



Employment Relations Department

Public Health and Social Measures linked to vaccination status Direction

(‘Vaccination Direction’)

TEMPLATES KIT

This Templates Kit contains the complete collection of templates that the QHA’s Employment Relations team has developed for QHA hotel member use in respect of the Vaccination Direction.

The only template not included in this WORD version of the Template Kit is the template register. As this template is an excel document, please contact a member of the team for a copy: er@qha.org.au

Each template listed below contains instructions and guidance on who the template is for, and how it is to be used.

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Template A: Employee Notice Regarding Qld Government 80% Health Directive

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TEMPLATE A:

EMPLOYEE NOTICE REGARDING QLD GOVERNMENT 80% HEALTH DIRECTIVE

This template is for employers to provide to employees to inform them about the (impending) Queensland Government's Chief Health Officer public health direction; a direction that will confirm mandatory vaccination requirements for hospitality venues, as announced by the Premier for Queensland on Tuesday, 9 November 2021.

Hospitality venues for the purposes of the announcement include hotels, pubs, clubs, taverns, bars, restaurants or cafes. This template has been developed for use by a hospitality venue employer.

NOTE: the details discussed on 9 November need to be formalised in a Chief Health Officer issued public health direction to have formal effect. As at the date of this template version, a public health direction has not been released, and this template has been developed, based on the information current at the time, to assist QHA members to:

1. Notify their employees of the details of what was announced on 9 November; and
2. Inform their relevant employees that to continue working on and from 17 December 2021, they must be fully vaccinated with an approved COVID-19 vaccine.

The template also highlights to relevant employees that they are going to be asked about their vaccination status.

While there is a lot of information still to come, the QHA will keep you informed.

RELEVANT EMPLOYEES

Employees for the purposes of the (impending) Chief Health Officer public health direction are employees of a hospitality venue.

BOTTLESHOP EMPLOYEES

The information currently available about bottleshops is that a bottleshop that is not located on the hospitality venue footprint is considered to be a **retail**, not a hospitality, venue. The following is taken from the Queensland Health [website](#):

If I'm unvaccinated, can I go into a bottle shop?

Yes. Bottle shops are considered retail, rather than a hospitality venue.

While the question has been posed from a patron's perspective, this suggests that a bottleshop employee who:

- Works solely at the bottleshop (that is not located on the hospitality venue footprint); and
- Does not enter the hospitality venue for ANY purpose related to their employment/position e.g. to collect keys / uniform; and
- Is not required to work any shifts at the hospitality venue;

is not an employee that needs to be fully vaccinated by 17 December 2021.

It may therefore not be a reasonable and lawful direction to require such an employee to get vaccinated based on this current information. The QHA does not recommend issuing a direction to get vaccinated as a result.

Please note that once the public health direction has been released, the QHA will review the final form of vaccination requirements, and should it differ to what is stated above, the QHA will notify members of this, and actions that should be taken / not taken, as a result.

MEDICAL CONTRAINDICATIONS

The Premier's announcement and the related information that has been made available to date does not address an employer's obligations where a relevant employee has a medical contraindication. The following is taken from the Queensland Health [website](#):

What if I can't get a vaccination for medical reasons? Can I still attend some of these restricted venues and activities?

There are a very small number of people who have genuine medical reasons for not being vaccinated.

We are currently working through the details of the arrangements that will apply in those circumstances, including what special arrangements would need to be made to accommodate these people in in specific settings (i.e. cafes, vulnerable settings).

You will need to be able to show proof of your exemption from vaccination on genuine medical grounds. We are doing further work on how this will operate.

While the question has been posed from a patron's perspective, should an employee advise you that they have a medical contraindication and therefore cannot become fully vaccinated, that employee should be asked to obtain medical evidence of the medical contraindication.

The employee should not be issued with a direction to get vaccinated if they have shown you such medical evidence.

The QHA expects that the public health direction will, when released, provide information as to what medical evidence will be acceptable. The QHA will keep you up to date on this.

DIRECTIONS FOR USE

- Copy the below text and paste into a blank document on your company letterhead;
- Complete the sections in red text, adopt and adapt the rest of the text as necessary, and ensure that all text is the one colour e.g. black text;
- Attach a copy of the *Public Health and Social Measures linked to vaccination status* roadmap to this letter;
- Sign the letter and issue it to the employee – by hand, email (with read receipt), or via registered post.

DISCLAIMER

This template is provided as general advice for Queensland Hotels Association members only. It does not constitute legal advice, and it is always advisable to seek further information regarding your own specific situation.

Whilst all care has been taken in preparing this template, the Queensland Hotels Association and the author is not liable for any errors or omissions or for any loss or damage suffered (directly or indirectly) as a result of reliance on this template, or for any breach by you of your legal or operational obligations.

Current: 12 November 2021

TEXT TO COPY

<place on company letterhead>

<insert date>

<insert name>
<insert position>

Dear <insert name>,

RE: MANDATORY VACCINATION FOR QUEENSLAND'S HOSPITALITY INDUSTRY

On 9 November 2021 the Premier of Queensland, the Hon Anastacia Palaszczuk, MP announced that from 17 December 2021, hospitality venues will no longer be subject to COVID-19 related restrictions, provided that all staff and patrons are fully vaccinated.

This announcement will be contained in a yet to be published Chief Health Officer public health direction; this will give effect to the announcement as a public health direction under the *Public Health Act 2005*.

A direction made under this legislation must be complied with.

As at the date of this letter, the public health direction has not been released, however, during the Premier's announcement on 9 November it was made clear that from 17 December, people who are not fully vaccinated will be unable to attend hospitality venues such as hotels, pubs, clubs, taverns, bars, restaurants or cafes. This includes patrons as well as employees.

The media release from the Premier's department after the announcement confirms this, as does information on the Queensland Health website. The website can be accessed [HERE](https://www.qld.gov.au/health/conditions/health-alerts/coronavirus-covid-19/current-status/queensland-restrictions-80-percent-vaccination) (<https://www.qld.gov.au/health/conditions/health-alerts/coronavirus-covid-19/current-status/queensland-restrictions-80-percent-vaccination>) and includes numerous questions and answers that may be helpful to you.

