



Mandatory Vaccination Policy of Marcoola Surf Life Saving Supporters Club Inc.

The COVID-19 pandemic in Australia is an ever-evolving situation, and it is necessary for the Marcoola Surf Lifesaving Supporters Club Inc. (**the Club**) to adapt to current circumstances to ensure the health and safety of its staff, patrons and members and any other third parties who visit or have dealings with the Club.

COVID-19 vaccines play a critical role in protecting the health and wellbeing of people in Australia. Clubs exist for their communities, and we all want our communities to be safe and healthy.

In accordance with the Queensland Government Public Health Direction issued 7 December 2021 effective as of 17 December 2021, this Policy is to assist the Club achieve its duty to ensure the health and safety of all staff at work by implementing mandatory vaccinations against COVID-19 (or subsequent variants) for the protection of all staff, their families and our community.

1. Application

- 1.1 This Policy applies to all employees and in-house contractors and volunteers (together, "staff" or "staff member") that perform work for the Club.

2. Why is it necessary to be vaccinated at work?

- 2.1 There are many compelling reasons to make vaccination against COVID-19 (or subsequent variants) a mandatory requirement to work in the Club including:
- a) it provides all staff with a consistency of protection against COVID-19 - particularly given it is such a highly infectious, easily transmissible disease, and our "back of house" staff often work closely with "front of house" staff;
 - b) given COVID-19 is so easily transmitted, one positive COVID case can shut down the Club which has significant financial and other consequences for our staff, our members and our operational continuity and ongoing operations and viability as a Club;
 - c) the Club considers this is the "right thing to do" as a good corporate citizen for staff, patrons and our community - given the services we provide to the community;
 - d) it provides staff with increased confidence that the Club is a safe place to work and may also be a factor for prospective staff who may consider employment with the Club;
 - e) staff at the Club regularly come into contact with large volumes of people, some of whom have an elevated risk of contracting COVID-19 including elderly and/or vulnerable patrons such as children who cannot be vaccinated at this time, and the Club is mindful of their health and safety (and their families) in addition to our own staff members (and their families);

- f) it is a reasonable (and currently the highest) control measure reducing the risk of transmission between staff and members/patrons at work.
- 2.2 The Club's legal obligations fall within the *Work Health and Safety Act 2011 (Qld)* (**the WHS Act**) which requires the Club to ensure the health and safety of its workers so far as is reasonably practicable.
- 2.3 The legal obligation on the Club and staff is that where a known safety risk cannot be completely eliminated, steps to control the risk need to be considered.
- 2.4 So far, our control measures earlier in the pandemic have included face masks, physical distancing, practicing good hygiene etc. Now that we have a vaccination against COVID-19, this represents a "higher" and more effective method to control the risk of COVID-19 in the workplace, compared to face masks, hygiene, physical distancing and enforcement of COVID-safe rules etc.

3. Obligation to be Vaccinated

- 3.1 The Queensland Government Public Health Direction issued 7 December 2021 mandates that all staff in the clubs' industry must be fully vaccinated in order to perform work on or after 17 December 2021 (or earlier if prescribed by government). This means, by law, the Club cannot allow you to perform work at the Club unless you have received both of your vaccinations against COVID-19 (or subsequent variants) ie. you are "fully" vaccinated. Subject to the issuing of the Public Health Direction, this means you must be fully vaccinated by your first rostered shift on or after the 17 December 2021 (or earlier if prescribed by government).
- 3.2 If in time, it becomes necessary for those who are fully vaccinated to receive "booster" vaccinations or alternative vaccinations to protect staff from either COVID-19 or variations of COVID-19, the Club requires you to obtain those vaccinations as soon as possible.

4. New Staff Members

- 4.1 All new staff members of the Club must be fully vaccinated (and provide evidence to the Club of their vaccination) before they commence with the Club.
- 4.2 Should an applicant for new employment advise they wish to seek an exemption from this Policy on medical or other grounds, they will need to provide evidence of their circumstances and they will be assessed on a case-by-case basis as outlined in this Policy under the headings "Refusal to be Vaccinated" or "Medical Exemption to Vaccination" - as applicable.

5. Accommodations and Incentives to Obtain Vaccination

- 5.1 The Club will support staff to obtain their vaccinations. Please talk to the General Manager or Club Manager with regards to flexibility in your roster in arranging a time to get vaccinated.

6. Evidence of Vaccination

- 6.1 Staff must ensure they have readily accessible access to government-issued evidence of their vaccination status whilst at work or performing work for the Club. Examples include the Federal Government Immunisation History Statement.
- 6.2 The Club may ask any staff member to show their vaccination status at any time. If you are unable to evidence your vaccination status when asked, you may be sent home. Any lost time at work due to being sent home for this reason will be unpaid leave, as you are not ready, willing and able to work in compliance with this Policy.
- 6.3 The Club will also keep a list of those staff who consent to allowing the Club to retain evidence of their vaccination status. Any such evidence will be securely stored and managed in accordance with the Club's Privacy Policy.

