
Melbourne Theatre Company

COVID-19 Workplace Vaccination Policy

1. Purpose

Melbourne Theatre Company (MTC) is committed to maintaining a safe and healthy workplace and to taking all reasonably practicable steps to identify and eliminate risks which may impact upon the health and safety of our people and visitors at the workplace.

In operating within the live performance industry, it is common for our people to come into contact with other workers, clients and members of the public.

So far as reasonably practicable, MTC is implementing this policy to take additional measures to protect our people and visitors from contracting and spreading COVID-19.

COVID-19 vaccines have been approved by the [Therapeutic Goods Administration](#) (TGA) and are being offered to eligible persons by order of priority and for free. Our COVID-19 Workplace Vaccination Policy is part of our overall COVID-19 safe measures to ensure a safe working environment (in addition to our other health and safety measures such as our COVID-19 Safety Plan) and to meet community expectations. This policy has been implemented following consultation with employees.

The policy seeks to:

- provide information about COVID-19 vaccination and to encourage our Workers, Students and Visitors to get vaccinated against COVID-19
- outline circumstances where MTC may require vaccination and/or encourage vaccination against COVID-19 which operates in conjunction with relevant State and Federal legislation
- promote a safe and healthy work environment that protects Workers, Students and Visitors from contracting and spreading COVID-19
- consult with Workers in relation to COVID-19 vaccination in the workplace; and
- ensure that the risks to health and safety from contracting and spreading COVID-19 in the workplace are identified, assessed and eliminated or reduced where the elimination is not possible by way of requiring vaccination against COVID-19.

2. Scope and Related Documents

This policy is not intended to replace other health and safety measures in place to reduce the risks of the transmission of COVID-19 in the workplace. All Workers, Students and Visitors should continue to follow all other workplace health and safety measures such as our COVID-19 Safe Plan.

This policy is underpinned by *The University of Melbourne Vaccination Requirements Policy*. Where there is conflict or inconsistency The University of Melbourne Policy shall prevail.

Workers, especially managers and supervisors, are required to read this policy in conjunction with other relevant policies, procedures, documents and agreements of Melbourne Theatre Company, including, but not limited to:

- Covid-19 Vaccination Requirements Policy - University of Melbourne
- Health and Safety Policy
- COVID-19 Safe Company Policy
- Covid Safe Plan –UOM v5
- Code of Conduct
- Other MTC Covid-19 Procedures and Protocols

3. Relevant legislation

This policy has been implemented with consideration to the following relevant legislation and regulations:

- *Fair Work Act 2009* (Cth)
- *Privacy Act 1988* (Cth)
- *Occupational Health and Safety Act 2004* (VIC)
- *Equal Opportunity Act 2010* (VIC)
- *COVID-19 Mandatory Vaccination (Workers) Directions*

4. Who this policy applies to

This COVID-19 Workplace Vaccination Policy applies to all Workers, Students and Visitors who are On Campus and to Workers who attend third party settings to undertake MTC activities.

This includes but is not necessarily limited to:

- full-time, part-time, casual, seasonal and temporary employees;
- contractors, sub-contractors, an employee of a contractor or sub-contractor, an employee of a labour-hire company who has been assigned to work at MTC;
- directors and management personnel;
- volunteers and anyone working in an unpaid capacity;
- an apprentice or trainee, work experience students and interns;
- prospective employees, including job candidates;
- Students undertaking MTC organised activities; and
- Visitors at a workplace under Melbourne Theatre Company management and control.

Where MTC Workers attend settings operated by third parties to undertake MTC activities they will also be required to comply with any relevant Direction or other requirements in effect in that third-party setting.

5. Information about COVID-19 Vaccination

MTC endeavours to support and assist our Workers, Students and Visitors to be well informed about COVID-19 vaccines.

Australia's Vaccination roll-out commenced in late February 2021 as a key strategy to minimise the spread and severity of COVID-19. COVID-19 vaccines have been approved by the [Therapeutic Goods Administration](#) (TGA) (www.tga.gov/safety-information/covid-19) and are being offered to eligible persons by order of priority and for free.

Vaccinations approved by the TGA are effective. Vaccinated people are far less likely to get symptoms from COVID-19. They are even more unlikely to get seriously ill, be admitted to hospital or die. There is growing evidence that vaccinated people are also less likely to pass COVID-19 to others.

Reliable Information about COVID-19 vaccines

There are many resources available if Workers, Students or Visitors have any questions about the vaccine. Trusted and reliable sources, include:

- The [TGA](#) provides information and answers to common questions about how the TGA approves, assesses and monitors a vaccine for safety, quality and effectiveness. More detailed information is also available at <<https://www.tga.gov.au/covid-19-vaccines>>.
- The [Australian Government Department of Health \(www.health.gov.au\)](#) also provides information about the COVID-19 vaccine at <<https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines>>. This information includes how COVID-19 vaccines work, Covid-19 vaccine safety and side effects and information about each COVID-19 vaccine.

