

<b>CD number</b>	CD18225		
<b>Policy owner</b>	People & Culture		
<b>Adoption date</b>	28/03/2022	<b>Scheduled review date:</b>	28/03/2022

## Policy Statement

Banyule City Council ('Council') has an obligation, and is committed to, maintaining a safe environment and workplace for our employees and all reasonable efforts are taken to reduce risks to health and ensure people within our workplace and the community are safe.

The Pandemic COVID-19 Mandatory Vaccination (Specified Workers) Order 2022 No. 5 ('Pandemic Order'), as amended from time to time, require Council to not permit unvaccinated workers to work outside their ordinary place of residence, and to collect, record and hold vaccination information about the worker. Compliance with the Pandemic Orders issued by the Minister for Health is required under Part 8A of the *Public Health and Wellbeing Act 2008* (Vic) (PHW Act).

All Council employees are required to be fully vaccinated against COVID-19 (or hold a valid exemption issued by the Commonwealth Government) before they can work outside their ordinary place of residence. This includes employees who are currently working from home but who may be scheduled to work outside their ordinary place of residence

## Purpose

The policy sets out Council's expectations regarding COVID-19 vaccination as a condition of entry into any worksite or work undertaken in the community on behalf of the Council consistent with the Council's responsibilities to provide a safe work environment.

The provision of a safe working environment enables the continuation of workforce planning so operational requirements and service deliverables can be met. This policy has been implemented following Pandemic Orders (previously Chief Health Officer Directions) which apply to Council and in consultation with our Health and Safety Committee, relevant unions, employees and their representatives. The policy will remain in place until it is reviewed or altered, (and the alterations communicated to users) as, and when, appropriate and to comply with Pandemic Orders to ensure that the policy remains current.

The COVID-19 Vaccination Policy ('Policy') outlines Council's commitment to meeting its obligations under the Occupational Health and Safety Act 2004 (Vic) (OHS Act) and to protect people from transmission of COVID-19 with regards to infection and serious illness. Vaccination provides protection to employees and other workplace participants, their families, and the community to help minimise the risk of transmission of COVID-19.

## Scope

This policy applies to and must be complied with by all Employees (including permanent, casuals, fixed term, contractors, agency staff, volunteers and students on work-placement). This policy applies to all employees of Council who are, or may be, required to work outside their ordinary place of residence. This includes employees who are currently working from home but who may be scheduled to attend worksites.

The requirement for employees to be COVID-19 vaccinated consistent with this policy is a lawful and reasonable direction.

If employees are not fully vaccinated, they will be asked to provide reasons for non-compliance with this policy.

## Responsibilities

### Employee Responsibilities

All Employees have a responsibility to:

- Understand and comply with the standards of behaviour outlined in this policy.
- Treat all COVID-19 Vaccination conversations, communications and behaviour respectfully in line with Council's Values and Code of Conduct.
- Provide accurate and satisfactory evidence of vaccination or medical exemption to People & Culture via [covidvax@banyule.vic.gov.au](mailto:covidvax@banyule.vic.gov.au) If evidence is not provided it will be unlawful for employees to perform their duties in their current capacity and they will be stood down under the provisions of section 524(1)(c) of the Fair Work Act 2009 until further notice and their ongoing employment with Council will be reviewed.
- Additional control measures will be put in place by Council from time to time, to reduce the risk of transmission of COVID-19. Such measures may include wearing face masks, testing, social distancing, isolation and quarantine and may be required regardless of whether an employee is required to be vaccinated under this policy.
- If required, comply with any direction to perform reasonable alternative duties whilst their COVID-19 vaccination is being arranged, confirmed or completed.
- Alerting their Manager or People and Culture as soon as possible in the event of another Employee or person at the work premises failing to comply with measures in place to reduce the risk of transmission of COVID-19.

### Manager Responsibilities

Managers have a responsibility to:

- Ensure employees who are not vaccinated in line with Pandemic Orders do not attend or undertake work outside of their ordinary place of residence.
- Understand and comply with the standards of behaviour outlined in this policy.
- Lead by example by modelling respectful and safe standards of behavior.
- Discuss and promote this policy within their work teams to raise awareness and ensure understanding by all employees
- Ensure that all employees who are required to be vaccinated against COVID-19 under this policy have provided satisfactory evidence of vaccination or medical exemption.

- Ongoing review of control measures in place to minimise the risk of exposure to and transmission of COVID-19 in the workplace or in connection with work duties.
- Liaise with People & Culture to ensure that any new positions which require COVID-19 vaccination are clearly advertised on that basis.
- Where appropriate and where the manager has contact with volunteers, contractors, contractor's employees, agents, students on work placement, clients or visitors, provide a copy of this policy on engagement.

## People and Culture Responsibilities

Council's People & Culture team have a responsibility to:

- Ensure employees are aware of their rights and responsibilities under relevant policies and legislation.
- Ensure clear processes are in place for parties to raise questions and/or concerns and clearly communicate and promote the policy to all employees.
- Keep an updated centralised register of vaccination status of employees, including provision of evidence of vaccination.
- Create a safe and supportive environment.
- Promote and provide access to relevant support services such as Employee Assistance Program.
- Provide support and guidance to all employees in relation to their rights and obligations under this Policy.
- Review and update this Policy in line with updates to Pandemic Orders or where required.

## Independent Contractors and Agency Labour Hire Employees

All independent contractors (and their staff) and Agency Labour Hire employees must be made aware of and agree to abide by this policy. Failure to abide by this policy could result in breach of contract and be subject to the breach provisions within the relevant contract documentation.

## Breaches of this Policy

If an employee is found to have breached this policy, they may be subject to disciplinary action, up to and including termination of employment, in accordance with the Managing Conduct and Performance Policy. Agents and contractors who are found to have breached this policy may have their contracts with Council terminated.

## Disputes

Any disputes raised regarding this policy should be addressed in accordance with the Dispute Resolution & Settlement Procedure provisions of Banyule City Council's Enterprise Agreement, No.7 2017 (or its successor).

## Further Support

Additional support is available via Council's Employee Assistance Program (EAP), Access EAP. This is a free and confidential service and can be contacted on 1800 818 728.

## Related Documents

Commonwealth/Victorian  
legislation

**Victorian**



- Local Government Act 2020
- Equal Opportunity Act 2010
- Workplace Injury Rehabilitation and Compensation Act 2013
- Occupational Health and Safety Act 2004
- Victorian Charter of Human Rights and Responsibilities 2006
- Privacy and Data Protection Act 2014
- *Public Health and Wellbeing Act 2008 (Vic) (PHW Act)*

**Commonwealth**

- Gender Equality Act 2020
- Age Discrimination Act 2004
- Human Rights and Equal Opportunity Commission Act 1986
- Human Rights (Sexual Contact) Act 1994
- Disability Discrimination Act 1992
- Fair Work Act 2009
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984

Banyule Policies &  
Guidelines

- Banyule City Council Enterprise Agreement 2017-2021 (or its successor)
- Staff Code of Conduct
- Occupational Health and Safety Policy
- Recruitment and Selection Policy
- Recruitment and Selection Guidelines
- Managing Conduct and Performance Policy
- Managing Workplace Complaints and Grievances Procedure

<b>Responsible Manager:</b>	<b>Toni Toaldo (Manager People and Culture)</b> 	<b>Date</b> 28/03/2022
<b>Approval:</b>	<b>Allison Beckwith (Chief Executive Officer)</b> 	<b>Date</b> 28/03/2022