

# COVID-19 Vaccination Requirements – Policy & Procedure

Owner: Human Resources  
Last reviewed: 03/02/2022

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## 1. Purpose

This policy and procedure sets out requirements for current and prospective workers to be vaccinated against COVID-19 and procedures associated with this requirement.

This policy operates as a direction to all workers.

## 2. Policy

COVID-19 has had a significant global impact, and Queensland is seeing a significant increase in community transmission following the relaxation of quarantine requirements and increased interstate and international travel.

Having a COVID-19 vaccine is an important step to take to reduce the serious effects of COVID-19<sup>1</sup>. The overwhelming majority of the Queensland community has received two or more doses of an approved COVID-19 vaccine and are fully vaccinated<sup>2</sup>.

This policy outlines the requirements for existing DAF workers – employees, contractors and other workers - to be vaccinated against COVID-19, and associated procedures. The requirements have been determined in consideration of the risk posed by COVID-19, including risk to workers and others, business continuity risks, and operational requirements.

Most DAF workers will already be fully vaccinated. This policy outlines the evidence and record keeping requirements relating to workers who are already vaccinated, and the support options available for workers who are in the process of becoming fully vaccinated. The policy also supports a case management approach for workers with recognised medical contraindications.

DAF employees who do not comply with specific vaccination requirements may be liable to disciplinary action. Where DAF contractors do not comply with this policy, appropriate action may be taken in respect of this non-compliance under the terms of the relevant contract, which may include ending the contractor's engagement.

Vaccination requirements are one component of the department's COVID-19 management strategies. Additional measures that appropriately respond to impacts of COVID-19 will continue to be implemented.

## 3. Principles

Vaccination of workers as set out in this policy and procedure will help ensure:

- a healthy and safe workplace is maintained
- users of government services, particularly those with increased vulnerability, are protected
- the Queensland community can rely on government services not being disrupted
- the business / operations of our stakeholders are not adversely impacted because of COVID-19.

The vaccination requirements detailed in this policy have been determined in consideration of:

- the application of Chief Health Officer (CHO) public health directions to departmental workers and activities

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<sup>1</sup> <https://www.qld.gov.au/health/conditions/health-alerts/coronavirus-covid-19/protect-yourself-others/covid-19-vaccine/about/vaccine-effectiveness>

<sup>2</sup> <https://www.qld.gov.au/health/conditions/health-alerts/coronavirus-covid-19>,

- the risks of COVID-19 and the availability and efficacy of controls to manage and mitigate the risk and *follows consultation with staff and relevant unions.*

#### **4. Authority**

For DAF employees:

- Sections 11 and 98 [Public Service Act 2008](#)
- Ability at common law for Chief Executives to give lawful and reasonable directions to their employees in relation to their employment

For DAF contractors:

- Contractual arrangements
- *Public Sector Ethics Act 1994*
- The Code of Conduct

For other persons performing work for or on behalf of the department including volunteers and persons undertaking work experience:

- Any relevant contractual arrangements
- *Public Sector Ethics Act 1994*
- The Code of Conduct

#### **5. Human rights compatibility**

The department is committed to respecting, protecting and promoting human rights. Under the [Human Rights Act 2019](#), the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights.

Consideration has been given to the potential impacts on human rights in deciding on the COVID-19 vaccination requirements outlined in this policy. It is acknowledged that human rights may be limited by the vaccination requirements of this policy, however it has been determined that any limitation is reasonable and justified for the purposes of managing the risk from COVID-19.

When making a decision under this Policy and Procedure, decision-makers must comply with their obligations under the Act (refer to [Comply with Human Rights Act](#)).

#### **6. Scope**

This policy and procedure applies to all current and prospective workers of the department.

The term 'workers' includes DAF employees and other persons performing work for or on behalf of the department including volunteers, persons undertaking work experience, contractors and consultants.

#### **7. Delegations**

Delegations are to be exercised in accordance with roles specified within this policy and the [Human Resource delegations and authorisations](#). Delegation schedules are reviewed on a regular basis to ensure they remain current and relevant to the operational needs of the department. It is recommended that delegate authority levels are confirmed prior to exercising any powers in relation to determination.

