

COVID-19 Workplace Vaccination Policy

Created date: 14 October 2021

Last review date: 14 October 2021

Next review date: 14 April 2022

1. Purpose

Auspicious Arts Projects Inc (AAP) is committed to maintaining a safe and healthy workplace and to taking all reasonably practicable steps to identify and eliminate risks which may impact upon the health and safety of our people and visitors at the workplace.

In operating within the Live Performance/Cinema/Events and Exhibition Industry it is common for our people to come into contact with other workers, clients and members of the public.

So far as reasonably practicable, AAP is implementing this policy to take additional measures to protect our people and visitors from contracting and spreading COVID-19.

COVID-19 vaccines have been approved by the [Therapeutic Goods Administration](#) (TGA) and are being offered to eligible persons by order of priority and for free. Our COVID-19 Workplace Vaccination Policy is part of our overall COVID-19 safe measures to ensure a safe working environment (in addition to our other health and safety measures such as our COVID-19 Safety Plan) and to meet community expectations. This policy has been implemented following consultation with employees.

The policy seeks to:

- provide information about COVID-19 vaccination and to encourage our workers to get vaccinated against COVID-19
- outline circumstances where AAP may implement mandatory vaccination and/or encourage vaccination against COVID-19 which operates in conjunction with relevant State and Federal legislation
- promote a safe and healthy work environment that protects workers and visitors from contracting and spreading COVID-19
- consult with workers and clients in relation to COVID-19 vaccination in the workplace; and
- ensure that the risks to health and safety from contracting and spreading COVID-19 in the workplace are identified, assessed and eliminated or reduced where the elimination is not possible by way of requiring mandatory vaccination/encouraging vaccination against COVID-19.

2. Scope and Related Documents

This policy is not intended to replace other health and safety measures in place to reduce the risks of the transmission of COVID-19 in the workplace. All Workers should continue to follow all other workplace health and safety measures such as a COVID-19 Safety Plan.

Workers, especially managers and supervisors, are required to read this policy in conjunction with other relevant policies, procedures, documents and agreements of AAP, including, but not limited to:

Auspicious Arts Projects – COVID-19 Workplace Vaccination Policy

- AAP's [Occupational Health and Safety Policy](#)
- AAP's COVID-19 Safety Plan
- AAP's [Code of Conduct](#)

3. Relevant legislation

This policy has been implemented with consideration to the following relevant legislation:

- *Fair Work Act 2009* (Cth)
- *Privacy Act 1988* (Cth)
- *Work Health Safety Act 2011* (Cth)
- *Discrimination Act 1991* (ACT); *Anti-Discrimination Act 1977* (NSW); *Anti-Discrimination Act 1996* (NT); *Anti-Discrimination Act 1991* (QLD); *Equal Opportunity Act 1984* (SA); *Anti-Discrimination Act 1998* (TAS); *Equal Opportunity Act 2010* (VIC); *Equal Opportunity Act 1984* (WA)

4. Who this policy applies to

This COVID-19 Workplace Vaccination Policy applies to all Workers. A Worker includes:

- full-time, part-time, casual, seasonal and temporary employees;
- Core Staff, clients and external staff;
- contractors, sub-contractors, an employee of a contractor or sub-contractor, an employee of a labour-hire company who has been assigned to work at AAP;
- directors and management personnel;
- volunteers and anyone working in an unpaid capacity;
- an apprentice or trainee, work experience students and interns; and
- prospective employees, including job candidates.

This policy also applies to visitors at a workplace under AAP's management and control.

5. Information about COVID-19 Vaccination

AAP endeavours to support and assist our Workers to be well informed about COVID-19 vaccines.

Australia's Vaccination roll-out commenced in late February 2021 as a key strategy to minimise the spread and severity of COVID-19. COVID-19 vaccines have been approved by the [Therapeutic Goods Administration](#) (TGA) and are being offered to eligible persons by order of priority and for free.

Vaccinations approved by the TGA are effective. Vaccinated people are far less likely to get symptoms from COVID-19. They are even more unlikely to get seriously ill, be admitted to hospital or die. There is growing evidence that vaccinated people are also less likely to pass COVID-19 to others.

Reliable Information about COVID-19 vaccines

There are many resources available if Workers have any questions about the vaccine. Trusted and reliable sources, include:

Auspicious Arts Projects – COVID-19 Workplace Vaccination Policy

- The [TGA](#) provides information and answers to common questions about how the TGA approves, assesses and monitors a vaccine for safety, quality and effectiveness. More detailed information is also available at <<https://www.tga.gov.au/covid-19-vaccines>>.
- The [Australian Government Department of Health](#) also provides information about the COVID-19 vaccine at <<https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines>>. This information includes how COVID-19 vaccines work, Covid-19 vaccine safety and side effects and information about each COVID-19 vaccine.

