



Chamber of Commerce
and Industry WA

Western Australia Public Health Orders Mandating COVID-19 Vaccination in the Workplace – Group 1 and Group 2

Employer Guidance

Helping employers navigate and understand the Western
Australian COVID-19 Mandatory Vaccination Directions

Edition 7

Current as at 31 January 2022





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Introduction

COVID-19 vaccination plays a vital role in protecting the health and wellbeing of people in Australia. Vaccination is a means to manage and protect health systems from being overwhelmed and to allow business to return to a state of normalcy.

On Wednesday, 20 October 2021, the Western Australian Premier made announcements concerning mandatory vaccination for WA workforces. At the date of publication of this guide, Public Health Orders and Directions have been issued (made into law) in relation to many of the industries and occupations covered by this policy.

Chief Health Office Directions (public health orders) have been issued in respect of directions impacting aged care, health care, community care services, exposed port workers, meat industry workers, onsite resources sector, building and construction industry, education sector, public and commercial transport sector, critical businesses workers, critical infrastructure, remote Aboriginal community workers and the transport, freight and logistics industries.

Furthermore, on Friday 24 December 2021, the Western Australian Government released orders which require all workers who are subject to a mandatory vaccination direction to receive their third Covid-19 vaccination within one month of becoming eligible.

Further information on these mandates can be found in **Appendix A** of this guide.

Both workers and employers have obligations to ensure that directions are complied with. Businesses will also be responsible for gathering information to confirm compliance. They will also play a vital role in communicating those requirements to staff to ensure as many people as possible are vaccinated within the relevant timeframes.

With the deadlines for vaccination looming, this guide aims to help you understand and digest your obligations in relation to current public health orders as well as the proactive steps you can take while waiting for the outstanding Directions to be issued for Group 1 and 2 occupations and industries. Employers covered by the “in the event of a lockdown” category can access a tailored guide available [here](#).

CCIWA also has a COVID-19 Vaccination Guide for Businesses available [here](#).

The content of this paper has been prepared based on material and information available to date (31 January 2022). The information in this paper is of a general nature and does not constitute legal advice and should not be relied upon as such. In any important matter, you should seek appropriate independent professional advice in relation to your own circumstances. Some information contained in this publication has been obtained from external sources, and its accuracy or currency cannot be guaranteed.

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A. Summary of Current Western Australia Public Health Orders Mandating the Vaccine

The WA Government has introduced a range of COVID-19 vaccination mandates through a number of differing Public Health Orders. Each of the public health orders operates differently and places differing obligations on employers, workers and site operators.

In addition, on 20 October 2021, WA Premier Mark McGowan announced that particular industries and occupations will be required to be vaccinated in order to continue working. It's important to note that the majority of official mandates and Public Health Orders stemming from this announcement have now been released.

A summary of the current Western Australian Public Health Orders relevant to vaccination mandates is outlined below.

CURRENT COVID-19 MANDATORY VACCINATION DIRECTIONS

1. Who do the current COVID-19 Mandatory Vaccination Directions apply to?

The Western Australian (WA) Government has issued mandatory vaccination directions which prevent workers in specified industries from entering a prescribed workplace unless they have been appropriately vaccinated.

Directions are currently in place for the following sectors:

- Residential aged care
- Parts of public and private hospitals and health care facilities
- Exposed port workers
- Hotel and quarantine workers
- Onsite resources sector
- Interstate transport, freight and logistics workers
- Community care services workers
- Meat industry workers
- Correctional facilities
- Air and border services
- Fire and emergency services

- Building and construction industry
- Education sector
- Public and commercial transport sector
- Critical businesses workers
- Critical Infrastructure workers
- Critical Government regulator
- Remote Aboriginal community workers.

Appendix A of this guide lists the dates by which workers must be vaccinated and provides a link to the directions that have been issued. Employers are encouraged to refer to the mandates for further information as to which workers are affected, their obligations and the exemptions that apply.

Directions may also be varied by the Government to reflect the changing nature of the COVID-19 pandemic. Use this [link](#) to obtain a current copy of the directions that apply to your organisation.

2. Who is required to be vaccinated?

Under the relevant directions, workers are required to be partially and fully vaccinated by the prescribed dates in order to enter a specified workplace or facility.

