

COVID-19 VACCINATION POLICY

POLICY ADMINISTRATION

Dates	Policy approved 26/10/2021 This Policy is effective from 26/10/2021 Policy is due for review October 2024
Approved by	Executive on 26/10/2021 (EXE134-21)
Policy Type	<input checked="" type="checkbox"/> Executive Policy <input type="checkbox"/> Council Policy
Exhibition Period	All employee survey 08/09/2021 Raised at Consultative Committee 08/09/2021 Policy distributed to all employees 28/09/2021 'Gail Goes Live' Q&A session 28/09/2021 WHS Committee 06/10/2021 Engineering Operations WHS Committee 13/10/2021 Consultative Committee 13/10/2021 All feedback considered up to 26/10/2021 Considered for final approval by Executive Team 26/10/2021
Policy Owner	Head of Work Health and Safety
Related Documents	Work Health and Safety Policy COVID-19 Safety Plans Register Leave Policy Flex-Fit Policy
References & Legislation	Work Health and Safety Act 2011 (NSW) NSW Work Health and Safety Regulation 2017 Local Government State Award 2020 NSW Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order 2021
Document Identifier	Policy #: Pol-082.01 Doc #: D21/252761
Breaches of Policy	Breaches of any policy will be dealt with and responded to in accordance with Council's Code of Conduct and Disciplinary Policy and the Local Government State Award.
Record Keeping	All documents and information obtained in relation to the implementation of this Policy will be kept in accordance with the NSW State Records Act 1998, Georges River Council's Corporate Records Policy, Georges River Council's Privacy Management Plan and adopted internal procedures.

PURPOSE

The health and safety of the Georges River Council (**Council**) Workers and community is paramount.

This policy aims to minimise the risk of the acute respiratory syndrome coronavirus 2 (SARS-CoV-2, or COVID-19) being contracted and/or transmitted by Council workers in the course of their duties and to assist Council in ensuring, so far as is reasonably practicable, that the health and safety of our workers and anyone who comes into contact with our workers is not put at risk. COVID-19 is a highly contagious and potentially fatal disease which has been transmitted across workplace settings.

Because of these factors, there is a material risk to the health and safety of Council Workers who attend to work at Council premises or workplaces. This Policy is a proportionate response to that risk.

The purpose of this Policy is to:

- minimise the incidence and risk of workplace transmissions of COVID-19
- assist Council to adopt best practice standards in doing so
- minimise disruptions to the essential services we provide to the community
- minimise the impact of COVID-19 on Council's financial sustainability (in particular on cash-flows), and
- allow Council to meet its obligations under any policy directive from the Commonwealth and/or New South Wales Government.

SCOPE

This Policy applies to all Workers and Other Persons at the Workplace.

DEFINITION OF TERMS

Term	Meaning
Council	Means Georges River Council
COVID-19	Means infection and/or disease caused by the SARS-CoV-2 virus.
Approved COVID-19 Vaccine	Means a vaccine against COVID-19 that has been approved by the Therapeutic Goods Administration or World Health Organisation.
Evidence of Vaccination	Includes a record of full COVID-19 vaccination (two doses) with an Approved COVID-19 Vaccine through provision of an official Government Immunisation History Statement or COVID-19 digital certificate, or an Immunisation History Statement from the Australian Immunisation Register (AIR).

Medical Contraindication to Vaccination	Means a condition that precludes a person from receiving an Approved COVID-19 Vaccine as they have an increased chance of a serious vaccine related medical adverse event. A medical contraindication may be permanent, for example, anaphylaxis to vaccine(s) components, or may be temporary or time-limited. Pregnancy is not a medical contraindication to vaccination against COVID-19. Contraindications are outlined in formal clinical advice from the Australian Department of Health to vaccine providers based on advice from the Therapeutic Goods Administration and Australian Technical Advisory Group on Immunisation.
Worker	A person who carries out work in any capacity for the Council including, but not limited to: employees, volunteers, work experience students, apprentices and trainees, employees of labour hire companies who are engaged by Council, employees of subcontractors, employees of contractors, subcontractors and contractors. It includes an Officer of Council.
Other Persons	People that are at a Council workplace but are not workers of Council such as Councillors, customers, and official guests, or those who could be affected by the way Council conducts its operations.
Workplace	Is a place where work is carried out by Council workers at any Council location in the Georges River Local Government Area (LGA).
Employee	Means an employee of Council (permanent, fixed-term and casual).
People Leader	Means anyone who manages or supervises an employee.
Award	Means the <i>Local Government State Award 2020</i> (and any succeeding award).
WHS Act	Means the <i>Work Health and Safety Act 2011</i> (NSW) (and any succeeding or amending legislation).
Public Health Order	Means any order made under s 7 of the <i>Public Health Act 2010</i> (NSW) (or any succeeding or amending provisions).