As well as specific information about:

- COVID-19 vaccination information for [Aboriginal and Torres Strait Islander people](#)
- COVID-19 vaccination information for [people with a disability and disability service provider](#).

Auspicious Arts Projects Inc Recommendation

The COVID-19 public health emergency has had a significant economic impact and effect on the well-being of Australia and Australian Businesses. AAP and our Workers have been significantly impacted by COVID-19 with severe disruptions since March 2020.

Vaccination against COVID-19 is an important tool in helping to prevent the spread of COVID-19 and reduce hospitalisation and death. In accordance with public health guidance and in addition to our health and safety measures set out in our COVID-19 Safety Plan, we strongly encourage all eligible Workers to get fully vaccinated against COVID-19 where it is safe to do so. Workers should seek medical advice about the COVID-19 in respect of their individual circumstances.

Everyone 12 years and over can now book an appointment for a COVID-19 vaccine. COVID-19 vaccinations are free and can be booked online at <<https://covid-vaccine.healthdirect.gov.au/eligibility?lang=en>>.

6. Mandatory Vaccination requirements

Mandatory vaccination requirement

There may be some circumstances where AAP determines that Workers must be vaccinated against COVID-19 to be employed or engaged by AAP, to continue to perform their role or to attend some or all of AAP workplaces and facilities. Mandatory vaccination may be implemented in the following circumstances:

- COVID-19 vaccination is a legal requirement (for example a government order or direction applying to certain roles, industries or locations);
- COVID-19 Vaccination is required by a third party (for example a venue or producer/rights holder); or
- Where it is determined by AAP to be a reasonable requirement, after taking into consideration:
 - the health and safety of Workers and visitors;
 - other effective control measures (including practicality, effectiveness and cost);
 - nature of the workplace and location;
 - the nature of the role (for example Workers are unable to socially distance, or come into close contact with visitors and other Workers);
 - if new regulatory guidance recommends COVID-19 vaccination; or
 - to comply with work health and safety obligations.

Auspicious Arts Projects – COVID-19 Workplace Vaccination Policy

If mandatory COVID-19 Vaccination is implemented, any prospective Worker must show evidence of their vaccination status prior to commencement of their employment.

Workers who do not have a medical exemption must have:

- **15 October 2021**, booked an appointment to have the first dose of a COVID-19 vaccine;
- **22 October 2021**, had at least **one dose of a COVID-19 vaccine**; or
- **26 November 2021**, be **fully vaccinated against COVID-19**.

An approved COVID-19 vaccine means a COVID-19 vaccine that has been approved for supply and use by the TGA.

7. Medical and Accessibility Exemptions

EXEMPTIONS – Employees, contractors, trainees, volunteers, interns

AAP acknowledges that some people may be unable to receive the COVID-19 vaccine. For example, if a person has a medical contraindication to the COVID-19 vaccine or is unable to receive the vaccine in the timeframe communicated to them.

Evidence and Consultation

Where a Worker is unable to receive the COVID-19 vaccine, AAP may consult with them to obtain further information or evidence.

If a Worker is required but unable, due to a medical contraindication, to receive a COVID-19 vaccine:

- they must inform AAP as soon as possible of the reason why they cannot receive the vaccination;
- they must provide evidence of a medical contraindication certificate exemption from a medical practitioner; or
- if required by a State of Territory Public Health Order, evidence of a medical exemption from a medical practitioner in the form required approved by the relevant State or Territory Public Health Order.

A medical certificate merely stating that the Worker has a certain condition is unlikely to be adequate. The medical practitioner providing the medical contraindication certificate must have treated the employee for the medical contraindication or have reviewed records that indicate the presence of the medical contraindication.

AAP may, at its discretion, require the Worker to have an independent medical assessment or seek specific evidence from the Worker's medical practitioner.

Exemption Approval

AAP will consider the information and evidence provided and the Worker's individual circumstances, in consultation with the relevant Client Manager and, where appropriate to determine if, in AAP's view, the reason provided by the person is a reasonable excuse not to receive the COVID-19 vaccination and therefore is an approved exemption.

If the exemption is not approved, AAP will consider the circumstances and may direct the Worker to receive the COVID-19 vaccination. If the Worker fails to comply with the direction, AAP will consider what, if any, disciplinary action it may take, up to and including termination of employment in writing and without notice.