The relevant directions may also include specific information about which part of a workplace unvaccinated workers may enter. For example, under the Residential Aged Care directive an unvaccinated worker is allowed to access parts of the premises that are not being used as a residential aged care facility.

It is therefore important to consider the directions that apply to your organisation to assess which workers are required to be vaccinated.

3. Do workers need to disclose their vaccine status?

Any worker generally required to be vaccinated must provide proof of their vaccination status when required to do so by their employer or the owner/occupier/person in charge of the relevant facility.

This information needs to be in accordance with the approved form of evidence. Generally, this will be either:

- immunisation history statement; or
- COVID-19 digital certificate.

4. What requirements are placed on the employer

Directions generally impose an obligation on an employer and the owner/occupier/person in charge of the relevant facility to take all reasonable and lawful steps to collect and maintain a record of the vaccination status of relevant workers.

To comply with this requirement, employers will need to notify affected employees of their requirement to be vaccinated and direct employees to provide confirmation of their vaccination status. Employers will also be required to take steps to ensure that unvaccinated workers who do not fall within an exemption do not attend the workplace after the prescribed date.

In workplaces (such as construction sites) where workers are engaged by more than one employer, the entity in control of the site will need to work with other businesses to confirm the relevant information is available.

Employers need to be aware of their obligations under the relevant privacy legislation, ensure that this information is only used for the purpose of complying with the relevant direction and that all reasonable steps are taken to prevent unauthorised access, misuse or loss of this information.

Employers and the owner/occupier/person in charge of the relevant facility are also generally required to take all reasonable steps to only allow employees who have been appropriately vaccinated, or who are exempt, from accessing the worksite.

5. What is the penalty for failure to comply with the mandatory vaccination directions?

Failure to comply with directions may result in penalties of up to **\$20,000** for individuals and **\$100,000** for body corporates.

B. Communicating with Staff

It is important as an employer that you take as many proactive steps as you can to communicate with your staff about the likelihood of the authorised worker vaccination requirement applying to them (if applicable).

Where a direction has been issued in relation to your industry, you should confirm which of your employees will be affected and advise them of the obligation. It is important to note that more than one direction may apply to your workers, and it is important to tailor your letters to suit. CCIWA members can access a template letter [here](#).

For those sectors where directions have not yet been issued, you can help prepare your staff by communicating with employees who are likely to be covered by directions. CCIWA members can access a template letter [here](#). Once the directions are issued, we recommend providing a further letter to employees to confirm that the directions apply to their employment.

It will be important that staff confirm their vaccination status with you before the prescribed cut-off dates.

In addition, when communicating with staff about the COVID-19 vaccination it is important to be aware of the legal limitations that apply when communicating about vaccines, set out below.

What about subcontractors, labour hire employees and workers employed by other organisations at my workplace?

The directions issued in WA typically require the employer, owner, occupier or person apparently in charge of a workplace covered by a direction to:

- take all reasonable and lawful steps to collect and maintain a record of the vaccination status of each worker at the workplace; and
- on request, provide any such record to an emergency officer as soon as practicable after the request is made.

Where you have other workers in your workplace who are not direct employees, you will need to consider how this can be best achieved in consultation with the other relevant businesses.

Depending on the nature of your workplace, this may include:

- directly communicating with all workers at your workplace; or
- co-ordinating with other organisations to collect information relevant to their own workers and establish a mechanism for confirming that all relevant workers have been appropriately vaccinated.

THE IMPORTANT LEGAL PROVISIONS YOU NEED TO KNOW WHEN COMMUNICATING ABOUT COVID-19 VACCINATIONS WITH EMPLOYEES

The Therapeutic Goods Administration (TGA), in recognition of the importance of responsible communication regarding the COVID-19 vaccination, has given legal permission that allows businesses (and others) to communicate about vaccinations so long as that communication:

- ✓ Is consistent with current Commonwealth health messaging regarding the national COVID-19 vaccination program, including content found on the Australian Government Department of Health website; and
- ✗ Does not contain:
 - any reference to the trade name, sponsor name or active ingredient or any other information that would identify specific vaccine brands (e.g. Pfizer or AstraZeneca);
 - any statement, or implication comparing different COVID-19 vaccines (or comparing vaccines with treatments such as medicines);
 - statements to the effect that COVID-19 vaccines cannot cause harm or have no side-effects; or
 - any statement regarding COVID-19 vaccines that is false or misleading.

