

Australian Finance Industry Association

No job, no job? Implications for covid-19
vaccinations for your workplace

Presented by Luke Gattuso,
Adam Foster and Kelly Dickson

outline

- Employment issues
- Privacy considerations
- Implementation issues
- Key points

where are we headed?



employment issues

- Public Health Orders
- Work Health and Safety
- Reasonable and lawful directions
- Discrimination laws

privacy considerations

- Tiered approach: APPs, HPPs
- Employee records exemption?
- Only collect health information:
 - With consent; AND
 - Where collection is reasonably necessary for, or directly related to, the business' functions and activities
- Exceptions:
 - Reasonable and lawful direction to employees
 - Required or authorised by law

privacy considerations

- Prepare and disseminate a privacy policy / notification statement
- Collect / disclose minimum amount reasonably necessary
 - “Need to know”
- Use / disclose only for primary purpose of collection
- “Reasonable steps”
 - Accurate and up to date
 - Security measures
 - Retention and destruction
- Do not use Medicare number etc as own identifier

implementation issues

- Consultation
- Surveys
- Non-mandatory approaches
- Policies and procedures

key points

- Not a one size fits all approach
- Are existing safety measures and COVID-Safe plans enough?
- If considering implementing mandatory vaccinations:
 - consultation is critical
 - make sure it is done in a compliant way with regard to discrimination and privacy risks
- Have sound policies and procedures in place
- Keep on top of changes



questions?

contacts



kelly dickson

managing principal lawyer -
dandenong
commercial

+61 3 9794 2541
kelly.dickson@mk.com.au



adam foster

principal lawyer
employment, safety and migration

+61 3 8615 9922
adam.foster@mk.com.au



luke gattuso

principal lawyer
employment, safety and migration

+61 3 9208 9820
luke.gattuso@mk.com.au



1800 888 966
info@mk.com.au
mk.com.au

new south wales
sydney

queensland
brisbane

victoria
melbourne
dandenong