Considerations and Reasonable Adjustments

Auspicious Arts Projects – COVID-19 Workplace Vaccination Policy

If a Worker has an approved medical exemption, AAP will give consideration to how it may affect the Worker's employment or engagement. This consideration will include:

- whether the Worker can remain employed or engaged, or commence with AAP
- leave options
- making reasonable adjustments (where appropriate) to allow a Worker to continue to perform their role including, but not limited to:
 - periodic testing for COVID-19
 - working from home
 - suitable alternative duties.

EXEMPTIONS – Contractors and sub-contractors

If vaccination is mandatory and a contractor indicates that the contractor (or the contractor's employee) is unable to receive the COVID-19 vaccine in the timeline communicated to them, AAP may seek further information or evidence from the contractor to understand the reasons that the contractor (or the contractor's employee) is unable to receive the COVID-19 vaccine.

AAP will consider the information and evidence provided and the contractor's circumstances to determine if, in AAP's view, the reason provided by the person is a reasonable excuse not to receive the COVID -19 vaccine and is therefore an approved exemption. In making this determination, AAP may consider whether the reasons provided by the contractor meet the criteria of a medical contraindication.

AAP will consider the outcome of the exemption approval having regard to the terms of the agreement between the contractor and AAP.

Ongoing COVID-19 Vaccination Requirements

Where COVID-19 vaccination is mandatory AAP may:

- accept or not accept certain vaccinations (for example AAP may not accept a vaccination that has not been approved by the TGS);
- continuously review its decision and set new conditions when required, including, but not limited to extending or changing timelines for specific Workers or groups; and
- require Workers to have additional doses of a COVID-19 vaccine (booster shots) and provide evidence in order to meet the mandatory vaccine requirement.

8. Proof of Vaccination

AAP may require Workers to provide evidence of their vaccination status upon request at any time during their employment or engagement:

- if vaccination is a legal requirement to perform their role
- if a third party requires the information in respect to the work performed by the Worker (for example approval to enter a state or territory of Australia, to enter a foreign country, to enter a venue, or by a producer or rights holder)
- for work health and safety considerations in relation to the workplace and arrangements for work or travel as an element of a risk assessment.

Evidence of vaccination status can include:

- Online [immunisation history statement](#)
- COVID-19 digital certificate from the [Australian Immunisation Register](#)

Auspicious Arts Projects – COVID-19 Workplace Vaccination Policy

- Evidence of a medical exemption.

Vaccination status will be recorded and kept in accordance with the applicable privacy laws.

9. Records and Privacy

Vaccination Status Information

If AAP requests a Worker's vaccination status, AAP will:

- inform the Worker of the purpose for collecting the information
- identify how the vaccination status will be collected (for example by obtaining or sighting a copy of the vaccination record) and stored
- restrict access to the Worker's vaccination status and store it securely
- limit the disclosure of vaccination status to what is necessary to prevent and minimise the risk of spread of COVID-19 among workers, unless there is a legitimate and compelling reason to do so.

Vaccination status will be reviewed as the vaccination roll-out progresses and in accordance with any changes to requirements and/or government health advice.

Vaccination status records will be collected and retained in accordance with applicable privacy laws (noting the employee records exemption).

10. Time Off Work for Vaccination

Employees for auspiced projects

Full-time and part-employees are entitled to use personal/carer's leave to attend a COVID-19 vaccination appointment or to take any time off work if feeling unwell after receiving a COVID-19 vaccine.

Casual employees are entitled to take time off work to attend an COVID-19 vaccination appointment, and to take any time off work if feeling unwell after receiving a COVID-19 vaccine. In accordance with the National Employment Standards in the *Fair Work Act 2009*, this time off will not be paid.

Auspicious Arts Projects internal staff

Full-time and part-time employees are entitled to additional half day paid leave to attend a COVID-19 vaccination appointment or to take any time off work if feeling unwell after receiving a COVID-19 vaccine.

Casual employees are entitled to paid COVID-19 vaccination leave to attend a COVID-19 vaccination appointment, and to take any time off work if feeling unwell after receiving a COVID-19 vaccine, if this time coincides with a rostered shift.

11. Compliance

Workers are required to comply with this Policy at all times.

Employees who do not comply with this Policy may be subject to disciplinary action, including but not limited to summary dismissal.

Contractors and Sub-Contractors who do not comply with this Policy may result in AAP terminating the services agreement between the AAP and the Contractor or Sub-Contractor.

12.Changes to this Policy

AAP maintains its right to amend this Policy at any time. Workers will be notified of any Policy updates. The updated Policy will be available electronically on our website or can be provided to you by email. Workers are responsible for ensuring that they have read and understood the most recent version of the Policy.

Workers will be provided with the most recent version of the Policy on commencement of their engagement/employment, via their agreement.

If further information or clarification is required regarding the content of this policy, please contact:

Auspicious Arts Projects

(03) 9690 6131