It is also important to remember that obligations under other laws, such as the Australian Consumer Law which includes the obligation not to mislead, continue to apply when communicating about vaccines.



C. Implementing Mandatory Vaccinations in the Workplace under a Public Health Order

EMPLOYER DIRECTIONS

1. What directions does an employer need to provide to relevant workers?

To date, the mandatory vaccinations directions that have been issued in WA impose an obligation on the workers covered by the order from entering a particular work location unless they have been appropriately vaccinated.

However, in order to give effect to these requirements, employers will need to give a direction to all affected workers to provide information to confirm their vaccination status and, depending upon the information provided, impose further directions to ensure an unvaccinated worker does not breach these orders.

2. Will the directions apply to all my workers?

The scope of the mandatory vaccination directions is limited and may not cover all workers employed by your organisation. It is important to carefully consider the terms of the directions to identify which employees it applies to and when.

3. Can I direct all my staff to get vaccinated?

The mandatory vaccination directions only apply to affected workers.

Whether an employer can direct staff not covered by a direction to be vaccinated will depend on whether:

- they have written permission to do so (such as under an employment contract or enterprise agreement which requires an employee to have the COVID-19 vaccination); or
- the direction to be vaccinated is considered a “lawful and reasonable direction”.

Before considering whether to require employees not directly covered by a direction to be vaccinated, we recommend that you seek legal advice by calling 1300 422 492 and asking to speak to one of our workplace relations lawyers.

HEALTH OR MEDICAL EXEMPTIONS

Under the current public health orders there is already an existing provision for exempted persons who are unvaccinated on the basis of medical grounds. It is anticipated that the mandate on all authorised workers will also contain this exemption.

Where an employee seeks to be treated as an 'exempted person' under the Public Health Order on medical grounds, the employee should provide appropriate medical evidence that they have obtained certification from a medical practitioner that they are unable, due to medical contraindication, to receive a dose or further doses of the COVID-19 vaccine.

The Western Australia Government has released further information on the exemption process. In its guidance material, someone seeking a medical exemption must apply to the Australian Immunisation Register (AIR) using the [IM011 Form](#). This form must be completed on the person's behalf by a medical practitioner and submitted to the AIR for assessment.

A person may also apply for a temporary medical exemption from the WA Chief Health Officer. Any application and supporting documents should be directed to COVIDVaccinationExemption@health.wa.gov.au. It is notes that any temporary exemption will only be for a finite time and may contain certain terms and conditions.

REFUSALS

Consider the likelihood of employees refusing vaccination and the process you will take to respond to this, e.g. including discrimination considerations and assessing the potential impact on an employee's ability to carry out the key requirements of their role.

In all communications regarding the vaccination policy, employers should also make sure to clearly outline any potential consequences of workers refusing to comply with the policy.

D. Collecting Information about an Employee's Vaccination Status

ASKING EMPLOYEES ABOUT THEIR VACCINATION STATUS

1. Can employers direct their employees to disclose their vaccination status?

In order to comply with the requirement to keep records of a worker's vaccination status, an employer needs to direct affected employees to provide information to confirm their vaccination status prior to the relevant cut off dates prescribed by the direction.

COLLECTING INFORMATION ABOUT AN EMPLOYEE'S VACCINATION STATUS

2. Obligations to keep records safe

The directions generally require that the employer must take reasonable steps to protect records of an employee's vaccination status safe from:

- misuse and loss; and
- unauthorised access, modification or disclosure.

Consequently, these records need to be kept in a secure manner with access limited to only those who are necessary.

Disclosure of a worker's vaccination status is also limited to what is necessary to ensure compliance with these directions.

3. Additional obligations under the Privacy Act

Vaccines and employee privacy is governed by the Privacy Act. The Privacy Act **applies** to businesses with an annual turnover of more than \$3 million, as well as to certain other types of businesses regardless of turnover (such as public sector agencies).