POLICY STATEMENT

1. General Principles

- 1.1. Council provides a suite of essential services to the community, which cannot be performed remotely.
- 1.2. In order to provide essential and other services, Council's workforce is operational in the community and as such, during the normal course of work, there is interaction or likely to be interaction:

- between Workers, and
 - between Workers and the broader community, some of them vulnerable and/or unvaccinated.
- 1.3. To ensure, so far as is reasonably practicable, the health and safety of our workforce and the community with whom they interact, this Policy mandates the requirements for Workers and Other Persons with regard to COVID-19 vaccination when entering a Workplace.
- 1.4. This policy will be regularly reviewed and may need to be varied or replaced from time to time having regard to the Public Health Order.
- 1.5. If a Public Health Order that applies to some or all Workers is in operation, or comes into operation, Council and the relevant Workers will be required to comply with the terms of that Public Health Order as well as this Policy. If this Policy and any Public Health Order are inconsistent on any issue, the Public Health Order will prevail.

2. Consultation and Risk Assessments

- 2.1. This policy has been implemented following:
- consultation with the WHS Committee and Consultative Committee in accordance with the Award and the WHS Act; and
 - risks assessments conducted by Council. The outcome of these assessments demonstrate that having all workers vaccinated is a reasonably practicable measure to ensure the health and safety of workers, and members of the public who come into contact with our workers, is not put at risk.

In completing the risk assessments, Council had regard to:

- the nature of the workplace;
- the nature of Council's role and the interaction workers have with each other and the public;
- the likely extent of community transmission of COVID-19 in the locations where workers perform work;
- the nature of all workers' duties;
- the control measures in place or available; and
- the current availability of vaccines.

3. Policy Requirements

- 3.1 Any Council Workers and Other Persons entering a Council workplace will need to fulfil their obligations under this Policy.
- 3.2 From 1 December 2021 any Council Workers and Other Persons must not enter or remain at a Council Workplace unless they have:
- been fully vaccinated (minimum 2 doses) with an approved COVID-19 vaccine and provide the Council with Evidence of Vaccination: or
 - an accepted certified medical contraindication (see paragraph 3.7 below); or
 - exemption from the General Manager (see section 7).
- 3.3 Council accepts that there are some circumstances where it is not practicable or reasonable for other persons entering a Council workplace to meet these obligations however these persons must comply with the applicable COVID-19 safety plan available in the [COVID 19 Safety Plan Register](#).
- 3.4 If there is a medical reason why you have not been able to undertake vaccination, you must provide a properly completed NSW Government COVID-19 Vaccine Medical Contraindication certificate from your medical practitioner and undergo periodic testing. The certificate can be found here:
- <https://www.health.nsw.gov.au/Infectious/covid-19/vaccine/Documents/covid-19-vaccine-contraindication.pdf>.
- 3.5 Council reserves the right to confirm the validity of contraindications provided and direct a Worker to undertake an independent medical examination in relation to the issuance of a Medical Contraindication certificate under this Policy. Medical contraindications will be regularly reviewed to ensure they are up to date and remain valid.
- 3.6 At the General Manager's sole discretion, Council reserves the right to:
- decline any Worker's access to Workplaces for any reason related to this Policy, and
 - impose reasonable restrictions and conditions on use of any Workplace related to this Policy (e.g. regular testing and other methods such as mask wearing, physical distancing, restriction of in-person meetings, restriction of movement and restriction on gatherings)
- 3.7 If you are required to have a COVID-19 test or periodic testing to enter or remain at a Council Workplace, you must have a COVID-19 test once every 72 hours and provide test results to your People Leader.

- 3.8 Workers will have an ongoing obligation to provide evidence of vaccination (e.g. booster shots) as required by any updates to the Policy, having regard to Australian Government Department of Health guidance on vaccination.