Attached to this letter is a copy of the *Public Health and Social Measures linked to vaccination status* roadmap. Please take the time to read it.

<insert name of employer> will be required to comply with the announced requirements and relevant employees will also have to be fully vaccinated by 16 December 2021. We have identified you as a relevant employee (subject to the below section on detached bottleshops).

Detached bottleshop employees

Please note for a bottleshop that is not located within the footprint of the hospitality venue (i.e. detached), the bottleshop is considered by Queensland Health to be a retail business.

The public health direction *may not apply* to employees who work in a detached bottleshop only, that is, if the employee does not come into the venue, nor onto it's wider footprint, for any reason, such as to work a shift in the bar. Please note that this advice may change and is subject to what is actually contained within the public health direction.

Vaccination

There are only 5 weeks until the date the public health direction comes into effect. Accordingly I encourage you to make arrangements to ensure that you are fully vaccinated no later than 17 December. If the public health direction applies to you, and you are not fully vaccinated by 16 December, you will not be allowed to work at this venue on and from 17 December 2021.

If you are directed to be vaccinated in accordance with a public health direction and you do not, not only will you not be able to attend the workplace, you may be subject to disciplinary action up to and including termination of employment.

Please note that you will be required to furnish evidence of your vaccination status no later than 16 December 2021 in accordance with the requirements set out in the impending public health direction. Management will be in contact with you about what those evidence requirements will be and to confirm if an earlier date for evidence of vaccination is applicable to you due to rostering requirements.

Medical Contraindication

The announcement did not outline exemptions from being unvaccinated for a medical reason. However, the Queensland Health website has indicated that there may be arrangements for persons with a genuine medical reason to not be vaccinated. If you are unable to be vaccinated because of a medical reason please discuss this with <insert relevant person, supervisor, manager, myself>. Please note that you will be required to provide evidence of any medical reason, including in accordance with any requirements that may be set out in the impending public health direction.

Management will be talking to you in the coming days about the impending public health direction and your vaccination status.

Regards,

<Insert Name>
<Insert Position Title>

TEMPLATE 2A:

REMINDER NOTICE FOR EMPLOYEES REGARDING QLD GOVERNMENT 80% HEALTH DIRECTIVE

The template is for employers to provide to relevant employees who:

- Have already been issued *Template A – Notice of Mandatory Vaccination Requirements*; and
- Have not already provided the employer proof that they are vaccinated; and
- Have not been issued *Template B - Direction to Get Vaccinated* or another direction to get vaccinated; and
- May be covered by the impending public health direction (as defined below), including detached bottle shops and accommodation employees who do not work in a food or beverage area.

This template is to remind these relevant employees of the (impending) Queensland Government's Chief Health Officer public health direction; a direction that will confirm mandatory vaccination requirements for hospitality venues, as announced by the Premier for Queensland on Tuesday, 9 November 2021.

NOTE: the details discussed on 9 November need to be formalised in a Chief Health Officer issued public health direction to have formal effect. As at the date of this template version, a public health direction has not been released, and this template has been developed, based on the information current at the time, to assist QHA members to:

3. Remind their employees of the details of what was announced on 9 November; and
4. Remind their relevant employees that to continue working on and from 17 December 2021, they must be fully vaccinated with an approved COVID-19 vaccine.

While there is a lot of information still to come, the QHA will keep you informed.

Please note that this template is not a direction for employees to get vaccinated. It is the QHA's preference that employers wait until the public health direction has been released to issue an employee a direction to get vaccinated. However, employers will need to issue employees a Direction prior to 17 December 2021. As such, the QHA also has **Template B – Direction to Get Vaccinated** available for employers who wish to issue employees a direction to get vaccinated, prior to the release of the public health direction.

RELEVANT EMPLOYEES

Employees for the purposes of the (impending) Chief Health Officer public health direction are employees of a hospitality venue.

Hospitality venues for the purposes of the announcement include hotels, pubs, clubs, taverns, bars, restaurants or cafes. This template has been developed for use by a hospitality venue employer.

ACCOMODATION EMPLOYEES WHO DO NOT WORK IN FOOD AND/OR BEVERAGE AREA

The announcement, and subsequent information provided by the Queensland Government does not clarify whether an accommodation employee who does not work in a food and/or beverage area, is required to be vaccinated under the public health direction.

For example, a housekeeping employee who is not required to work in food and beverage areas such as a restaurant, bar, tavern or café.

It may therefore not be a reasonable and lawful direction to require such an employee to get vaccinated based on this current information. As such, the QHA does not recommend issuing a direction to get vaccinated as a result. Employers are instead recommended to issue these employees this template letter, pending the release of the public health direction.

Please note that once the public health direction has been released, the QHA will review the final form of vaccination requirements, and should it differ to what is stated above, the QHA will notify members of this, and actions that should be taken / not taken, as a result.

BOTTLESHOP EMPLOYEES

The information currently available about bottleshops is that a bottleshop that is not located on the hospitality venue footprint is considered to be a **retail**, not a hospitality, venue. The following is taken from the Queensland Health [website](#):

If I'm unvaccinated, can I go into a bottle shop?

Yes. Bottle shops are considered retail, rather than a hospitality venue.

While the question has been posed from a patron's perspective, this suggests that a bottleshop employee who:

- Works solely at the bottleshop (that is not located on the hospitality venue footprint); and
- Does not enter the hospitality venue for ANY purpose related to their employment/position e.g. to collect keys / uniform; and
- Is not required to work any shifts at the hospitality venue;

is not an employee that needs to be fully vaccinated by 17 December 2021.

It may therefore not be a reasonable and lawful direction to require such an employee to get vaccinated based on this current information. The QHA does not recommend issuing a direction to get vaccinated as a result.

Please note that once the public health direction has been released, the QHA will review the final form of vaccination requirements, and should it differ to what is stated above, the QHA will notify members of this, and actions that should be taken / not taken, as a result.

MEDICAL CONTRAINDICATIONS

The Premier's announcement and the related information that has been made available to date does not address an employer's obligations where a relevant employee has a medical contraindication. The following is taken from the Queensland Health [website](#):

What if I can't get a vaccination for medical reasons? Can I still attend some of these restricted venues and activities?