Where the Privacy Act applies, vaccination records are a type of medical record and constitute 'sensitive information'; therefore they are afforded a higher degree of protection under the Privacy Act, and there are stringent requirements relating to the collection and use of such information.

Under the Australia Privacy Principles, however, an employer is authorised to collect an employee's vaccination record (without their express consent) where they are required to do so by law (such as under a Public Health Order). This is currently the case in Western Australia under the COVID-19 Mandatory Vaccination Directions and it is anticipated that it will also be the case under the new requirements.

Once an employee's vaccination record information is lawfully collected, the employee records exemption will apply in many instances. This means that the remainder of the Privacy Principles will not apply to the handling of the vaccination record information, once it has been collected and held in an employee record, where it is directly related to the employment relationship.

This **does not**, however, apply to prospective employees, contractors, sub-contractors and volunteers. Employers must comply with the remainder of the Privacy Principles under the Privacy Act when dealing with the personal information of these individuals ensuring that they:

- accurately record the information that they collect, keep it up-to-date and store it securely;
- limit the use and disclosure of employee vaccination status information to what is necessary to prevent and manage COVID-19. Employers should not disclose vaccination status among colleagues unless they have a legitimate and compelling reason to do so; and
- regularly review whether they still need to retain vaccine status information.

COVID-19 digital certificates and immunisation history statements contain a person's Individual Healthcare Identifier (IHI). There are specific rules regarding the collection, storage and sharing of this number. It is recommended that employers do not record the IHI as part of their vaccination records.

E. Workplace Disputes Regarding Vaccination

Employers should approach with caution disputes regarding the COVID-19 vaccine and should try to avoid ‘jumping the gun’, particularly on the issues covered below, as being too quick to take such action could (likely) mean a very costly personal grievance win for an employee in the Fair Work Commission.

EMPLOYEE REFUSAL

Managing employees subject to Public Health Orders who refuse to be vaccinated or disclose their vaccination status

As a first step, if an employee refuses to be vaccinated or confirm their vaccination status employers should ask the employee to explain their reasons for refusing.

Some grounds for refusing the vaccination include:

- persons with a medical contraindication to vaccination (e.g. people with a history of severe allergic reactions, immunocompromised individuals, persons whose medical conditions mean that vaccination may be harmful for them);
- persons with a religious, political or conscientious objection; or
- refusal for no given reason – “I simply don’t want to”.

Whether a person’s refusal is based on legitimate grounds, or if reasonable accommodation should be made, will be based upon the individual employee’s circumstances, the nature of their employment, and any exemptions provided under applicable Public Health Orders.

Where an employee disobeys a direction properly given under a public health order to be vaccinated without providing a legitimate reason, or without being subject to a recognised exemption in the health order, then they may legitimately be the subject of disciplinary action, including dismissal.

Disciplinary action (particularly termination of employment) in such instances will in most instances be considered defensible.



Where dismissal may be the outcome of a disciplinary process, it is vital the process is fair and reasonable, affording the employee procedural fairness. A failure to do so may render the dismissal unfair despite having a valid reason. Procedural fairness encompasses the following factors:

- notifying the employee of the reason for the dismissal;
- giving the employee an opportunity to respond;
- giving the employee an opportunity to have a support person present;
- if the dismissal is related to unsatisfactory performance – warning the employee about that unsatisfactory performance before the dismissal;
- the degree to which the size of the employer’s business or the absence of human resource specialists would be likely to impact on the procedures followed in effecting the dismissal; and
- any other matters the tribunal considers relevant.

Some practical steps that may be taken in dealing with an employee who is either not vaccinated, or has failed to confirm their vaccination status, are as follows:

- Verify that the direction applies to the individual employee and confirm that the relevant correspondence has been provided to the employee.
- Schedule a meeting with the employee to discuss:
 - their intention to get vaccinated, or obtain an exemption;
 - their reasons for not being vaccinated;
 - the impact of non-compliance with the direction on their ability to perform their role. Consider any explanation provided by the employee and any options that would allow them to continue to be employed (e.g. working from home, alternative role, etc);
 - reinforce that failure to comply with the direction may result in termination;
 - advise the employee that from the prescribed date they will be unable **to** attend work. Time off work as a result of an employee’s failure to comply with a direction will generally be unpaid.
- If unresolved, provide the employee with a show cause letter and direct them to attend a formal discipline meeting to demonstrate why their employment should not be terminated. Meetings may need to be conducted virtually or away from the workplace as a result of the order. CCIWA members can access a template show cause letter [here](#).