4. Support Associated with COVID-19 Vaccination

- 4.1 COVID-19 vaccinations can be arranged during work hours (for the time reasonably required to receive the vaccination) without loss of pay and the need to reduce other accrued leave balances.
- 4.2 To aid employees in compliance with this Policy the Council can provide priority access to vaccination at the request of the worker.
- 4.3 Council will grant one additional leave day to each worker who is fully vaccinated and provide evidence of vaccination. The additional leave day must be taken within 12 months of it being granted.

5. New Employees

- 5.1 All new employees of Council must be fully vaccinated (two doses) with an approved COVID-19 Vaccine as required in paragraph 3.2 above and provide evidence of vaccination at least 7 days before they commence employment.
- 5.2 Should an applicant for new employment indicate that they wish to seek an exemption from the requirement under the Policy to fully vaccinate with an approved COVID-19 Vaccine on medical or other grounds, they will need to provide evidence of their circumstances. Hiring Managers should refer to Section 6 for relevant information.
- 5.3 New employees must undertake vaccination against COVID-19, and any required screening and/or medical assessments, at their own expense and prior to commencing employment.
- 5.4 All Council job advertisements must inform potential applicants of the requirement to vaccinate against COVID-19 and to provide Evidence of Vaccination under this Policy.

6. Compliance Monitoring

- 6.1 You can only enter a Council Workplace if, prior to entry, you have provided your People Leader with evidence of your:
- vaccination; or
 - exemption from the General Manager; or
 - negative COVID-19 test result with in the preceding 72 hours, or
 - approved medical contraindication form.

- 6.2 Information about your vaccination status or medical contraindication will be noted for the purposes of managing compliance with the requirements of this Policy.

7. Declining Vaccination and Medical Contraindications

- 7.1 If a Worker declines vaccination in accordance with this Policy, that person must submit a written request for exemption to the General Manager.
- 7.2 Council strongly recommends that any Worker considering making an exemption request first discuss any concerns they may have with a medical practitioner.
- 7.3 Workers who are unable to be vaccinated due to medical contraindications are required to comply with paragraph 3.4 above.
- 7.4 Each request for exemption will be reviewed by the General Manager on a case by case basis. Where an exemption cannot be granted, the General Manager will consult with unvaccinated Workers about opportunities for reasonable adjustments and/or redeployment opportunities. Subject to the outcome of that consultation, the General Manager may also need to make a determination as to whether that Worker is capable of performing the inherent requirements of their position.

8. Noncompliance with requirements

- 8.1 Workers must comply with the vaccination requirements under this Policy and provide evidence of vaccination and testing.
- 8.2 Workers who are unable to comply with the requirements of the Policy because of Medical Contraindications (or are seeking exemptions) should refer to section 7.
- 8.3 Compliance with this policy is a condition of accessing any of Council's workplaces. Council reserves the right to refuse entry to any Worker who does not comply with this policy.
- 8.4 Workers who do not comply with the requirements of the Policy (except those workers granted an exemption under section 7) will be considered to have not complied with a lawful and reasonable direction. They may be subject to disciplinary action in accordance with the Award, up to and including termination of their employment.

9. Record Keeping

- 9.1 Council will maintain evidence provided by Workers regarding vaccination status and medical contraindication securely and in accordance with the Records and Information Management Policy and Privacy Management Plan.

10. Responsibilities

- 10.1 **People Leaders are responsible for:**

- a) ensuring Workers are aware of the requirement to be fully vaccinated with an Approved COVID-19 Vaccine and provide Evidence of Vaccination under the Policy;
- b) ensuring job advertisements and recruitment processes set out the requirement to be fully vaccinated with an Approved COVID-19 Vaccine and provide Evidence of Vaccination under the Policy;
- c) managing requests for leave associated with COVID-19 vaccination in accordance with the Award and Council's Leave Policy;

10.2 Employees are responsible for:

- a) being fully vaccinated with an Approved COVID-19 Vaccine and providing Evidence of Vaccination before entering the workplace;
- b) notifying their People Leader if they wish to seek an exemption from complying with the Policy and in accordance with section 7; and
- c) notifying their People Leader if they are otherwise unwilling or unable to comply with the Policy by the 01 December 2021 or at all.

10.3 All Council Officials and Workers are responsible for ongoing monitoring of, and compliance with this Policy.

VERSION CONTROL AND CHANGE HISTORY

Version	Amendment Details	Policy Owner	Period Active
1.0	Complete new Georges River Council COVID-19 Vaccination Policy	Head of Work Health and Safety	26/10/2021 - ongoing