7. Exemptions to this Policy

- 7.1 Given the purpose and scope of this Policy, there will be very limited circumstances in which any exemptions will be granted by the Club.
- 7.2 Requests for exemption will be assessed on a case-by-case basis, including having regard to:
- a) the nature and requirements of the staff member's roles, including whether there is likely to be interaction with people with vulnerabilities and/or children, in connection with their employment;
 - b) the risks of exposure (for the staff member and others) to COVID-19; and
 - c) the overall purpose and scope of this Policy.

Refusal to be Vaccinated

- 7.3 Given the Queensland Government Public Health Direction issued on 7 December 2021, the Club is in a position where it would be against the law to not comply with the direction, regardless of whether the staff member does not wish to obtain a vaccination. Accordingly, the staff member will not be ready, willing and able to work as at the date of the direction. The Club will consider the matter on a case-by-case basis.

The Club will follow the below procedure if a staff member refuses to comply with the policy:

- (a) As a first step, if a staff member refuses to be vaccinated in accordance with this Policy, the staff member will be required to meet with the General Manager to explain their reason(s) for the refusal and if possible, evidence to support refusal.
- (b) The second step will involve consideration of whether there is a possibility that the Club can safely re-deploy the staff member to another role (provided there is an existing vacancy) or the Club can safely accommodate the staff member such that they will be required to comply with additional controls, including but not limited to, working from home or continuing to work at the Club subject to other controls such as restriction of movement, physical distancing, mask wearing, regular COVID

testing etc. The Club anticipates that there will be extremely limited, if any, opportunities to do this.

- (c) The third step will be if following the assessment under the above steps, the staff member is not provided with an approved exemption from the requirement to vaccinate under this Policy, the staff member will be required to comply with this Policy. If the staff member does not comply with this Policy, a decision regarding the staff member's ongoing employment will be made - which may include leave without pay until such time that this policy no longer applies or termination of employment.

Note: If you refuse to be vaccinated, your role is not made redundant and you will not be entitled to any redundancy pay.

Medical exemption to Vaccination

7.4 Given the Queensland Government Public Health Direction issued on 7 December 2021, the Club is in a position where it would be against the law to not comply with order. If the Public Health Direction permits medical exemptions to vaccinations on certain grounds, the matter will be considered on a case-by-case basis.

- (a) As a first step, if a staff member cannot, due to legitimate medical reasons, be vaccinated in accordance with this Policy, the staff member will be required to meet with the General Manager to explain the medical reason(s) and all necessary medical evidence in support. Some medical reasons include, but are not limited to:
 - i. a medical contraindication to vaccination (e.g. people with a history of severe allergic reactions, and immunocompromised individuals);
 - ii. the vaccine has not been approved for use for some workers (e.g. people who are less than 16).
- (b) The second step will involve consideration of whether any reasonable adjustments that do not impose an unjustifiable hardship on the Club can be made to allow the staff member to perform work, taking into account all of the relevant factors and circumstances, including but not limited to the inherent requirements of the staff member's role, the Club's non-delegable duty to minimise risk in the workplace to the staff member and others, and the overall intent and purpose and scope of this Policy.

Examples of reasonable adjustments may be dependent on the safety and effectiveness of different types of vaccines available to be taken, re-deployment to other available roles, alternative "at home" duties, wearing a mask at work, keeping a temperature log and submitting to regular COVID-19 testing/Rapid Antigen Testing/temperature testing. These must be regularly reviewed and reviewed if circumstances change e.g. a new variant of COVID-19 emerges.

For the purposes of this Policy, in determining whether a hardship that would be imposed on the Club would be an unjustifiable hardship, all relevant circumstances of the particular case must be taken into account, including the following:

- i. the nature of the benefit or detriment likely to accrue to, or to be suffered by, any person concerned - which includes the nature of the benefit or detriment likely to accrue to, or to be suffered by the community;
 - ii. the effect of the disability of any person concerned;
 - iii. the financial circumstances, and the estimated amount of expenditure required to be made, by the Club;
 - iv. the availability of financial and other assistance to the Club.
- (c) The third step will involve determination whether the staff member can, with any reasonable adjustments that do not cause unjustifiable hardship to the Club, perform the inherent requirements of their role in all the circumstances including, but not limited to, considering the staff member's and the Club's health and safety obligations.
- (d) If following the assessment under the above steps, the staff member is not provided with an approved exemption from the requirement to vaccinate under this Policy, the staff member will be required to comply with this Policy. If the staff member does not comply with this Policy, a decision regarding the staff member's ongoing employment will be made - which may include leave without pay until such time that this policy no longer applies or termination of employment.

8. Consequences of non-compliance with this Policy

- 8.1 Any staff member who does not comply with any part of this Policy may be subject to disciplinary action, which may include leave without pay until such time that this policy no longer applies or termination of employment.

9. Privacy

- 9.1 The Club will maintain and secure records of a staff member's evidence of vaccination in accordance with the Club's Privacy Policy.
- 9.2 Where a staff member provides any information regarding an inability to be vaccinated and/or seeking an exemption on other medical grounds, that information will be treated confidentially and will be stored securely in accordance with the Club's Privacy Policy.