- If appropriate, notify the employee of the termination of employment. Notification of termination should generally be done in person. An employee must also be advised of the termination in writing. CCIWA members can access a template termination letter [here](#).

As circumstances in each workplace can differ significantly, employers are strongly advised to seek legal advice before taking either of these actions to ensure they are not exposed to costly and expensive employee workplace claims.

F. Vaccinations and Employer Liability

1. Can employers be liable for any adverse reactions to the vaccine suffered by employees, when subject to a mandate to get vaccinated under a public health order?

The various COVID-19 vaccinations are not without some risk, and it is possible an employee may have an adverse reaction to receiving the vaccine, though extreme adverse reactions are rare.

Under WA Workers' Compensation legislation, a worker may be entitled to workers' compensation if they sustain an injury due to the COVID-19 vaccine and **the injury occurred out of or in the course of the worker's employment.**

The vaccine may be considered to have occurred out of or in the course of employment if they work in an industry where an employer imposes the vaccine, and the employer has:

- recommended or organised the vaccination onsite or at another location; or
- subsidised the vaccination.

It is possible that the requirement to connect the COVID-19 vaccine injury or disease to the worker's employment would be satisfied where the vaccine is a mandatory requirement or condition of the worker's employment.

However, it is important to note that this is an unclear area of law, and it is not possible to provide definitive advice about the effect of mandatory vaccinations on an employer's liability to pay compensation for a COVID-19 vaccine-related injury or disease. Employers are encouraged to seek legal advice in relation to any workers' compensation laws that may arise from COVID-19 vaccinations.

NO FAULT COVID-19 INDEMNITY SCHEME

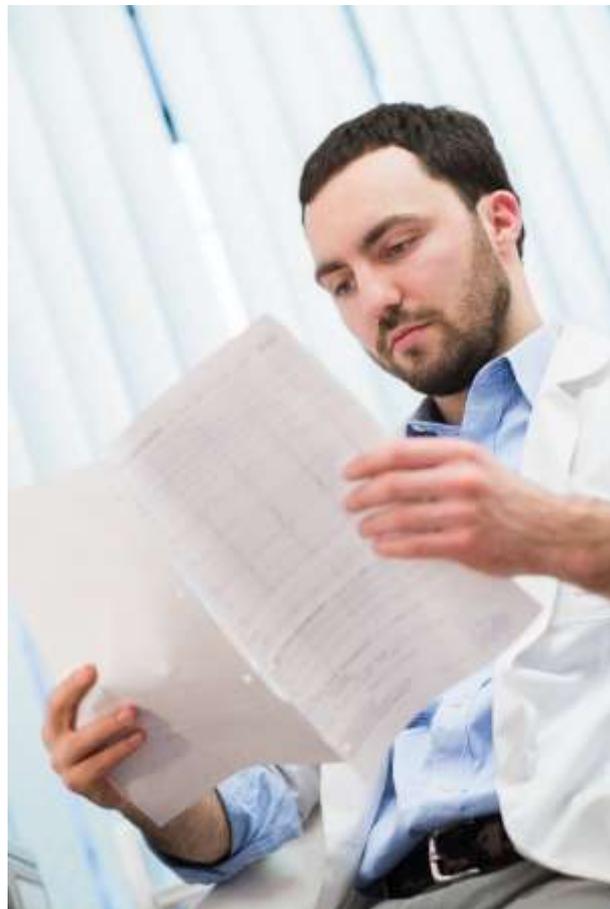
On 6 September, the Commonwealth Government introduced a No Fault COVID-19 Indemnity Scheme. Under the scheme, workers who suffer injury or loss of income due to the administration of a COVID-19 vaccine or due to an adverse event that is considered to be caused by a COVID-19 vaccine, will be able to register their intent to claim from the scheme.

The scheme will cover the costs of injuries above \$5,000 due to a proven adverse reaction to a COVID-19 vaccine. The TGA will provide guidance on recognised adverse reactions as part of their established surveillance program, and claims will be assessed by independent experts, with compensation paid based on their recommendations.