There are a very small number of people who have genuine medical reasons for not being vaccinated.

We are currently working through the details of the arrangements that will apply in those circumstances, including what special arrangements would need to be made to accommodate these people in in specific settings (i.e. cafes, vulnerable settings).

You will need to be able to show proof of your exemption from vaccination on genuine medical grounds. We are doing further work on how this will operate.

While the question has been posed from a patron's perspective, should an employee advise you that they have a medical contraindication and therefore cannot become fully vaccinated, that employee should be asked to obtain medical evidence of the medical contraindication.

The employee should not be issued with a direction to get vaccinated if they have shown you such medical evidence.

The QHA expects that the public health direction will, when released, provide information as to what medical evidence will be acceptable. The QHA will keep you up to date on this.

DIRECTIONS FOR USE

- Copy the below text and paste into a blank document on your company letterhead;
- Complete the sections in red text, adopt and adapt the rest of the text as necessary, and ensure that all text is the one colour e.g. black text;
- Sign the letter and issue it to the employee – by hand, email (with read receipt), or via registered post.

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Current: 25 November 2021

TEXT TO COPY

<place on company letterhead>

<insert date>

<insert name>

<insert position>

Dear <insert name>,

RE: REMINDER - MANDATORY VACCINATION FOR QUEENSLAND'S HOSPITALITY INDUSTRY

We previously issued you communication titled "Mandatory Vaccination for Queensland's Hospitality Industry".

As previously communicated, on 9 November 2021 the Premier of Queensland, the Hon Annastacia Palaszczuk, MP announced that from 17 December 2021, hospitality venues will no longer be subject to COVID-19 related restrictions, provided that all staff and patrons are fully vaccinated.

This announcement will be contained in a yet to be published Chief Health Officer public health direction; this will give effect to the announcement as a public health direction under the *Public Health Act 2005*.

A direction made under this legislation must be complied with.

As at the date of this letter, the public health direction has not been released, however, during the Premier's announcement on 9 November it was made clear that from 17 December, employees who are not fully vaccinated will be unable to attend hospitality venues such as hotels, pubs, clubs, taverns, bars, restaurants or cafes.

<insert name of employer> will be required to comply with the announced requirements and relevant employees will also have to be fully vaccinated by 16 December 2021. We have identified you as a relevant employee (subject to the below section on detached bottleshops and accommodation employees).

If the public health direction applies to you, and you are not fully vaccinated by 16 December, you will not be allowed to work at this venue on and from 17 December 2021.

Please note that requests to take annual leave from 17 December 2021 for employees not allowed to attend work may not be approved. This is consistent with our normal operational requirements over the Christmas and New Years period, where annual leave requests are generally not approved. This would mean any absence from 17 December 2021 may be unpaid.

If you are directed to be vaccinated in accordance with a public health direction and you do not, not only will you not be able to attend the workplace, you may be subject to disciplinary action up to and including termination of employment.

Accommodation employees who do not work in food or beverage areas

The announcement, and subsequent information provided by the Queensland Government does not clarify whether an accommodation employee who does not work in a food or beverage area, such as a bar, restaurant or café, is required to be vaccinated under the public health direction.

For example, a Housekeeping employee who is not required to work in the above food and beverage areas.

The public health direction therefore *may not apply* to employees who are not required to work in the bar, restaurant or café. Please note that this advice may change and is subject to what is actually contained within the public health direction.

Detached bottleshop employees

Please note for a bottleshop that is not located within the footprint of the hospitality venue (i.e. detached), the bottleshop is considered by Queensland Health to be a retail business.

The public health direction *may not apply* to employees who work in a detached bottleshop only, that is, if the employee does not come into the venue, nor onto it's wider footprint, for any reason, such as to work a shift in the bar. Please note that this advice may change and is subject to what is actually contained within the public health direction.

Proof of Vaccination

As it is now less than 3 weeks until the impending public health direction comes into effect, employees who *will* be covered by the public health direction are required to provide evidence of vaccination to **<insert relevant person, supervisor, manager, myself>**. This must be provided by **<date>**, to allow the business to meet its rostering requirements prior to 17 November 2021.

Employees who *may* be covered are encouraged to provide evidence of vaccination to ensure that if they are covered by the impending public health direction, they can be rostered to work from 17 November 2021.

There are 3 ways that employees may show proof of vaccination. These include:

- A COVID-19 digital certificate;
- Your immunisation history statement;
- An International COVID-19 Vaccination Certificate for overseas travel.

This evidence will only be sighted, a copy of the evidence will not be taken.

Employees who provide fraudulent evidence may be subject to disciplinary action.

Medical Contraindication

The announcement did not outline exemptions from being unvaccinated for a medical reason. However, the Queensland Health website has indicated that there may be arrangements for persons with a genuine medical reason to not be vaccinated. If you are unable to be vaccinated because of a medical contraindication please discuss this with **<insert relevant person, supervisor, manager, myself>**. Please note that you will be required to provide evidence of any medical reason, including in accordance with any requirements that may be set out in the impending public health direction.

Regards,

<Insert Name>
<Insert Position Title>

TEMPLATE B:

INTERIM EMPLOYER DIRECTION TO GET VACCINATED

This interim template is for employers to provide to relevant employees who are not fully vaccinated against COVID-19. This includes employees who have said that they will not get vaccinated. A second template direction to get vaccinated will be provided to QHA members when the Chief Health Officer's public health direction is released.

The QHA's advice is that you do not issue a direction until after the public health direction is released. Please refer to the below section under the heading *Reasonable and Lawful Direction* for more information

However, given that the public health direction has not yet been released, and 17 December 2021 is not that far away, this template has been provided for QHA members that want to provide clear direction to their employees in the interim.

RELEVANT EMPLOYEES

Employees for the purposes of the (impending) Chief Health Officer public health direction are employees of a hospitality venue.

BOTTLESHOP EMPLOYEES

The information currently available about bottleshops is that a bottleshop that is not located on the hospitality venue footprint is considered to be a **retail**, not a hospitality, venue. The following is taken from the Queensland Health [website](#):

If I'm unvaccinated, can I go into a bottle shop?