As well as specific information about:

- COVID-19 vaccination information for [Aboriginal and Torres Strait Islander people](#)
- COVID-19 vaccination information for [people with a disability and disability service provider](#).
- The University of Melbourne has produced [VaxFACTS](#) (www.vaxfacts.org.au) with concise videos addressing common questions and widely-shared myths about vaccines.

Melbourne Theatre Company Recommendation

The COVID-19 public health emergency has had a significant economic impact and effect on the well-being of Australia and Australian Businesses. MTC and our Workers have been significantly impacted by COVID-19 with severe disruptions since March 2020.

Vaccination against COVID-19 is an important tool in helping to prevent the spread of COVID-19 and reduce hospitalisation and death. In accordance with public health guidance and in addition to our health and safety measures set out in our COVID-19 Safety Plan, we strongly encourage all eligible Workers, Students and Visitors to be fully vaccinated against COVID-19 where it is safe to do so. Workers, Students and Visitors should seek medical advice about the COVID-19 vaccination in respect of their individual circumstances.

Everyone 12 years and over can now book an appointment for a COVID-19 vaccine. COVID-19 vaccinations are free and can be booked online at:

<https://covid-vaccine.healthdirect.gov.au/eligibility?lang=en>

6. Vaccination requirements

From the 5 November 2021, all Workers, Students and Visitors must be Fully Vaccinated against Covid-19 before attending On Campus, unless that person has been granted an exemption under section 7 of this Policy.

All prospective Workers must show evidence of being Fully Vaccinated prior to commencement of their employment, engagement or attendance at auditions, workshops, meetings, interviews or any other activities under MTC management and control, unless that person has been granted an exemption under section 7 of this Policy.

Prior to 5 November 2021, all Workers, Students and Visitors who do not have a medical exemption must have received:

- the first dose of an approved COVID-19 vaccine before attending On Campus.

Ongoing COVID-19 Vaccination Requirements

Where COVID-19 vaccination is required MTC may:

- accept or not accept certain vaccinations (for example MTC may not accept a vaccination that has not been approved by the TGA);
- continuously review its decision and set new conditions when required, including, but not limited to extending or changing timelines for specific Workers or groups; and
- require Workers to have additional doses of a COVID-19 vaccine (booster shots) and provide evidence in order to meet the vaccine requirement.

7. Medical and Accessibility Exemptions

EXEMPTIONS – Workers, Students and Visitors

Melbourne Theatre Company acknowledges that some workers, students and visitors may be unable to receive the COVID-19 vaccine. For example, if a Worker, Student or Visitor has a medical contraindication to the COVID-19 vaccine or is unable to receive the vaccine in the timeframe communicated to them.

Evidence and Consultation

Where a Worker, Student or Visitor is unable to receive the COVID-19 vaccine, MTC may consult with them to obtain further information or evidence.

If a Worker, Student or Visitor is required by this Policy but unable to receive a COVID-19 vaccine, they must inform the MTC Executive Director and/or Director of People and Culture, or the MTC Manager who is overseeing their activities On Campus, as soon as possible and before attending On Campus of the reason they cannot receive the vaccination and request an exemption from this Policy.

In cases where an exemption is requested on medical grounds, the person must provide MTC with a Medical Contraindication Certificate issued by a medical practitioner. A medical certificate merely stating that the Worker, student or Visitor has a certain condition is unlikely to be adequate. The medical practitioner providing the Medical Contraindication Certificate must have treated the Worker, Student or Visitor for the medical contraindication or have reviewed records that indicate the presence of the medical contraindication.

MTC may, at its discretion require the Worker to have an independent medical assessment or seek specific evidence from the relevant medical practitioner.

Exemption Approval

The Executive Director in consultation with the Director of People and Culture or their delegate will consider the information and evidence provided and the individual's circumstances and determine whether, in MTC's view, the reason provided by the person is acceptable and whether an exemption will be approved.

If the exemption is not approved, MTC will consider the circumstances and, in the case of a Worker, may direct the Worker to receive the COVID-19 vaccination. If the Worker fails to comply with the direction, MTC will consider what, if any, disciplinary action it may take, up to and including termination of employment.

Considerations and Reasonable Adjustments

If a Worker has an approved medical exemption, MTC will give consideration to how it may affect the Worker's employment or engagement. This consideration will include:

- whether the Worker can remain employed or engaged, or commence with MTC
- leave options
- making reasonable adjustments (where appropriate) to allow a Worker to continue to perform their role including, but not limited to:
 - periodic testing for COVID-19 – to be determined on a case by case basis
 - working from home
 - suitable alternative duties.

EXEMPTIONS – Contractors and sub-contractors and related

If vaccination is required and a contractor indicates that the contractor (or the contractor's employee) will not receive the COVID-19 vaccine in the timeline communicated to them, MTC may seek further information or evidence from the contractor to understand the reasons that the contractor (or the contractor's employee) will not receive the COVID-19 vaccine.