## 8. Procedure

### 8.1 Vaccination Requirement

- (a) Vaccination requirements apply to workers in the following groups:

<b>Group A</b>	Workers who fall within scope of a CHO public health direction. This includes workers whose role/duties require them to attend locations within scope of the CHO public health direction on specific high-risk settings
<b>Group B</b>	Workers: <ul style="list-style-type: none"><li>• occupying roles for which 1 William Street, Brisbane is the usual workplace</li><li>• occupying roles where attendance at 1 William Street Brisbane is required to undertake any aspect of the role</li></ul>
<b>Group C</b>	All other workers except those who have no personal contact with stakeholders, members of the public or other workers in the course of their work.

- (b) A person undertaking or being considered to undertake a role identified in clause 8.1(a) is required to:

- (i) be fully vaccinated against COVID-19<sup>3</sup>; and
- (ii) provide evidence of vaccination

unless otherwise provided for in a relevant CHO public health direction or this policy.

- (c) A volunteer, work experience student, contractor, consultant or anyone engaged in any other capacity in a role identified in clause 8.1(a) is required to be fully vaccinated against COVID-19, and provide evidence of vaccination, unless otherwise provided for in a relevant CHO public health direction or this policy.
- (d) Workers in scope under clause 8.1(b) and/or 8.1(c) must be vaccinated in line with the below timeframes:

Group	First Dose	Fully Vaccinated
<b>A</b>	As required by CHO public health direction	As required by CHO public health direction
<b>B</b>	23 January 2022	20 February 2022
<b>C</b>	11 February 2022	11 March 2022

- (e) Any current or future worker who undertakes a role identified in clause 8.1(a) after the above dates must be vaccinated in accordance with the requirements of this policy prior to commencing in the role, as a condition of engagement for that role.
- (i) Vaccination requirements will be included in recruitment processes (including EOIs) for any

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<sup>3</sup> A person who is absent from the workplace, for example, on long term leave, or are not currently undertaking their usual role (as identified in clause 1.9), is not considered to be undertaking a role for the purposes of this policy. A worker in this situation would be expected to comply with a vaccination requirement prior to returning to their usual role.

roles identified in clause 8.1(a).

(ii) Where a person is applying for / being considered for a role identified in clause 8.1(a), they may be required to provide confirmation of their ability to comply with the vaccination requirements. A person who does not provide requested confirmation is not required to be further considered for the role.

(f) Subject to clause 8.1(h), workers in-scope who are not vaccinated or who do not provide proof of vaccination (or exemption) in line with this policy are considered unvaccinated and are not permitted to undertake the relevant role.

(g) Subject to clause 8.1(h), supervisors / managers of workers in scope under clause 8.1(a) *must not* permit a relevant worker who is not vaccinated or who does not provide proof of vaccination or exemption in line with this policy to undertake the relevant role.

(h) In exceptional circumstances a worker undertaking a role identified in clause 8.1(a) may request their Deputy Director-General, Executive Director or General Manager (whichever is their immediate senior executive) approve a delay to the vaccination requirements set out in clauses 8.1(b) and 8.1(d) via the [Vaccination Delay Request form](#).

(i) Requests for delays will be determined in consultation with Corporate Human Resources and the outcome advised to the worker and their supervisor/manager, including providing reasons for the decision.

(i) Approval of a delay is not appropriate where the worker has a recognised medical contraindication under clause 8.4.

(ii) A delay may only be approved where:

- the exceptional circumstances are time-limited in nature with a known end date
- the worker gives a written undertaking that they intend to comply with the vaccination requirements of the policy in the future; and
- temporary reasonable adjustments or other arrangements can be put in place.

*Example where approval of a delay might be appropriate:*

- *Where a worker engaged in a role in clause 8.1(a) is also participating in a trial (with a known end date) for a COVID-19 vaccine that is not currently approved for use in Australia.*

*Example of where approval a delay would not be appropriate:*

- *Where a worker has declined to be vaccinated with a currently approved vaccine because they are waiting for the approval of an alternative vaccine on an unknown date in the future.*

(iii) Where approval is granted to delay the vaccination requirements in accordance with this clause, options for temporary reasonable adjustments should be explored between the manager and worker. Temporary reasonable adjustments may include, but are not limited to:

- remote working
- meaningful alternate duties
- temporary transfer or secondment
- offering access to accrued paid leave options in line with industrial entitlements.