Yes. Bottle shops are considered retail, rather than a hospitality venue.

While the question has been posed from a patron's perspective, this suggests that a bottleshop employee who:

- Works solely at the bottleshop (that is not located on the hospitality venue footprint); and
- Does not enter the hospitality venue for ANY purpose related to their employment/position e.g. to collect keys / uniform; and
- Is not required to work any shifts at the hospitality venue;

is not an employee that needs to be fully vaccinated by 17 December 2021.

It may therefore not be a reasonable and lawful direction to require such an employee to get vaccinated based on this current information. The QHA does not recommend issuing a direction to get vaccinated as a result.

Please note that once the public health direction has been released, the QHA will review the final form of vaccination requirements, and should it differ to what is stated above, the QHA will notify members of this, and actions that should be taken / not taken, as a result.

REASONABLE AND LAWFUL DIRECTION

Please note that to be able to hold an employee accountable for not complying with an employer issued direction, that direction must be a reasonable and lawful direction.

In the instance of termination of employment arising from non-compliance, a tribunal will (if the termination is challenged e.g. an unfair dismissal claim before the Fair Work Commission) need to determine whether the direction that was issued was reasonable and lawful.

Given the Queensland Government announcement on 9 November, this template direction is a reasonable one given the circumstances. However, the absence of a Chief Health Officer public health direction may mean that issuing the direction to your employees prior to the release of the public health direction is not lawful. That is, there is no lawful basis for issuing a direction like this to employees.

It is therefore the QHA's preference that a direction only be given once the Chief Health Officer public health direction has been issued. The public health direction will confirm that a direction such as the one in this template is lawful – because the public health direction is made under the *Public Health Act 2005*. The QHA will provide a final template direction to members once the public health direction has been released.

DIRECTIONS FOR USING THE INTERIM DIRECTION

To use this template:

1. After issuing Template A and speaking to employees about their vaccination status, for those employees who:
 - a. are not vaccinated; or
 - b. who refuse to say if they are vaccinated; or
 - c. have not provided medical evidence of a medical contraindication; and
2. Identify the employees who should be issued with this direction and:
 - Copy the below text and paste into a blank document on your company letterhead;
 - Complete the sections in red text, adopt and adapt the rest of the text as necessary, and ensure that all text is the one colour e.g. black text;
 - Sign the letter and issue it to the employee – by hand, email (with read receipt), or via registered post.

DISCLAIMER

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Whilst all care has been taken in preparing this template, the Queensland Hotels Association and the author is not liable for any errors or omissions or for any loss or damage suffered (directly or indirectly) as a result of reliance on this template, or for any breach by you of your legal or operational obligations.

Current: 12 November 2021

TEXT TO COPY

<place on company letterhead>

<insert date>

<insert name>

<insert position>

Dear <insert name>,

RE: DIRECTION TO GET VACCINATED

Recently I provided you with a letter regarding the announcement on 9 November 2021 for hospitality venue employees to be fully vaccinated against COVID-19 by 16 December 2021. This will be contained in a still to be released Chief Health Officer issued public health direction. It is clear that all hospitality venue employers and employees in Queensland will be required to comply with these new requirements in relation to vaccination.

<Insert name of employer> has determined that the vaccination requirement is relevant to your employment and you are a worker that is required to be fully vaccinated against COVID-19 by 16 December 2021.

If you are not fully vaccinated by 16 December, you will not be allowed to work at this venue on and from 17 December 2021.

Accordingly, <insert the employer's name> is issuing you with a direction to be fully vaccinated against COVID-19 no later than 16 December 2021. This is a direction that you comply with the announced vaccination requirements for the hospitality industry that we have communicated to you, and any subsequent public health direction/s of the Chief Health Officer.

You will be required to furnish evidence of your vaccination status no later than 16 December 2021, in order to confirm your ability to work on or after 17 December. Due to our rostering timeframes, in order to be rostered to work on or after 17 December, we ask that you provide your evidence by <insert date that coincides with rostering for the period that covers on and from 17 December i.e. 13 December may be the date that rosters are prepared for the following week>. Management will be in contact with you about evidence requirements.

In the event you have a medical contraindication that prevents you from being vaccinated with an approved COVID-19 vaccine, you must furnish evidence of this no later than 16 December 2021. Such evidence must be issued by a medical practitioner. Please be assured that information provided to <insert the employer's name> will be treated carefully and confidentially except where otherwise authorised by a law or Government direction.

<insert the employer's name> considers this direction to be a lawful and reasonable direction.

Please be aware that failure to comply with this direction without reasonable excuse may result in disciplinary action, up to and including termination of your employment.

Regards,

<Insert Name>
<Insert Position Title>

TEMPLATE C:

MEDICAL CONTRAINDICATION

The template is for employers to provide to relevant employees who:

- Have informed their employer that they cannot get any of the approved COVID-19 vaccines for medical reasons, or have provided a standard medical certificate which states this; and
- Have not provided evidence of a medical contraindication through their immunisation history statement or COVID-19 digital certificate; and
- Have already been issued *Template A – Mandatory Vaccination for Queensland’s Hospitality Industry* and/or *Template 2A – Reminder – Mandatory Vaccination for Queensland’s Hospitality Industry*; and
- Have not been issued *Template B - Direction to Get Vaccinated* or another direction to get vaccinated; and
- May be covered by the impending public health direction (as defined below), including detached bottle shops and accommodation employees who do not work in a food or beverage area.

Where a person is not able to be vaccinated for valid medical reason, this is called a medical contraindication.

This template is to inform the above relevant employees what evidence of a medical contraindication is acceptable.

NOTE: As at the date of this template version, a public health direction has not been released, and this template has been developed based on the information current at the time. While there is a lot of information still to come, the QHA will keep you informed.

The Premier’s announcement on 9 November and the related information that has been made available to date does not address an employer’s obligations where a relevant employee has a medical contraindication. The following is taken from the Queensland Health [website](#) as at 3/12/21:

What if I can’t get a vaccination for medical reasons? Can I still attend some of these restricted venues and activities?

There are a very small number of people who have genuine medical reasons for not being vaccinated.

