

# Vaccination requirements for teaching employees



## Vaccination requirements, key dates, and FAQs

### Vaccination requirements and key dates

From 18 October 2021, unless an employee has a valid medical exception, employees will not be permitted to attend a school if:

- they have not received any COVID-19 vaccine doses and have not made an appointment to receive a dose before 25 October 2021 or
- they have not provided information regarding their vaccination status as set out above, including if the employee has not provided evidence that a medical exception applies.

The deadline for a second dose is by 29 November 2021.

### Frequently asked questions

#### *What has been announced, and why?*

The Victorian Chief Health Officer has advised that vaccination will be required for everyone working in schools to protect children, employees, and our communities from the spread of COVID-19. Mandatory vaccination requirements apply under the COVID-19 Mandatory Vaccination Directions (6) issued by the Victorian Chief Health Officer (vaccination directions).

All workers in Victorian schools will need to be fully vaccinated against COVID-19 unless a medical exception applies. This is an important measure to ensure our schools and early childhood centres remain safe and are not sources of community transmission.

Employees are already required to provide evidence of matters such as teacher registration and Working with Children Checks, so there is already an established precedent for the checking of credentials to work in schools.

#### *Who do the vaccination directions apply to?*

The vaccination directions apply broadly and include:

- i. any person who is employed by an education operator to work in an education facility (including teachers, early childhood educators and educational support staff);
- ii. a person contracted to work at an education facility and who will or may be in close proximity to children, students or staff, whether or not engaged by the education operator including casual relief teachers, Breakfast Club suppliers, IT personnel, NDIS providers and auditors, but does not include delivery personnel);
- iii. staff of the Department of Education and Training who attend an education facility (such as allied health personnel or Authorised Officers and **School Nurse program employees**);

- iv. staff of any other entity who attends an education facility (**including employees of Catholic Education Ballarat**);
- v. volunteers that attend an education facility and that work in close proximity to children, students or staff (including parent helpers **and SAC members**); and

### *Which contract workers are covered by this direction?*

A person contracted to work at an education facility and who will or may be in close proximity to children, students or employees will need to be vaccinated. This includes contractors not engaged by the education operator including but are not limited to; casual relief teachers, IT personnel, NDIS providers, auditors, school crossing supervisors and cleaners.

### *Does this apply to Casual Relief teachers?*

Yes. The Victorian Chief Health Officer has advised that vaccination will be required for everyone working in schools to protect children. This includes casual relief teachers (CRTs) and Emergency Teachers.

### *Are there any exceptions?*

A school employee may be an 'excepted worker' if they are able to show that they meet the relevant exemption requirements under the public health directions. The category of 'excepted worker' is only available in very limited circumstances where a person has obtained certification from an authorised medical practitioner that they are unable, due to a medical contraindication to receive a dose, or a further dose, of a COVID-19 vaccine.

### *What are the permitted exceptions?*

There are a very limited number of exceptions for medical reasons.

A person has a medical exception and is therefore able to work onsite in the same manner as a vaccinated person, where the person has a certification from a medical practitioner that the person is unable, due to a 'medical contraindication' to receive a dose, or a further dose, of a COVID-19 vaccine, or due to an acute medical illness including where a person has been diagnosed with COVID-19.

A medical contraindication is narrowly defined by ATAGI (the Australian Technical Advisory Group on Immunisation) as:

- anaphylaxis after a previous dose;
- anaphylaxis to any component of the vaccine, including polysorbate or polyethylene glycol;
- in relation to AstraZeneca:
  - history of capillary leak syndrome; or
  - thrombosis with thrombocytopenia occurring after a previous dose;
- in relation to Comirnaty (Pfizer) or Spikevax (Moderna): myocarditis or pericarditis attributed to a previous dose of either Comirnaty or Spikevax; or

- the occurrence of any other serious adverse event that has been attributed to a previous dose of a COVID-19 vaccine by an experienced immunisation provider or medical specialist (and not attributed to any another identifiable cause); and
- been reported to State adverse event programs and/or the Therapeutic Goods Administration.