The scheme will be backdated to 22 February 2021 and will be administered by Services Australia.

While potential claimants who access the scheme will still have the option of pursuing action through a court judgement if that is their preference, the scheme reduces the commercial risk involved with mandatory COVID-19 vaccinations in the workplace, particularly as a result of public health orders.

This scheme is intended to reduce the risk of workers' compensation claims in the event of an adverse reaction.



Who and where to contact for further assistance?

KEY CONTACTS

Have a question or situation that isn't covered by this guide? CCIWA is here to help and answer any questions you might have.

For general information contact our Employee Relations Advice Centre on 9365 7660.

For legal advice contact our workplace relations lawyers on 1300 422 492.

KEY RESOURCES

The following are links to government websites and other key information on the mandatory vaccine, public health orders and COVID-19.

Public Health Orders/Directions:
[Publications](#)

WorkCover WA: [COVID-19 Information](#)

Department of Health – [COVID-19 Vaccine FAQ's](#)

Work Safe WA – [COVID-19 Coronavirus](#)

CCIWA – [Responding to COVID-19](#)

Fair Work Ombudsman – [Coronavirus and Australian workplace law](#)

Therapeutic Goods Administration –
[COVID-19 vaccines](#)

Office of the Australian Information Commissioner – [COVID-19: Vaccinations and my privacy rights](#)

COVID-19 Vaccinations: [Understanding your privacy obligations to your staff](#)

Appendix A – Current Covid-19 Mandatory Vaccination Directions

	Official title	Summary	Commenced
1	Access to Quarantine Centres Directions (No 2)	Quarantine workers who are not fully vaccinated against COVID-19 must not enter any part of the premises which is being used as a quarantine centre.	22 September 2021
2	Health Worker (Restrictions on Access) Directions (No 4)	<p>Health Care Workers:</p> <p>A health care worker must not enter, or remain at:</p> <ul style="list-style-type: none"> specified hospital units and wards, and COVID clinics if the worker has not been partially vaccinated by 1 October 2021 and fully vaccinated against COVID-19 by 1 November; hospitals, including ancillary facilities, if the worker has not been partially vaccinated by 1 November 2021 and fully vaccinated against COVID-19 by 1 December 2021; and public health service facilities and premises occupied by the Department of Health or a health service provider if the worker is not partially vaccinated by 1 December 2021 and fully vaccinated against COVID-19 by 1 January 2022. <p>Health Support Workers:</p> <p>A health support worker must not enter, or remain at:</p> <ul style="list-style-type: none"> specified hospital units and wards, and COVID clinics if the worker has not been partially vaccinated by 1 October 2021 and fully vaccinated against COVID-19 by 1 November; hospitals, including ancillary facilities, if the worker has not been partially vaccinated by 1 December 2021, and 	25 January 2022

	Official title	Summary	Commenced
		<p>fully vaccinated against COVID-19 by 1 January 2022; and</p> <ul style="list-style-type: none"> public health service facilities and premises occupied by the Department of Health or a health service provider if the worker is not partially vaccinated by 1 December 2021, and fully vaccinated against COVID-19 by 1 January 2022. 	
3	Residential Aged Care Facility Worker Access Directions (No 4)	A residential aged care facility worker must be partially vaccinated by 11 October 2021 and fully vaccinated against COVID-19 by 17 November 2021 to enter, or remain at, a residential aged care facility.	11 October 2021
4	Primary Health Care Worker (Restrictions on Access) Directions (No 2)	A primary health care worker must be partially vaccinated by 1 November 2021 and fully vaccinated against COVID-19 by 1 December 2021 to enter, or remain at, a primary health care facility.	25 January 2022
5	Meat Industry Worker (Restrictions on Access) Directions	A meat industry worker must be partially vaccinated by 1 December 2021 and fully vaccinated against COVID-19 by 1 January 2022 to enter, or remain at, a meat industry site.	10 November 2021
6	Resources Industry Worker (Restrictions on Access) Directions (No 2)	<p>Resource Industry Workers</p> <p>A resource worker must be partially vaccinated by 1 December 2021 and fully vaccinated against COVID-19 by 1 January 2022 to enter, or remain at:</p> <ul style="list-style-type: none"> a rural or remote resources industry site; and a remote operating centre. <p>Rig or Platform Crew Members</p> <p>A rig or platform crew member must be partially vaccinated by 1 December 2021 and fully vaccinated against COVID-19 by 1 January 2022 to enter, or remain at:</p> <ul style="list-style-type: none"> a rural or remote airport; or 	12 November 2021