We are currently working through the details of the arrangements that will apply in those circumstances, including what special arrangements would need to be made to accommodate these people in in specific settings (i.e. cafes, vulnerable settings).

You will need to be able to show proof of your exemption from vaccination on genuine medical grounds. We are doing further work on how this will operate.

While the question has been posed from a patron's perspective, should an employee advise you that they have a medical contraindication and therefore cannot become fully vaccinated, that employee should be asked to obtain medical evidence of the medical contraindication. The employee should not be issued with a direction to get vaccinated if they have shown you such medical evidence of a medical contraindication.

Please note, as detailed in the attached template letter, **a standard medical certificate is not acceptable evidence of a medical contraindication.**

The attached template letter provides details on what forms of evidence may be acceptable.

This template is not a direction for employees to get vaccinated. It is the QHA's preference that employers wait until the public health direction has been released to issue an employee a direction to get vaccinated. However, employers will need to issue employees a Direction prior to 17 December 2021. As such, the QHA also has **Template B – Direction to Get Vaccinated** available for employers who wish to issue employees a direction to get vaccinated, prior to the release of the public health direction.

RELEVANT EMPLOYEES

Employees for the purposes of the (impending) Chief Health Officer public health direction are employees of a hospitality venue.

Hospitality venues for the purposes of the announcement include hotels, pubs, clubs, taverns, bars, restaurants, or cafes. This template has been developed for use by a hospitality venue employer.

ACCOMODATION EMPLOYEES WHO DO NOT WORK IN FOOD AND/OR BEVERAGE AREA

The announcement, and subsequent information provided by the Queensland Government does not clarify whether an accommodation employee who does not work in a food and/or beverage area, is required to be vaccinated under the public health direction.

For example, a housekeeping employee who is not required to work in food and beverage areas such as a restaurant, bar, tavern or café.

It may therefore not be a reasonable and lawful direction to require such an employee to get vaccinated based on this current information. As such, the QHA does not recommend issuing a direction to get vaccinated as a result. Employers are instead recommended to issue these employees this template letter, pending the release of the public health direction.

Please note that once the public health direction has been released, the QHA will review the final form of vaccination requirements, and should it differ to what is stated above, the QHA will notify members of this, and actions that should be taken / not taken, as a result.

BOTTLESHOP EMPLOYEES

The information currently available about bottleshops is that a bottleshop that is not located on the hospitality venue footprint is considered to be a **retail**, not a hospitality, venue. The following is taken from the Queensland Health [website](#):

If I'm unvaccinated, can I go into a bottle shop?

Yes. Bottle shops are considered retail, rather than a hospitality venue.

While the question has been posed from a patron's perspective, this suggests that a bottleshop employee who:

- Works solely at the bottleshop (that is not located on the hospitality venue footprint); and
- Does not enter the hospitality venue for ANY purpose related to their employment/position e.g. to collect keys / uniform; and

- Is not required to work any shifts at the hospitality venue;

is not an employee that needs to be fully vaccinated by 17 December 2021.

It may therefore not be a reasonable and lawful direction to require such an employee to get vaccinated based on this current information. The QHA does not recommend issuing a direction to get vaccinated as a result.

Please note that once the public health direction has been released, the QHA will review the final form of vaccination requirements, and should it differ to what is stated above, the QHA will notify members of this, and actions that should be taken / not taken, as a result.

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- Copy the below text and paste into a blank document on your company letterhead;
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Current: 3 December 2021

TEXT TO COPY

<place on company letterhead>

<insert date>

<insert name>

<insert position>

Dear <insert name>,

RE: MEDICAL CONTRAINDICATION - MANDATORY VACCINATION FOR QUEENSLAND'S HOSPITALITY INDUSTRY

We previously issued you communication titled "Mandatory Vaccination for Queensland's Hospitality Industry", and "Reminder – Mandatory Vaccination for Queensland's Hospitality Industry".

This letter provides further details on what may be a valid medical reason for not being able to get any of the approved COVID-19 vaccines, and what may be acceptable evidence to demonstrate this.

Where a person is not able to be vaccinated for valid medical reason, this is called a medical contraindication.

Public Health Direction

As previously communicated, on 9 November 2021 the Premier of Queensland, the Hon Anastacia Palaszczuk, MP, announced that from 17 December 2021, all staff and patrons in hospitality venues must be fully vaccinated. This announcement will be contained in a yet to be published Chief Health Officer public health direction; this will give effect to the announcement as a public health direction under the *Public Health Act 2005*. A direction made under this legislation must be complied with.

As at the date of this letter, the public health direction has not been released, however, during the Premier's announcement on 9 November it was made clear that from 17 December, employees who are not fully vaccinated will be unable to attend hospitality venues such as hotels, pubs, clubs, taverns, bars, restaurants or cafes.

<insert name of employer> will be required to comply with the announced requirements and relevant employees will also have to be fully vaccinated by 16 December 2021. We have identified you as a relevant employee (subject to details regarding detached bottleshops and accommodation employees provided in our last communication to you).

Medical Contraindication

The announcement did not outline exemptions from being unvaccinated for a medical reason.

However, the Queensland Health website has indicated that there may be arrangements for persons with a genuine medical reason to not be vaccinated.

The Services Australia website provides that the only valid medical reasons an employee might be able to get an exemption to not be vaccinated is where they:

- Had anaphylaxis after a previous dose of a vaccine;
- Had anaphylaxis after a dose of any component of a vaccine;
- Are significantly immunocompromised—for live vaccines only;
- Have natural immunity—for hepatitis B, measles, mumps, rubella and chickenpox only.

The Services Australia website also lists;

- Which medical professionals can grant a medical contraindication; and
- Reasons that will not count as a medical contraindication.

This information is available here:

<https://www.servicesaustralia.gov.au/individuals/services/medicare/australian-immunisation-register/what-register/immunisation-medical-exemptions>

Employees who believe they have a medical contraindication are recommended to:

- Review the information provided in the above Services Australia link;
- Seek advice from a suitable medical professional who can grant a medical contraindication; and
- Review the below information regarding acceptable proof of a medical contraindication.

Proof of Medical Contraindication

The announcement did not confirm what evidence of a medical contraindication will be accepted. This will be confirmed in the impending public health direction.