(iv) Once the approved delay period relating to the exceptional circumstances has expired, the employee must comply with the vaccination requirements of this policy. Failure to do so will constitute non-compliance with this policy and action may be taken in accordance with clause 8.5.

(v) Where an employee considers that a decision about an exceptional circumstance is unfair and unreasonable, an employee may seek an internal review of the decision in accordance with the provisions of *Directive 11/20: Individual employee grievances*. Where an employee is dissatisfied with the outcome of the internal review of a decision, they may seek an external review provided for in that directive.

## 8.2 Evidence of vaccination

- (a) A worker in scope under clause 8.1(a) must provide acceptable *evidence of vaccination*. In addition, an existing worker may be directed to provide evidence of vaccination at any time where it is reasonably required. A failure to comply with such a direction may result in disciplinary action or contractual action.
- (b) An employee required to provide evidence of vaccination under clause 8.2(a) must:
  - (i) complete the COVID-19 Immunisation Collection Form in Aurion ESS; and
  - (ii) provide evidence of vaccination to their supervisor prior to or as soon as practicable upon submitting the Immunisation Collection Form. This can occur by physically showing the supervisor/manager the evidence of vaccination or providing the supervisor with a copy of the evidence of vaccination.

*For example, an in-scope employee can show their supervisor the vaccination certification on their mobile phone or can download and email the supervisor a copy of the vaccination certificate.*

- (c) The supervisor must review and either approve or reject the vaccination verification form as soon as practicable.
- (d) A supervisor must not approve a COVID-19 Immunisation Collection Form until they have sighted (viewed) the evidence of vaccination. Approval of a COVID-19 Immunisation Collection Form without having sighted evidence may result in disciplinary action.
- (e) If an employee needs to update their vaccination information, they are required to submit a new form (e.g. to confirm receipt of a second dose).
- (f) An employee not required to provide evidence of vaccination may voluntarily elect to do so using the process outlined above.
- (g) Where a person described in clause 8.1(c):
  - (i) has a record in Aurion ESS (e.g. as a non-payroll volunteer; non-payroll contractor etc), the above process may be used to collect and record the person's vaccination status; or
  - (ii) does not have a record in Aurion ESS (or it not reasonably practicable to use this), the supervising employee must sight evidence of vaccination or exemption and must retain a record of the date on which this occurred. Contact HR for a suitable template.

## 8.3 Support for employees who are not yet fully vaccinated

- (a) An employee required to be vaccinated under this policy and procedure may attend a vaccination appointment during work time, without loss of pay.

An employee who is not required to be vaccinated under this policy and procedure may attend a vaccination appointment during work time without loss of pay, only where it is not reasonably possible for the person to attend a vaccination appointment outside of normal working hours.

  - (i) This includes reasonable travel time to and from the vaccination appointment, as relevant to each specific circumstance.
  - (ii) Arrangements for the purposes of attending a vaccination appointment should be discussed and agreed between the employee and their supervisor / manager prior to the employee's attendance at the appointment.
- (b) All workers are encouraged and supported to access official sources of information about COVID-19 vaccinations and the risks of disease and illness associated with COVID-19. Information can be obtained from:
  - Queensland Health <https://www.qld.gov.au/health/conditions/health-alerts/coronavirus-covid-19>
  - Australian Government Department of Health <https://www.health.gov.au/>
- (i) Where appropriate, workers should be supported to attend an appointment with their personal medical/general practitioner to discuss any concerns or individual circumstances associated

with vaccinations.

- (c) Managers should encourage and support workers to comply with the vaccination requirements set out in this policy.
  - (i) Workers who have not complied with this policy are encouraged to engage with their manager to discuss the implications of non-compliance including the commencement of a discipline process or contractual action.
  - (ii) Communications that occur in this context must be respectful.