A medical practitioner who is eligible to give a certificate that a person has one of these contraindications is limited to the following practitioners:

- a general practice registrar on an approved 3GA training placement; or a public health physician; or
- a general physician; or
- an infectious disease physician; or a clinical immunologist; or
- a gynaecologist; or an obstetrician; or
- a general practitioner who is vocationally registered; or
- a general practitioner who is a fellow of the Royal Australian College of General Practitioners (RACGP); or
- a general practitioner who is a fellow of the Australian College of Rural and Remote Medicine (ACRRM)

There are penalties in the Directions for anyone giving false or misleading information or documentation.

### *What will happen if employees do not get vaccinated?*

If an employee does not comply with vaccination requirements, they must not attend the school premises.

Between 18 October and 29 November 2021, employees who do not meet the vaccination requirements will not be able to attend work on site and will not be assigned alternative duties. During this period, any such employees will be able to access accrued Long Service Leave (if balance available) or Leave without pay (LWOP).

### *How will this be enforced for diocesan education office or governing authority employees?*

All employees who work in schools will be required to provide information about their vaccination status. Vaccination information about diocesan office/governing authority employees who attend school sites will be collected by the respective diocesan education offices/governing authority.

Catholic Education Ballarat (CEB) employees who attend schools, must provide evidence of their vaccination status according to Directions which will be collected, recorded and held by CEB. CEB employees who do not meet the requirements set by the Directions will not be permitted to attend onsite at schools.

### *How will this be enforced for non-employees (i.e., volunteers)?*

DOBCEL principals should use the provided [spreadsheet](#) as a local register of vaccination status for non-employees, such as volunteers and contractors. See also, 'What about volunteers in schools?'

### *Will education workers receive priority access to vaccinations?*

Teachers received priority access in previous blitzes. There is sufficient capacity in the system now, especially at pharmacies and GPs.

We don't anticipate any problems with school employees being able to access vaccine appointments.

### *I am on extended leave (workers compensation, parental, long service), am I still required to be vaccinated or have a booking by 18 October 2021?*

No. You will be required to meet the vaccination requirements before you return onsite.

Employees who perform onsite work at schools and early childhood services must meet the vaccination requirements to attend work on and after 18 October 2021.

If an employee is on leave and will not be working on a school or early childhood site by the key dates, they will be required to show evidence of vaccination when returning to onsite duties.

### *When do education workers need to be vaccinated?*

Employees covered by the vaccination directions will need to have their first dose by Monday 18 October or be able to show evidence that they have booked their first dose within a week of that date (25 October). Employees will need to provide evidence they have received their first dose by 25 October where initial evidence is that the booking has been made by 18 October.

Employees will need to provide evidence they have received their second dose by Monday 29 November.

### *When am I considered to be fully vaccinated?*

To be considered fully vaccinated for the purpose of the vaccination directions, you must have been administered with two doses of a COVID-19 vaccine registered by the Therapeutic Goods Administration (TGA). This includes the Moderna, Pfizer and AstraZeneca vaccines.

You will be partially vaccinated if you have been administered with at least one dose of a COVID-19 vaccine registered by the TGA. Under the current vaccination directions, there is no requirement for boosters, but this may be considered in the future.

### *What is acceptable proof of vaccination?*

All employees who work in schools will be required to provide vaccination information about their vaccination status. Vaccination information may be recorded in a variety of documents, such as a letter from a medical practitioner, a certificate of immunisation, including a digital certificate, or an immunisation history statement obtained from the Australian Immunisation Register.

### *What about volunteers in schools?*

Volunteers including parent helpers will be required to be vaccinated, and provide evidence of their vaccination status, in order to attend a school and perform work near students, children, and employees. Refer also to 'Will this be enforced for non-employees?'

### *Will schools be required to check external staff and contractors' vaccination status?*

School employers must collect, record, and hold vaccination information for external workers, as defined in the Directions. Refer also to 'Who do the Directions apply to?'