However, a standard medical certificate is not acceptable evidence of a medical contraindication.

In absence of the public health direction, we refer to the Queensland Government website, which currently states that *"If you can't get any of the approved COVID-19 vaccines for medical reasons, this will be recorded by your doctor on your immunisation history statement and on your COVID-19 digital certificate. This is called a medical contraindication. Your statement or certificate can be used as proof of your vaccination status. You can also add your certificate to your Check In Qld app."*

This information is available here: <https://www.covid19.qld.gov.au/check-in-qld/digital-vaccination-certificate#exemption>

Employees who believe they have a valid medical reason are encouraged to obtain evidence of their medical contraindication through their immunisation history statement and COVID-19 digital certificate, as the impending public health direction is likely to confirm that these are acceptable evidence.

As it is now less than 2 weeks until the impending public health direction comes into effect, employees who *will* be covered by the public health direction are required to provide evidence of vaccination, or a medical contraindication, to **<insert relevant person, supervisor, manager, myself>**.

This must be provided by **<date>**, to allow the business to meet its rostering requirements prior to 17 November 2021. This evidence will only be sighted, a copy of the evidence will not be taken.

Employees who *may* be covered are encouraged to provide evidence of vaccination, or a medical contraindication, to ensure that if they are covered by the impending public health direction, they can be rostered to work from 17 November 2021.

There are 3 ways that employees may show proof of vaccination. These include:

- A COVID-19 digital certificate;
- Your immunisation history statement;
- An International COVID-19 Vaccination Certificate for overseas travel.

Employees who do not provide sufficient evidence will not be able to work on and from 17 December, when the public health direction takes effect.

As stated, a standard medical certificate is not acceptable evidence of a medical contraindication.

Employees who provide fraudulent evidence may be subject to disciplinary action.

Regards,

<Insert Name>
<Insert Position Title>

TEMPLATE D:

EMPLOYER DIRECTION TO GET VACCINATED

This template is for employers to provide to relevant employees who are not fully vaccinated against COVID-19. This includes employees who have said that they will not get vaccinated.

The *Public Health and Social Measures linked to vaccination status Direction* ('Vaccination Direction') was released on 7 December 2021 and it outlines vaccination entry requirements for businesses, activities or undertakings as set out in the Vaccination Direction. The Vaccination Direction applies to hospitality venues.

The Vaccination Direction has effect from 5:00am on 17 December 2021.

The QHA has developed this template for use now that the Vaccination Direction has been released. This template should be provided to relevant employees that you believe are not vaccinated, have indicated they will not be getting vaccinated, or are yet to provide you with evidence of their vaccination status or of a medical contraindication.

Please refer to the below section under the heading *Reasonable and Lawful Direction* for more information.

RELEVANT EMPLOYEES

The Vaccination Direction defines staff as the following:

Staff means anyone that enters, works at, provides services or volunteers at premises as part of the ongoing operation of a *business, activity or undertaking*, and whose services or delivery of goods cannot be provided or delivered in a contactless way. *Staff* may be employed as an employee, contractor or otherwise engaged, including as a volunteer or student on a placement in connection with an enrolled course of study.

Note: A worker who visits a high-risk setting as an incidental part of their duties but is not providing services as part of, or to, the business, activity or undertaking or their delivery or service is provided contactlessly, is not a worker at the business, activity or undertaking but is a visitor to the premises.

Example: barista, cleaner, chef, wait staff, decorator, on site support person, volunteers for an event, performers at an entertainment venue.

The Vaccination Direction states that:

From 17 December 2021 - *staff* who enter, work in or provide services at a *business, activity or undertaking* where vaccination is a requirement of entry or affects occupant density requirements must, before starting their next shift on or after 17 December 2021, provide *proof of COVID-19 vaccination* or of a *medical contraindication* to their employer.

Note: an employee only needs to provide proof of COVID-19 vaccination or of a medical contraindication to their employer once unless their vaccination status or requirements for COVID-19 vaccination change.

A business, activity or undertaking where vaccination is a requirement of entry includes hospitality venues such as *'cafés, restaurants, pubs, clubs, RSL clubs, taverns, function centres, bars, wineries, distilleries and microbreweries, and these premises in accommodation hotels, or within a shopping*

centre or other unrestricted business, activity or undertaking' as set out in Schedule 1A of the Vaccination Direction.

BOTTLESHOP EMPLOYEES

- No vaccination entry requirements apply to takeaway (only) retail outlets such as a Bottleshop, as these outlets are considered to be retail and an employee does not have to be vaccinated.
- If an employee works in a bottleshop but will enter and remain in a hospitality venue in the ordinary course of their duties then they will need to be vaccinated.
- If an employee that works in a bottleshop will enter, but will not remain, in a hospitality venue in the ordinary course of their duties they will not have to be vaccinated i.e. they are placing their bag in the staff locker area.

ACCOMMODATION AND OTHER EMPLOYEES

- An unvaccinated person may enter and remain in the accommodation part of an accommodation hotel. This includes employees that only work in the accommodation specific areas of an accommodation hotel. An unvaccinated person may also enter and remain in other non-hospitality areas of an accommodation hotel including a gym, pool or spa.
- Vaccination entry requirements still apply to hospitality areas within an accommodation hotel**.
- If an employee that works in an accommodation area needs to enter and remain in a hospitality area in the ordinary course of their duties, they will have to be vaccinated.

ASSESSING RELEVANT EMPLOYEE STATUS

The Vaccination Direction will apply to employees and other staff who perform work in a hospitality area that requires a person to be vaccinated to enter. These areas are listed in Schedule 1A of the Vaccination Direction.

EXAMPLE:

A gardener does not work in one of those areas, and therefore does not require vaccination. However, if, as part of the gardener's duties, they work one shift per week in the hospitality venue café, the gardener will need to be vaccinated. The same would apply if the gardener is required to work on an irregular basis, i.e. when a café staff member is ill or on leave, and the gardener is required to be ready and available to work the shift. This is because it is part of the gardener's duties to work in an area that requires vaccination.