#### **8.4 Exemption (employees who do not comply due to a medical contraindication)**

- (a) An employee may have a recognised medical contraindication to COVID-19 vaccines. A medical contraindication may be permanent or temporary.
- (b) Where an employee has a medical contraindication, they are required to provide evidence of the contraindication to the Executive Director Human Resources via the [Vaccination Exemption Request form](#). The evidence must detail whether the contraindication is permanent or temporary.
- (c) Requests for exemption will be determined by the Executive Director Human Resources and the outcome advised to the person and their supervisor/manager, including providing reasons for the decision.
- (d) Where it is determined that an employee has a recognised medical contraindication (and the exemption is approved):
  - (i) The employee is not required to comply with the vaccination requirements of this policy, for the period specified in the evidence relating to the medical contraindication
  - (ii) the employee must complete the COVID-19 Immunisation Collection Form in Aurion ESS
  - (iii) the employee's supervisor must review and approve the Immunisation Collection Form as soon as practicable.
- (e) Management of employees who have requests and/or have an approved exemption is to occur in line with Appendix A.
- (f) Where an exemption is not approved, the employee must comply with the vaccination requirements in this policy. Failure to do so will constitute non-compliance with this policy and action may be taken in accordance with clause 8.5.
- (g) Where an employee considers that exemption decision is unfair and unreasonable, an employee may seek an internal review of the decision in accordance with the provisions of *Directive 11/20: Individual employee grievances*. Where an employee is dissatisfied with the outcome of the internal review of a decision, they may seek an external review provided for in that directive.

#### **8.5 Non-compliance with vaccination requirements**

- (a) A discipline process may be commenced in circumstances where an employee does not comply with the requirements of this policy and procedure, as provided for under *Directive 14/20: Discipline*.
- (b) A discipline process will not be commenced:
  - (i) where an employee has a recognised medical contraindication or an approved delay for complying with the vaccination requirements (due to exceptional circumstances)
  - (ii) where an employee has submitted an application to delay compliance with the vaccination requirements (due to exceptional circumstances) and is awaiting a decision.
- (c) Where a contractor fails to comply with this policy, appropriate action may be taken in respect of this non-compliance under the terms of the relevant contract, which may include ending the contractor's engagement.
- (d) Workers who currently performing roles not requiring vaccination and/or on long term leave are not considered non-compliant as the vaccination requirement takes effect from their date of return.

## 9. Responsibilities

The responsibilities under this policy are detailed in the above procedures.

## 10. Forms

- COVID-19 Immunisation Collection Form (Aurion ESS)
- [Vaccination Exemption Request form](#)
- [Vaccination Delay Request form](#)
- Manual [Application for COVID-19 vaccination exemption or delay](#)

## 11. Individual employee grievances and appeals

An employee who is the subject of a decision or action is entitled to lodge an internal review in accordance with the departmental [Individual Employee Grievance Management Policy and Procedure](#) should they feel that the decision or action is unfair, biased or limits their human rights.

Employees who are unsatisfied with the outcome of their employee grievance may be entitled to lodge:

- an appeal in accordance with [PSC Directive - Appeals](#), or
- a complaint with an external oversight body; including but not limited to the [Queensland Human Rights Commission \(QHRC\)](#) or Queensland Ombudsman.

For further information on lodging an appeal, refer to [Queensland Industrial Relations Public Service Appeals](#). For other external reviews, contact the relevant oversight body for information.

## 12. Definitions

**Chief executive:** in the context of exercising a decision-making power, includes a person to whom the chief executive has delegated the decision-making power.

**COVID-19 vaccine and vaccine** is a vaccine for COVID-19 that is approved for use in Australia or recognised by the Therapeutic Goods Administration.

**COVID-19 vaccine trial** means a medical trial for a COVID-19 vaccine under either the Clinical Trial Notification or Clinical Trial Approval schemes regulated by the Therapeutic Goods Administration.

**COVID-19 vaccine trial participant** means a person who:

- a. is an active participant in a **COVID-19 vaccine trial**; and
- b. provides a medical certificate or letter from a medical practitioner, registered under the *Health Practitioner Regulation National Law (Queensland)* associated with the **COVID-19 vaccine trial** confirming that:
  - i. the worker is participating in a Phase 3 or 4 **COVID-19 vaccine trial**; and
  - ii. the worker has received at least one active dose of the COVID-19 vaccine being trialled.