	Official title	Summary	Commenced
		<ul style="list-style-type: none"> a State Port <p>for the purpose of undertaking a journey.</p>	
7	WA Correctional Facility Entrant (Restrictions on Access) Directions	A correctional facility entrant must be partially vaccinated by 1 December 2021 and fully vaccinated against COVID-19 by 1 January 2022 to enter, or remain at, a correctional facility.	12 November 2021
8	Air Services and Border Worker (Restrictions on Access) Directions (No 2)	<p>Air Services Worker</p> <p>An air services worker must be partially vaccinated by 1 December 2021 and fully vaccinated against COVID-19 by 1 January 2022 to enter, or remain at, an airport.</p> <p>Border Worker</p> <p>A border worker must be partially vaccinated by 1 December 2021 and fully vaccinated against COVID-19 by 1 January 2022 to enter, or remain at, a border crossing checkpoint.</p>	15 November 2021
9	Fire and Emergency Services Worker (Restrictions on Access) Directions (No 2)	<p>Fire and Emergency Services Worker</p> <p>A fire and emergency services worker must be partially vaccinated by 1 January 2022 and fully vaccinated against COVID-19 by 1 February 2022 to enter, or remain at, a fire and emergency services site.</p> <p>DFES or DBCA Employee</p> <p>A DFES or DBCA employee must be partially vaccinated by 1 December 2021 and fully vaccinated against COVID-19 by 1 January 2022 to enter, or remain at, a fire and emergency services site.</p>	16 November 2021
10	Community Care Services Worker (Restrictions on Access) Directions (No 2)	<p>Community Care Services Worker:</p> <p>A community care services worker must be partially vaccinated by 1 December 2021 and fully vaccinated against COVID-19 by 1 January 2022 to enter, or remain at, a community care services facility or a community care services accommodation.</p>	25 November 2021

	Official title	Summary	Commenced
		<p>Community Care Critical Services Worker:</p> <p>A community care critical services worker must be partially vaccinated by 1 January 2022 and fully vaccinated against COVID-19 by 1 February 2022 to enter, or remain at, a community care services facility or a community care services accommodation.</p>	
11	Critical Businesses Worker (Restrictions on Access) Directions	A critical business worker must be partially vaccinated by 1 January 2022 and fully vaccinated against COVID-19 by 1 February 2022 to enter, or remain at, a critical business site.	6 December 2021
12	Remote Aboriginal Community Worker (Restrictions on Access) Directions	A remote Aboriginal community worker must be partially vaccinated by 1 January 2022 and fully vaccinated against COVID-19 by 1 February 2022 to enter, or remain at, a remote Aboriginal community.	8 December 2021
13	Port Worker and Exposed Port Worker (Restrictions on Access) Directions (No 2)	<p>Exposed Vessel Worker:</p> <p>An exposed vessel worker must be fully vaccinated against COVID-19 by 8 December 2021 to board exposed vessels.</p> <p>Exposed Vessel Contact Worker:</p> <p>An exposed vessel contact worker must be fully vaccinated against COVID-19 by 8 December 2021 to enter, or remain at, a port to carry out port activities and services in connection with an exposed vessel.</p> <p>Exposed Vessel Transport Worker:</p> <p>An exposed vessel transport worker must be fully vaccinated against COVID-19 by 8 December 2021 to enter, or remain upon, a dedicated conveyance.</p> <p>Port Worker:</p> <p>A port worker must be partially vaccinated by 1 January 2022 and fully vaccinated against COVID-19 by 1 February 2022 to:</p>	8 December 2021

