



## Mandatory vaccination directions for a broad range of Victorian workers released overnight

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On Friday last week the Premier announced that mandatory vaccination requirements would be introduced for all “authorised workers” across Victoria from 15 October 2021, supplementing the requirements which are already in place for the residential aged care, construction, health care, education and childcare sectors.

After much anticipation, the [COVID-19 Mandatory Vaccination \(Workers\) Directions \(Directions\)](#) were released overnight. Contrary to what many expected, the deadline for vaccination is 22 October 2021. However, there are key obligations which commence from today, and other obligations commencing 15 October 2021.

The Directions sit alongside the previous vaccination directions, and are not intended to change the deadlines for employers in relation to workers covered by the previous directions. Previous directions focused on refusing permission to a workplace controlled by the employer. These Directions mean employers cannot allow unvaccinated workers to work outside their ordinary place of residence and therefore this requirement also extends to workers who perform their duties in other workplaces, such as plumbers or transport workers.

The main question we have been all been asking since the Premier's announcement is: who will be covered? The Directions apply to the following categories of workers:

- accommodation workers
- agricultural and forestry workers
- airport workers
- ancillary, support and welfare workers
- Authorised Officers (including environmental health officers and officers appointed by Councils to enforce local laws and other legislation)
- care workers
- community workers
- creative arts workers

### People that can help



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- custodial workers
- emergency service workers
- entertainment and function workers
- funeral workers
- higher education workers
- justice service centre workers
- manufacturing workers
- marriage celebrants
- meat and seafood processing workers
- media and film production workers
- mining workers
- physical recreation workers
- port or freight workers
- production and distribution workers
- professional sports, high-performance sports or racing people
- professional services workers
- public sector employees
- real estate workers
- religious workers
- repair and maintenance workers
- retail workers
- science and technology workers
- social and community service workers
- transport workers
- utility and urban workers
- veterinary and pet/animal care workers

More specific details about who each of the categories cover is contained in the Directions available [here](#). The Directions do not differentiate based on the location of the work: all workers listed in the above categories are covered.

In addition, the Directions do not apply to Commonwealth employees or a person who works in connection with court proceedings.

The Directions impose three key obligations on employers.

#### [Collecting, recording, and holding vaccination information](#)

From 7 October 2021 employers who have not already done so are required to collect, record and hold vaccination information about any worker who is likely to be required to leave their homes to work on or after 15 October 2021. This includes:

- information about the worker's vaccination status;
- information about a worker's medical contraindication to vaccination; and
- for a worker who is not fully vaccinated, information about whether the worker has made bookings to be vaccinated.

Employers are also authorised to use the vaccination information they gather for the purpose of compliance with the Directions, which will resolve privacy compliance issues for employers.

#### [Ensuring that unvaccinated workers do not work away from home](#)

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[Ensuring that unvaccinated workers do not remain any longer](#)

From 15 October 2021 employers must not permit a worker to leave their home to work unless they have received their first dose of a COVID-19 vaccination, or they fall within an exception. The exceptions are very limited:

- workers who are able to present evidence from a medical practitioner that they are unable to receive a dose of COVID-19 vaccination due to a specified medical contraindication, or because of an acute medical illness (including where they have been diagnosed with COVID-19);
- workers who have made a booking to be receive a first COVID-19 vaccination by 22 October 2021;
- workers who were unable to be vaccinated as they were in self-quarantine as a diagnosed person or close contact may leave home to work after 15 October 2021 if they have a booking to be vaccinated within 7 days of the end of their quarantine period;
- workers who are required to leave home to work to respond to emergencies, and unforeseen circumstances which give rise to a critical need for staff.

Workers will also need to have had their second dose by 26 November 2021.

If the employer does not hold vaccination information for that worker, they have to assume that the worker is unvaccinated.

#### [Notification of workers](#)

As soon as practicable after 7 October 2021 employers must inform relevant workers about the requirements to collect vaccination information, and the restrictions on working after 15 October 2021 for unvaccinated workers. New workers also need to be notified as soon as practicable.

#### [What does this mean?](#)

Your first obligation is to notify your staff of the requirements, and provide them with information about the vaccines, and what steps if any you are taking to assist and support them in getting vaccinated. We recommend introducing a vaccination policy, and consulting with staff on the details of how you are implementing this requirement in your workplace. You should then start collecting information about vaccination status, so as to ensure that you have the best chance of being able to continue using your full workforce from 22 October 2021.

#### [How we can help?](#)

Over the last 6 weeks our [Workplace Relations, Employment and Safety Team](#) has been helping employers across a range of sectors to introduce vaccination requirements, and manage employees who cannot or will not be vaccinated. We have prepared a range of documents and template communications which can assist with this process.

If you would like to keep in touch with Alerts and Insights from our Workplace Relations, Employment and Safety team, you can subscribe to our mailing list [here](#).

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