

## 1. Introduction and Purpose

Mercy Connect and its Employees have a responsibility to mitigate the risk of transmissibility of COVID-19 in the workplace. COVID-19 is highly transmissible between individuals in close contact and poses a great risk to vulnerable members of the community such as the elderly, the immunocompromised, and those with a disability. Mercy Connect recognises the risk that COVID-19 creates for its Employees, clients and community members. The purpose of this COVID-19 Vaccination Policy (the **Policy**) is to outline the circumstances in which Mercy Connect may require its Employees to be vaccinated against COVID-19. This Policy should be read in conjunction with Mercy Connect's Work Health and Safety (**WHS**) policies and procedures.

## 2. Definitions

**COVID-19** refers to the 2019 Novel Corona Virus.

**Employee** means a person employed by Mercy Connect and includes directors but excludes contractors and volunteers.

**Employment Contract** means the contract outlining the terms and conditions of employment between Mercy Connect and the Employee.

**Medical Contraindication Certificate** means a certificate issued by a medical practitioner and in a form approved by the **NSW Chief Health Officer**, certifying that because of a specified medical contraindication, the person to whom the certificate has been issued cannot have a COVID-19 vaccine.

**Public Health Order** means an order made under section 7 of the Public Health Act 2010 (NSW).

**Vaccine** refers to any COVID-19 vaccine approved for use in Australia by the Therapeutic Goods Administration and Commonwealth Government.

**Vaccination Evidence** has the same meaning as given in a Public Health Order in place from time to time. Where there is no Public Health Order definition, it means either evidence from the Australian Immunisation Register that the person has had 1 or 2 doses of a COVID-19 vaccine, or a medical contraindication certificate.

## 3. Scope

This Policy applies to all Employees of Mercy Connect. The Policy outlines which Employees are required to be vaccinated against COVID-19, exemptions to vaccination and evidence requirements. Employees must familiarise themselves with this Policy and the obligations outlined within it. Failure to comply with this Policy is a serious matter that may result in disciplinary action.

## 4. Lawful Compliance

Mercy Connect and its Employees must comply with this Policy, Public Health Orders and other applicable obligations in relation to COVID-19. Other applicable obligations may include, but is not limited to, a direction from the NSW Government that is not yet a Public Health Order, or a duty of

care in accordance with WHS legislation. Failure to comply with any of these may result in disciplinary action up to and including the termination of employment. Employees must also follow Mercy Connect's policies and procedures and lawful directions given by Mercy Connect.

## 5. Employees Required to be Vaccinated

Mercy Connect will determine which Employees are required to be vaccinated against COVID-19. This will be done by conducting a WHS risk assessment that considers factors including, but not limited to:

- › Public Health Orders.
- › Location of work and COVID-19 transmission rates in that area.
- › Location of the Employee's place of residence and COVID-19 transmission rates in that area.
- › Contact with vulnerable members of the community such as children, people with a disability or the elderly.
- › Availability of other controls to mitigate the transmissibility of COVID-19.
- › Severity of transmissibility throughout the NSW community.

## 6. Direction to be Vaccinated

A direction for an Employee to be vaccinated against COVID-19 will only be provided in accordance with this policy if it is considered reasonably necessary to mitigate the transmissibility of COVID-19 within the workplace or to protect the health and safety of Mercy Connect's participants, or otherwise in compliance with a Public Health Order. If Mercy Connect requires an Employee to be vaccinated against COVID-19 in accordance with this Policy, it will be considered a lawful and reasonable direction. Employees have a responsibility to follow lawful and reasonable directions given by Mercy Connect in accordance with their Employment Contract.

## 7. Vaccination Evidence

When attending Mercy Connect premises or any location for the purposes of carrying out work required by Mercy Connect, Employees are required to always carry Vaccination Evidence.

Employees must provide their Vaccination Evidence upon request to Mercy Connect.

## 8. Exemption to Vaccination

Employees who believe they hold an exemption from being required to receive a COVID-19 vaccination must notify Mercy Connect as soon as reasonably practicable to do so. For the avoidance of doubt, an exemption to vaccination is limited to a medical contraindication as indicated in a medical contraindication certificate.


If an Employee claims an exemption Mercy Connect may request that the employee provide a medical contraindication certificate. Any such request is a lawful and reasonable direction.

If the evidence provided by the Employee is not a medical contraindication certificate, Mercy Connect may request additional information from the Employee. Requests for additional information are also a lawful and reasonable direction.

## 9. Confidentiality

Employee vaccination status is confidential. Mercy Connect will not collect, use, or disclose the vaccination status of its employees except in accordance with the *Privacy Act 1988* (Cth) and the *Health Records and Information Privacy Act 2002* (NSW).

## Approvals

Action	Name	Signature
Reviewed by	Jessie Arney, Executive Leader People and Communications	
Review date	15 October 2021	
Next review date	15 October 2022	
Authorised by	Trent Dean	

## Issue status

Issue #	Description of change	Date
001	Initial Publication	1.10.2021
002	Review in line with Public Health Order	15.10.2021