties. LWB may require an employee to undergo a medical assessment, with a medical expert of its choosing and at LWB's expense, for the purpose of obtaining additional information regarding the basis or nature of any medical exemption claimed.

Failure to comply with Employee COVID-19 Vaccination Policy

A disciplinary process (which may lead to termination of employment) will be commenced for employees who:

- decline to be COVID-19 vaccinated in accordance with any Government Directions / Public Health Orders that apply to them;
- otherwise fail to comply with a lawful and reasonable direction related to COVID-19 vaccination;
- fail to comply with this policy, including but not limited to:
 - not receiving a COVID-19 vaccination;
 - not obtaining and/or providing evidence of a valid medical exemption;
 - failing to provide LWB with valid evidence of their COVID-19 vaccination status;

Following the disciplinary process, a decision will be made by LWB regarding the employee's ongoing employment.

COVID-19 Post Vaccination Personal (Sick) Leave

If an employee is unwell following a COVID-19 vaccination, they will be entitled to access any accrued personal (sick) leave in the same way as they normally do. If the employee has exhausted their paid personal (sick) leave or does not have an entitlement to paid personal leave, all employees (including casuals) will be entitled to up to two (2) days (pro rata for casual or part time employees) of additional COVID-19 Vaccination Sick Leave on presentation of a medical certificate stating the illness was subsequent to a COVID-19 vaccination. Payment will be based on the base rate of pay (excluding any allowances, penalties, or loadings) for the ordinary hours staff were rostered to work during the period of vaccine sick leave.

The Additional COVID-19 Vaccination Sick Leave is a total amount of up to two (2) days maximum (pro-rata).

Related LWB Policy, Guidelines and Procedures

The following LWB Policies, Guidelines and Procedures are related, impacted or subordinate to this policy.

1. Work Health and Safety Policy Statement
2. COVID-19 Post Vaccination Personal (Sick) Leave
3. Staff COVID-19 Vaccination Status Record
4. Risk Assessment and Management Policy Statement and Guideline
5. Legal and Regulatory Compliance Policy Statement

6. NDIS Code of Conduct
7. Human Resources Policy Statement
 - a. Code of Conduct
 - b. Talent and Attraction Policy Guideline
 - c. National Probity and Suitability Checking Policy Guideline