	Official title	Summary	Commenced
		<ul style="list-style-type: none"> embark or perform work on an unexposed vessel; or enter or remain at a port to carry out port activities, operations or services; or remain upon a vehicle in order to carry only persons disembarking from an unexposed vessel. 	
14	Critical Government Regulator (Restrictions on Access) Directions	A critical government regulator worker must be partially vaccinated by 1 January 2022 and fully vaccinated against COVID-19 by 1 February 2022 to enter, or remain at, a critical government regulator site.	15 December 2021
15	Public and Commercial Transport Workers (Restrictions on Access) Directions (No 2)	A transport worker must be partially vaccinated by 1 January 2022 and fully vaccinated against COVID-19 by 1 February 2022 to drive or board a commercial transport conveyance or public transport conveyance, or enter, or remain at, a remote rail operating centre or on rail corridor land,	17 December 2021
16	Critical infrastructure Worker (Restrictions on Access) Directions	A critical infrastructure worker must be partially vaccinated by 1 January 2022 and fully vaccinated against COVID-19 by 1 February 2022 to enter, or remain at, a critical infrastructure site.	22 December 2021
17	Education Worker (Restrictions on Access) Directions (No 4)	An education worker must be partially vaccinated by 1 January 2022 and fully vaccinated against COVID-19 by 31 January 2022 to enter, or remain at, an education facility.	22 December 2021
18	Building and Construction Industry Worker (Restrictions on Access) Directions (No.3)	A building and construction worker must be partially vaccinated by 1 January 2022 and fully vaccinated against COVID-19 by 1 February 2022 to enter, or remain at, a building and construction site.	31 December 2021

	Official title	Summary	Commenced
19	Transport, Freight and Logistics Directions (No 9)	<p>Transport, freight and logistics drivers need to complete a G2G Pass declaration to enter WA. Drivers may also be required to undergo testing, depending on the location the driver is arriving from.</p> <p>Low Risk and Medium Driver:</p> <p>A low-risk driver must be fully vaccinated against COVID-19 by 24 December 2021 to enter Western Australia.</p> <p>Extreme Risk and High-risk Driver:</p> <p>An extreme risk and high-risk driver must fully vaccinated against COVID-19 to enter Western Australia.</p>	31 December 2021
20	Booster Vaccination (Restrictions on Access) Directions (No 2)	<p>From 5 February 2022, a vaccination directed person must not enter or remain at a site if the vaccination directed person has not complied with the booster vaccination requirements.</p> <ul style="list-style-type: none"> if the vaccination directed person is eligible to receive a booster vaccination at 24 December 2021, the person is to be administered the booster vaccination by 5 February 2022; if the vaccination directed person becomes eligible to receive a booster vaccination after the 24 December 2021, the person is to be administered the booster vaccination within one calendar month of becoming eligible; or by 5 February 2022, whichever is the latter. <p>Currently employees are eligible for their booster injection:</p> <ul style="list-style-type: none"> Between 24 December 2021 until 3 January 2022 – where it has been 5 months from the date they became fully vaccinated (ie received their second vaccination); 	7 January 2022

	Official title	Summary	Commenced
		<ul style="list-style-type: none"> Between 4 January 2022 until 30 January 2022 – where it has been 4 months from the date they became fully vaccinated; From 31 January 2022 – where it has been 3 months from the date they became fully vaccinated. 	
21	Proof of Vaccination Directions (No 2)	<p>From 31 January 2022:</p> <p>A patron who is 16 years of age or over must not enter, or remain at a specified vaccination venue unless that patron is fully vaccinated; or an exempt person.</p> <p>A member of staff must not, in their capacity as a member of staff, enter or remain at a specified vaccination venue other than a hospital or a residential aged care facility unless the member of staff is:</p> <ol style="list-style-type: none"> vaccine compliant; or an exempt person; or enters for medical or emergency purposes in a circumstance where those purposes cannot be achieved or performed by a fully vaccinated member of staff or a member of staff who is an exempt person. <p>For the purpose of staff, vaccine compliant means:</p> <ol style="list-style-type: none"> at any time prior to 28 February 2022, a person who has had an initial dose; and on and from 28 February 2022, a person who is fully vaccinated. 	<p>26 January 2022</p> <ul style="list-style-type: none"> Please note that these directions may also apply to Group 3 businesses

**Note, definitions of terms mentioned in the above table can be found in the relevant WA Government direction.