### *What happens if a worker is not vaccinated?*

A school employer must take all reasonable steps to ensure that, on or after the relevant date, a worker who is unvaccinated does not enter, or remain on, the premises of a specified facility for the purposes of working at the facility.

If a school employer does not hold vaccination information about a worker, the operator must treat the worker as if the worker is unvaccinated.

### *Can parents/carers request the vaccination status of employees at their school?*

No. Vaccination status is private health information and there is currently no requirement to provide it to parents or carers. Individual employees may choose to disclose their vaccination status but have no obligation to do so.

### *Will my principals or colleagues be able to view my vaccine status?*

Your status will be visible to a restricted number of school leaders to confirm and enable compliance with the public health direction.

### *Will this lead to a workforce shortage in schools?*

There will be very few employees that qualify for medical exceptions. We expect the overwhelming majority of employees who have not been vaccinated to get vaccinated as this is the best way to protect themselves, their students and colleagues, their families, and communities.

### *Will workers performing work that is not directly with children/students still need to be vaccinated?*

Any person working (including volunteering) at a school who will or may be near children, students or employees will be required to be vaccinated.

### *Is this requirement legal?*

Under the Public Health and Wellbeing Act 2008, the Chief Health Officer has emergency powers that can be exercised where a public health emergency has been declared - which is currently the case in Victoria. These powers include the ability to issue required health directions.

In this instance, the Chief Health Officer has issued required health directions that require operators of schools to take all reasonable steps to ensure that employees who are not vaccinated do not attend the workplace. As an employer, each diocesan education office and governing authority in Victoria has

therefore issued a lawful and reasonable direction to employees attending schools to ensure the required health directions have been met.

### *Does this requirement violate human rights?*

Under the Charter of Human Rights and Responsibilities Act 2006, the Chief Health Officer is required to have regard to human rights when exercising powers to make required health directions and can limit human rights when making those directions, provided the limitation is reasonably necessary and proportionate to address the relevant health concern. It will be a matter for the Chief Health Officer to determine whether the directions are reasonable and proportionate taking into the significant health risks posed by COVID-19.

### *Are there any exemptions for religious reasons?*

No. His Holiness, Pope Francis, has said he believes ‘that morally everyone must take the vaccine ... it is the moral choice because it is about your life but also the lives of others’. He has described taking the vaccine as ‘an act of love’.

Bishop Paul Bird, CSsR, has said ‘The basic reasons for vaccination are to protect our own health and the health of people around us.’ ‘I encourage everyone throughout our diocese to be vaccinated. I received my first vaccination in July, and I have made my appointment for my second dose. I urge the priests and people of our parishes to be fully vaccinated as soon as possible. This will be good for our own health and the health of our families. It will also hasten the day when we will be able to come together again as local communities to praise God and share with one another in person.’

### *What about required vaccination of students?*

All students can access education regardless of their vaccination status except Year 12 students travelling between Restricted Areas and Regional Victoria. However, we are strongly encouraging eligible students to get vaccinated for their safety and for the safety of their family and school community.

### *Once all employees are vaccinated, will there be any further school closures?*

Having all employees vaccinated will help prevent school closures, but if there is a confirmed case associated with a school, at present the school will likely still need to be closed for cleaning and contact tracing.

### *How are employees supported to be vaccinated?*

Schools have been asked to exercise maximum flexibility to enable all eligible employees to make and then keep their vaccine appointments. School-based employees are encouraged to make appointments at times that minimise disruption to the educational program of the school and supports for students.

### *How should concerns about being vaccinated be addressed?*

If people have any concerns about the safety of COVID-19 vaccines, they are encouraged to speak with their GP, and to consider the information available at [coronavirus.vic.gov.au](https://www.coronavirus.vic.gov.au) regarding COVID-19 vaccines. Information is also available from the Australian Government at <https://www.australia.gov.au/covid19vaccines>.