Employers will need to carefully assess those positions that are not clearly a position in one of the areas listed in Schedule 1A to determine if an employee's duties includes working in an area that requires vaccination. If so, that employee will be a relevant employee for the Vaccination Direction.

REASONABLE AND LAWFUL DIRECTION

Please note that to be able to hold an employee accountable for not complying with an employer issued direction, that direction must be a reasonable and lawful direction.

The Vaccination Direction provides a reasonable and lawful basis for requiring an employee to be vaccinated in order to continue working at the workplace.

In the instance of termination of employment arising from non-compliance, a tribunal will (if the termination is challenged e.g. an unfair dismissal claim before the Fair Work Commission) need to determine, among other things, whether the employer's direction was reasonable and lawful.

DIRECTIONS FOR USING THIS TEMPLATE DIRECTION

Use this template in relation to employees that you have identified who:

- Are not yet vaccinated;
- Refuse to say if they are vaccinated; or
- Have indicated that they will not be getting vaccinated.

You can also use this template in relation to employees that are yet to provide evidence confirming their vaccination status, or have not provided evidence of a claimed medical contraindication.

- Copy the below text and paste into a blank document on your company letterhead;
- Complete the sections in red text, adopt and adapt the rest of the text as necessary, and ensure that all text is the one colour e.g. black text;
- Attach a copy of the Vaccination Direction to this letter;
- Sign the letter and issue it to the employee – by hand, email (with read receipt), or via registered post.

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Current: 9 December 2021

TEXT TO COPY

<place on company letterhead>

<insert date>

<insert name>
<insert position>

Dear <insert name>,

RE: DIRECTION TO GET VACCINATED - PUBLIC HEALTH AND SOCIAL MEASURES LINKED TO VACCINATION STATUS DIRECTION

Recently I provided you with a letter regarding the announcement on 9 November 2021 that hospitality venue employees are to be fully vaccinated against COVID-19 by 16 December 2021.

The Chief Health Officer has now released the public health direction, titled *Public Health and Social Measures linked to vaccination status Direction* ('Vaccination Direction'). The Vaccination Direction gives effect to the announcement on 9 November 2021.

A copy of the Vaccination Direction is included with this letter.

The Vaccination Direction applies to <insert name of employer> as a business, activity or undertaking, and it must ensure that it complies with the vaccination entry requirements set out in the Vaccination Direction.

<Insert name of employer> has determined that the Vaccination Direction is relevant to your employment and you meet the definition of 'staff', as set out in the Vaccination Direction.

This means that to enter or work in our premises you are required to be fully vaccinated against COVID-19 by 16 December 2021. Fully Vaccinated means the prescribed number of doses of a COVID-19 vaccine.

If you have a medical contraindication that prevents you from being vaccinated with an approved COVID-19 vaccine, you will be able to continue working at <insert the employer's name> however you must provide evidence of the medical contraindication no later than 16 December 2021.

The types of evidence that are acceptable are as follows:

- Medical contraindication information displayed on the *Check in Qld app*; or
- Medical contraindication information in the form of a *COVID-19 digital certificate* or printed certificate from the [Australian Immunisation Register](#)
- an online or printed *immunisation history statement* for COVID-19 vaccination, including confirmation of a medical contraindication.

If you do not have a medical contraindication and are not fully vaccinated by 16 December, you will not be allowed to work at this venue on and from 5:00am on 17 December 2021.

Accordingly, <insert the employer's name> is issuing you with a direction to comply with the Vaccination Direction and be fully vaccinated against COVID-19 no later than 16 December 2021. We also refer to previous communication to you on <insert date/s> outlining that you will be required to be vaccinated.

If you are already vaccinated but have not provided evidence, you are directed to provide evidence in accordance with the Vaccination Direction.

You will be required to provide evidence of your vaccination status in order to confirm your ability to work on or after 17 December.

Due to our rostering timeframes, in order to be rostered to work on or after 17 December, we ask that you provide your evidence by <insert date that coincides with rostering for the period that covers on and from 17 December i.e. 13 December may be the date that rosters are prepared for the following week>.

The types of evidence that are acceptable are as follows:

- written confirmation of COVID-19 vaccination provided as part of the vaccination process, such as a record of vaccine card; or
- vaccination information displayed on the *Check in Qld app*; or
- a *COVID-19 digital certificate* or printed vaccination certificate from the [Australian Immunisation Register](#); or
- an online or printed *immunisation history statement* for COVID-19 vaccination; or
- an *International COVID-19 Vaccination Certificate*:
 - in a printed or electronic form from the Department of Home Affairs that confirms completion of an Australia Travel Declaration and vaccination against COVID-19 overseas; or
 - through Medicare online account through myGov or the Medicare mobile app; or
 - an official record of vaccination provided to the person when vaccinated against COVID-19 overseas.

<Insert the employer's name> considers this direction to be a lawful and reasonable direction.

If you choose not to comply with the Vaccination Direction and this Direction from your employer you will not be able to enter or work in our premises from 17 December 2021.

Please be aware that failure to comply with this direction without reasonable excuse may result in disciplinary action, up to and including termination of your employment.

Regards,

<Insert Name>
<Insert Position Title>

TEMPLATE E:

ADVICE TO EMPLOYEE NOT CAPTURED BY VACCINATION DIRECTION

The template is for employers to provide to relevant employees who:

- The employer previously reasonably anticipated would be a 'relevant employee' for the purpose of the *Public Health and Social Measures linked to vaccination status Direction* ('the Vaccination Direction'), and;
- Had, on the above basis, been issued any of the following:
Template A – Notice of Mandatory Vaccination Requirements or similar notice;
Template B - Direction to Get Vaccinated or similar direction to get vaccinated;
Template 2A - Reminder Letter of Directive or similar, and;
- On the basis of new information that has come to light, appear to not be a relevant employee for the purpose of the Vaccination Direction.

Subject to satisfaction of the above criteria, this template is to inform an employee that with the release of the Vaccination Direction and the current understanding of what staff it will apply to (please see below under the heading Relevant Employees), it does not appear that the requirement to be fully vaccinated by 17 December 2021 in accordance with the Vaccination Direction applies to the employee.

