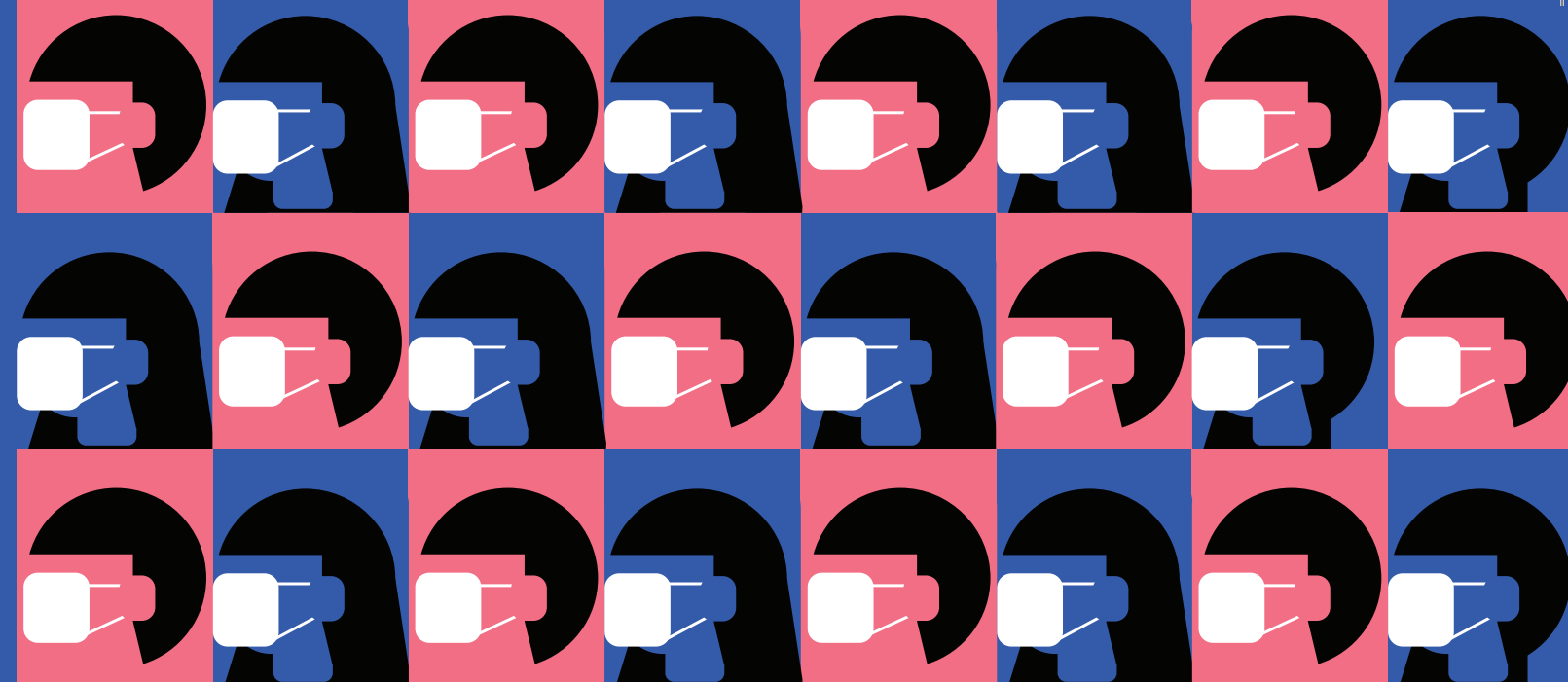


INDUSTRY ADVISORY FOR MANDATORY COVID VACCINATION IN THE WORKPLACE.

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Incentivising employees to get vaccinated has been popularised in the recent weeks and some companies have made the decision to implement mandatory vaccinations. However, in the absence of clarity from government, the issue of whether an employer can mandate employee vaccinations continues to cause employers and their employees' anxiety and uncertainty.

The rules and laws over workplaces seeking to make COVID vaccinations compulsory for employees remain uncertain. Last Friday the Prime Minister stated government would not pursue compulsory vaccinations and have placed the responsibility back on to employers. Some Australian employers, such as fruit canning company SPC, have determined they will nevertheless mandate COVID vaccinations for employees.