**Eligible health professionals** means any of the following:

- fellows of the Royal Australian College of General Practitioners (as defined by the *Health Insurance Act 1973 Cth*); or
- fellows of the Australian College of Rural and Remote Medicine (as defined by the *Health Insurance Act 1973 Cth*); or
- on Medicare's Vocation Register of General Practitioners (as defined by the *Health Insurance Act 1973 Cth*); or
- practice registrar on an approved 3GA training placement; or
- paediatrician; or
- public health physician; or
- infectious diseases physician; or
- clinical immunologist.

**Evidence of Vaccination** includes (unless otherwise detailed in a CHO public health Direction):

- written confirmation of COVID-19 vaccination provided to the person as part of the vaccination process, such as a record of vaccine card
- vaccination information displayed on the Check in QLD app
- a COVID-19 digital certificate or printed vaccination certificate from the Australian Immunisation Register
- an online or printed immunisation history statement for COVID-19 vaccination
- an International COVID-19 Vaccination Certificate:
  - in a printed or electronic form from the Department of Home Affairs that confirms completion of an Australia Travel Declaration and vaccination against COVID-19 overseas; or
  - through Medicare online account through myGov or the Medicare mobile app; or
  - an official record of vaccination provided to the person when vaccinated against COVID-19 overseas.

Evidence of vaccination may be printed or electronic.

**Fully vaccinated** this means that a person has had the required two (2) doses of an approved COVID-19 vaccine (as per the requirements under the Public Health and Social Measures vaccination status Direction (No. 2) and related [Queensland Health guidance](#)). It does not include a booster shot. If Queensland Health guidance changes to include a booster / third dose, we would look to align with that.

**Medical contraindication** means a temporary or permanent contraindication that is notified to the Australian Immunisation Register (AIR) by an **eligible health professional** completing an Australian Immunisation Register (AIR) immunisation medical exemptions form in relation to a person and recorded on the person's Immunisation History Statement (IHS).

***Note:** a temporary vaccine exemption may apply until a specified date due to acute major illness, significant immunocompromise of short duration and recognised overseas vaccination.*

**Workers** includes DAF employees and other persons performing work for or on behalf of the department including volunteers, persons undertaking work experience, contractors and consultants.

### 13. Related Information

This document should be read in conjunction with.

- CCE Directive 11/20: Individual Employee Grievances
- CCE Directive 14/20: Discipline
- Minister for Industrial Relations and CCE Directive 1/20: Employment Arrangements in the Event of a Health Pandemic
- [Individual Employee Grievance Management Policy and Procedure](#)

### 14. References

- [Public Health and Social Measures linked to vaccination status Direction | Queensland Health](#)
- [COVID-19 Vaccination Requirements for Workers in a high-risk setting Direction | Queensland Health](#)

### 15. Further information

Should you require any further information or clarification, please contact:

- your supervisor or manager
- your Human Resource support, or
- HR Covid Response Team by calling 07 3364 9507

### 16. Privacy and Storage of Information

- (a) All information will be managed in accordance with the department's **Recordkeeping Policy**. This policy and procedure support the department's commitment to its responsibilities under the *Public Records Act 2002*. This should be read in conjunction with other related policies and procedures, including **Recordkeeping email policy and procedure** and **Retention and disposal policy and**

**procedure.** In addition, personal information should be managed in accordance with *Information Privacy Act 2009*.

- (b) Personal Information will be collected and recorded in relation to the COVID-19 vaccination requirements in this policy, including COVID-19 vaccination dates and status, the type of proof of COVID-19 vaccination, evidence of a medical contraindication, or evidence of being a COVID-19 vaccine trial participant. Collection and use of information for this purpose is authorised under sections 11 and 98 of the *Public Service Act 2008*.
- (c) Information (including information about a worker's vaccination status) may be shared with other organisation where required to ensure compliance with vaccination requirements or where authorised or required by law. De-identified information about employee vaccination rates will be reported in accordance with any relevant state or federal requirements and may be used to inform ongoing decision making of the department in the management of COVID-19.
- (d) Records will be stored in a secure database (Aurion) that is accessible to authorised persons only and dealt with in accordance with the *Information Privacy Act 2009* and the *Public Records Act 2002*.
- (e) For additional privacy information go to **Information Privacy: DAF intranet**. To access the department's record keeping information go to **recordkeeping framework and policies**.