MTC will consider the information and evidence provided and the contractor's circumstances to determine if, in MTC's view, the reason provided by the person is a reasonable excuse not to receive the COVID -19 vaccine and is therefore an approved exemption. In making this determination, MTC may consider whether the reasons provided by the contractor meet the criteria of a medical contraindication.

MTC will consider the outcome of the exemption approval having regard to the terms of the agreement between the contractor and MTC.

8. Proof of Vaccination

Melbourne Theatre Company requires Workers, Students or Visitors to provide evidence of their vaccination status upon request, and may do so at any time prior to or during their employment or engagement or attendance On Campus:

Evidence of vaccination status can include:

- Covid-19 Digital Certificate
- [Immunisation History Statement](#) or
- Digital vaccination certificates delivered by the Services Victoria application (or interstate equivalents)
- Evidence of a medical exemption.

For employees and contractors of a Hirer, Tenant or an employer other than Melbourne Theatre Company, MTC may accept a written declaration from the Hirer, Tenant or other employer confirming

that all their employees and contractors who work On Campus will be fully vaccinated in line with this policy.

Vaccination status will be recorded and kept in accordance with the applicable privacy laws.

9. Records and Privacy

Vaccination Status Information

If MTC requests a Worker's, Student's or Visitors vaccination status, MTC will:

- inform the Worker, Student or Visitor of the purpose for collecting the information
- identify how the vaccination status will be collected (for example by obtaining or sighting a copy of the vaccination record) and stored
- restrict access to the Worker's, Student's or Visitor's vaccination status and store it securely
- limit the disclosure of vaccination status to what is necessary to prevent and minimise the risk of spread of COVID-19 among Workers, Students or Visitors unless there is a legitimate and compelling reason to do so.

Collection and storage of Vaccination status will be reviewed as the vaccination roll-out progresses and in accordance with any changes to requirements and/or government health advice.

Vaccination status records will be collected and retained in accordance with applicable privacy laws (noting the employee records exemption).

10. Time Off Work for Vaccination

Full-time and part-employees are entitled to use personal/carer's leave to attend a COVID-19 vaccination appointment or to take any time off work if feeling unwell after receiving a COVID-19 vaccine.

Casual employees are entitled to take time off work to attend a COVID-19 vaccination appointment, and to take any time off work if feeling unwell after receiving a COVID-19 vaccine. In accordance with the National Employment Standards in the *Fair Work Act 2009*, this time off will not be paid.

11. Compliance

Workers, Students and Visitors are required to comply with this Policy at all times.

Employees who do not comply with this Policy may be subject to disciplinary action, including but not limited to summary dismissal.

Contractors and Sub-Contractors who do not comply with this Policy may result in MTC terminating the services agreement between the MTC and the Contractor or Sub-Contractor.

12. Definitions

Approved Vaccine means any COVID-19 vaccination that has been approved by the Therapeutic Goods Administration (TGA) or a comparable overseas regulator as determined by the TGA for use in Australia. (<https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines/approved-vaccines>)

Direction means any applicable public health direction issued by the State or Federal Government.

Fully Vaccinated means having obtained the number of doses of an Approved Vaccine as recommended by the Australian Technical Advisory Group on Immunisation (ATAGI). For example, where a two-dose

schedule is recommended by the ATAGI, a person will be considered fully vaccinated when they have received both doses of the vaccine.

Medical Exemption means an exemption from the requirement to be vaccinated because of a medical contraindication as determined by ATAGI (Australian Technical Advisory Group on Immunisation) clinical guidance.

On Campus means any land which forms a University campus and workplace under Melbourne Theatre Company management and control, such as Melbourne Theatre Company HQ and Southbank Theatre.

Partial Vaccination means having obtained one dose of an Approved Vaccine

Student means any enrolled student of a school or tertiary institution.

Tenant means any persons who leases or licenses space On Campus and includes Venue Operators

Hirer means any person hiring or using any space from Melbourne Theatre Company for any purpose

Visitor means any other person including guests, honoraries, members of the public who attend On Campus and prospective employees including job candidates

Worker means all employees (permanent, fixed term or Casual), volunteers, interns, secondees and anyone working in an unpaid capacity, contractors (including labour hire personnel), as well as employees and contractors of Tenants and Hirers.

13. Changes to this Policy

Melbourne Theatre Company maintains its right to amend this Policy at any time.

Workers, Students and Visitors will be notified of any Policy updates. The updated Policy will be available electronically in the Policies and Procedures folder on the MTC Shared Drive and the MTC Website. Workers, Students and Visitors are responsible for ensuring that they have read and understood the most recent version of the Policy.

Workers will be provided with the most recent version of the Policy on commencement of their engagement/employment.

If further information or clarification is required regarding the content of this policy, please contact the Executive Director or Director of People and Culture.

14. Review

This policy was adopted by Melbourne Theatre Company on 21 October 2021.

Version Control			
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