Given the ongoing rhetoric within government, The Real Media Collective has called upon government to provide clarity on the issue of mandating workplace vaccinations. Further, the Collective has contacted the Minister for Health and the National COVID Vaccine Taskforce Coordinator, Lt. General John Frewen, to offer support and industry input on the implementation of workplace vaccination programs.

Employers and employees in our industry have been doing their level best over the past sixteen months to ensure compliance and have safe workplaces for their employees that can continue to operate even under lockdown conditions. Given the positive duty on employers to provide healthy and safe workplaces, we are concerned if the Lambda or other new variants arrive in Australia, the country will continue to be in the same situation that we are now. Sixteen months on we need to move past Groundhog Day.

The federal government's own reporting provided from the Doherty Institute and the associated cost analysis from the Treasury makes it clear from both an economic and societal perspective that higher levels of vaccination will improve and speed up our return to normality. The higher the level of vaccination will result in less lockdowns and if they did need to occur they would be shorter and more geographically targeted.

A dichotomy exists where one shouldn't. The federal government won't mandate vaccinations, but yet states vaccinations are the only real way out of this pandemic. We therefore call on the Prime Minister to release the Solicitor-General's advice on the issue as tabled at the national cabinet. At least then we can consider that advice and establish a clear industry position and strategy.

Right now, only certain higher risk industries can obviously and clearly obligate their workforces be vaccinated. However, that is not to say employers in our industry cannot. Businesses in our industry who are considering implementing a mandatory vaccination policy would have to review and settle a range of issues prior to implementing such a policy.

“AN APPROACH WOULD NEED TO BE CAREFULLY DRAFTED AND BASED AROUND AN EMPLOYER'S RESPONSIBILITY TO PROVIDE A HEALTHY AND SAFE WORKPLACE AND THE INHERENT REQUIREMENTS OF THE PARTICULAR JOB.”

Such an approach would need to be carefully drafted and based around an employer's responsibility to provide a healthy and safe workplace and the inherent requirements of the particular job. This consideration could be of particular relevance at a workplace where employees work in reasonably close proximity to each other. Consideration of timeframes for obtaining a vaccination and other factors such as processes for handling a refusal to vaccinate or religious exemptions need to be mapped out. If a business determines to implement such a mandatory policy, we recommend using available medical advice, undertake risk management, address any barriers and make workplace consultation part of the overall consideration and strategy prior to formalising and implementing such a policy.

WORKPLACE PROMOTION OF VACCINATIONS

In a bid to overcome COVID-19 vaccine hesitancy in the community and increase their uptake, regulations have been relaxed so as to permit businesses to promote and reward employees who have received both doses of a government approved COVID vaccine.

In June this year, the regulatory authority of the Department of Health, the Therapeutics Goods Administration (TGA), released guidelines that allow businesses to develop their own promotional materials about TGA approved COVID-19 vaccines. Businesses can supplement government public health campaigns through offers of practical support and rewards that encourage Australians to be vaccinated.

To assist members in promoting vaccinations in the workplace, the Collective has provided Australian and New Zealand members with promotional factsheets and posters to use in the workplaces.

Employers of all sizes in our industry are able to play a role in building support for workplace based on-site COVID vaccinations. All employers are able to share authoritative and credible information on the need for, and safety of, the vaccination program.

Care should be taken so as to comply with the TGA requirements. Be factual, and ensure those employees who chose not to be vaccinated are not criticised or discriminated against for their decision.

Given our members are creating related promotional material for clients, we also recommend questioning clients as to their TGA compliance in those incentivising materials and campaigns.

Under the new arrangements, organisations can generate their own informational materials to support COVID-19 vaccination, provided the content is consistent with Government messaging and does not contain:

- > references to specific brands of vaccines, or compare different COVID-19 vaccines,
- > statements that COVID-19 vaccines cannot cause harm or have no side effects,
- > any statement that is false or misleading, and
- > promotion of any vaccine that has not been approved by the TGA.