#### Privacy Statement

*The Department of Agriculture and Fisheries collects personal information from you, including information about your COVID-19 Vaccination status (including exemptions).*

*We collect this information in Aurion ESS in accordance with the QSS Privacy Statement.*

*We collect this information to identify and manage the risk of our workers contracting and transmitting COVID-19 and the corresponding risks to the health and safety of individuals and the ability of the agency to continue to deliver its services.*

*Where vaccination is mandatory (for example because of a Chief Health Officer direction or departmental policy) we collect this information to monitor and report on compliance with directions and policy.*

*The Chief Health Officer's public health direction and the DAF Covid-19 Vaccination Requirements Policy & Procedure allows or authorises us to collect this personal information.*

*We will only use your information for this purpose. It will otherwise not be used or disclosed unless authorised or required by law. Your personal information will be handled in accordance with the Information Privacy Act 2009.*

## 17. Review

This policy and procedure will be reviewed at 6-month intervals or as otherwise sooner required.

## 18. Approval

Signed: .....

**Robert Gee**

Director-General

Department of Agriculture and Fisheries

Date: 3 February 2022

## 19. Version history

Date	Version	Action	Description / comments
11.01.22	0.1	Consultation Draft	Consultation Draft
02.02.22	0.2	Revised Draft	Revised Draft
03.02.22	1.0	Approved by DG	

## 20. Keywords

COVID-19; vaccination; exemption: coronavirus; verification.

**Appendix A**

Group	During consideration	Exemption Approved
<ul style="list-style-type: none"> <li>○ Workers who enter into or reside in discrete Indigenous communities as part of their role</li> <li>○ Workers who work face-to-face and/or in close proximity with non-departmental First Nations stakeholders in non-incident settings.</li> </ul>	<p>During consideration and if an exemption is approved, persons in this category are not permitted in discrete Indigenous communities or at locations where they work face-to-face with non-departmental First Nations stakeholders in non-incident settings.</p> <p>Alternative work arrangements must be considered. Options include:</p> <ul style="list-style-type: none"> <li>• remote working</li> <li>• flexible work</li> <li>• meaningful alternative duties</li> <li>• transfer (temporary or permanent)</li> <li>• offering access to accrued annual or long service leave.</li> </ul> <p>Each scenario should be considered on a case-by-case basis, considering the circumstances and context of the matter when determining the appropriate course of action. Arrangements will be subject to review on a regular basis. Where alternatives are not available, the matter should be discussed with the Executive Director Human Resources to determine options which may include accessing leave.</p>	
<ul style="list-style-type: none"> <li>○ Workers who enter premises / property not owned/controlled by DAF for the performance of regulatory / compliance / enforcement functions or the provision of government services and support <i>Premises / property should be interpreted broadly and includes business, residences, land, vessels and vehicles.</i></li> </ul>	<p>Persons applying for exemption from a vaccination requirement are not permitted in relevant premises while the exemption request is considered, other than in an emergency.</p> <p>In emergency situations, masks must be worn unless unsafe to do so and social distancing must be maintained wherever possible.</p>	<p>Case by case risk assessment to be performed by a supervisor or manager in consultation with a DAF WHS officer to ascertain whether persons who are exempt from vaccination may safely be permitted in premises. This assessment will focus on health and safety. Assessment may result in attendance subject to conditions (such as mask wearing) designed to increase safety.</p>

Group	During consideration	Exemption Approved
<ul style="list-style-type: none"> <li>○ All other workers required to be vaccinated.</li> </ul>	<p>Case by case risk assessment to be performed by a supervisor or manager in consultation with a DAF WHS officer to ascertain whether persons who are applying for an exemption from vaccination may safely attend DAF or shared site. This assessment will focus on health and safety. Assessment may result in attendance subject to conditions (such as mask wearing) designed to increase safety.</p>	<p>Case by case risk assessment to be performed by a supervisor or manager in consultation with a DAF WHS officer to ascertain whether persons who are exempt from vaccination may safely attend DAF or shared site. This assessment will focus on health and safety. Assessment may result in attendance subject to conditions (such as mask wearing) designed to increase safety.</p>