RELEVANT EMPLOYEES

The Vaccination Direction defines staff as the following:

Staff means anyone that enters, works at, provides services or volunteers at premises as part of the ongoing operation of a *business, activity or undertaking*, and whose services or delivery of goods cannot be provided or delivered in a contactless way. *Staff* may be employed as an employee, contractor or otherwise engaged, including as a volunteer or student on a placement in connection with an enrolled course of study.

Note: A worker who visits a high-risk setting as an incidental part of their duties but is not providing services as part of, or to, the business, activity or undertaking or their delivery or service is provided contactlessly, is not a worker at the business, activity or undertaking but is a visitor to the premises.

Example: barista, cleaner, chef, wait staff, decorator, on site support person, volunteers for an event, performers at an entertainment venue.

The Vaccination Direction states that:

From 17 December 2021 - *staff* who enter, work in or provide services at a *business, activity or undertaking* where vaccination is a requirement of entry or affects occupant density requirements must, before starting their next shift on or after 17 December 2021, provide *proof of COVID-19 vaccination* or of a *medical contraindication* to their employer.

Note: an employee only needs to provide proof of COVID-19 vaccination or of a medical contraindication to their employer once unless their vaccination status or requirements for COVID-19 vaccination change.

A business, activity or undertaking where vaccination is a requirement of entry includes hospitality venues such as *'cafés, restaurants, pubs, clubs, RSL clubs, taverns, function centres, bars, wineries, distilleries and microbreweries, and these premises in accommodation hotels, or within a shopping*

centre or other unrestricted business, activity or undertaking' as set out in Schedule 1A of the Vaccination Direction.

BOTTLESHOP EMPLOYEES

- No vaccination entry requirements apply to takeaway (only) retail outlets such as a Bottleshop, as these outlets are considered to be retail and an employee does not have to be vaccinated.
- If an employee works in a bottleshop but will enter and remain in a hospitality venue in the ordinary course of their duties then they will need to be vaccinated.
- If an employee that works in a bottleshop will enter, but will not remain, in a hospitality venue in the ordinary course of their duties they will not have to be vaccinated i.e. they are placing their bag in the staff locker area.

ACCOMMODATION AND OTHER EMPLOYEES

- An unvaccinated person may enter and remain in the accommodation part of an accommodation hotel. This includes employees that only work in the accommodation specific areas of an accommodation hotel. An unvaccinated person may also enter and remain in other non-hospitality areas of an accommodation hotel including a gym, pool or spa.
- Vaccination entry requirements still apply to hospitality areas within an accommodation hotel.
- If an employee that works in an accommodation area needs to enter and remain in a hospitality area in the ordinary course of their duties, they will have to be vaccinated.

ASSESSING RELEVANT EMPLOYEE STATUS

The Vaccination Direction will apply to employees and other staff who perform work in a hospitality area that requires a person to be vaccinated to enter. These areas are listed in Schedule 1A of the Vaccination Direction.

EXAMPLE:

A gardener does not work in one of those areas, and therefore does not require vaccination. However, if, as part of the gardener's duties, they work one shift per week in the hospitality venue café, the gardener will need to be vaccinated. The same would apply if the gardener is required to work on an irregular basis, i.e. when a café staff member is ill or on leave, and the gardener is required to be ready and available to work the shift. This is because it is part of the gardener's duties to work in an area that requires vaccination.

Employers will need to carefully assess those positions that are not clearly a position in one of the areas listed in Schedule 1A to determine if an employee's duties includes working in an area that requires vaccination. If so, that employee will be a relevant employee for the Vaccination Direction.

DIRECTIONS FOR USING THIS TEMPLATE

- Copy the below text and paste into a blank document on your company letterhead;
- Complete the sections in red text, adopt and adapt the rest of the text as necessary, and ensure that all text is the one colour e.g. black text;
- Attach a copy of the Vaccination Direction to this letter;
- Sign the letter and issue it – by hand, email (with read receipt), or via registered post.

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Current: 9 December 2021

TEXT TO COPY

<place on company letterhead>

<insert date>

<insert name>
<insert position>

Dear <insert name>,

RE: CLARIFICATION REGARDING YOUR EMPLOYMENT AND THE *PUBLIC HEALTH AND SOCIAL MEASURES LINKED TO VACCINATION STATUS DIRECTION* ('THE VACCINATION DIRECTION')

As previously communicated, on 9 November 2021 the Premier of Queensland, the Hon Anastacia Palaszczuk, MP announced that from 17 December 2021, hospitality venues will no longer be subject to COVID-19 related restrictions, provided that staff and patrons are fully vaccinated. By extension, it was clear that unvaccinated employees would be unable to attend hospitality venues such as hotels, pubs, clubs, taverns, bars, restaurants or cafes from 17 December 2021.

Following the announcement and pending the publication of a public health direction (made under the *Public Health Act 2005*) giving the measures, as announced, legal effect, <insert name of employer> previously issued you correspondence based on its reasonable presumption of the implications the proposed measures would have in relation to your employment.

The purpose of this letter is to inform you, on the basis of information that has come to light since publication of the *Public Health and Social Measures linked to vaccination status Direction* ('the Vaccination Direction') on 7 December 2021, you do not appear to be a relevant employee for the purpose of the requirement to provide evidence of full vaccination or medical contraindication by 17 December.

Importantly however, you must continue to check-in and comply with any social distancing measures that may be prescribed by the Vaccination Direction. A copy of the Vaccination Direction is attached to this letter. In addition, a copy can be obtained by following the below link to the Queensland Health website:

<https://www.health.qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers/public-health-and-social-measures-linked-to-vaccination-status-direction>

Should you have further questions arising from the content of this correspondence, please contact <insert contact for relevant individual or department>

Regards,

<Insert Name>
<Insert Position Title>



TEMPLATE F:

NOTICE VACCINATION DIRECTION – CONTRACTORS AND OTHERS

This template is for persons conducting a business, activity or undertaking to provide to contractors, subcontractors, suppliers, volunteers and students to inform them about the Queensland Government's Chief Health Officer direction; the *Public Health and Social Measures Linked to vaccination status Direction* ('Vaccination Direction').

The template highlights that the Vaccination Direction is relevant to the workplace they visit or perform work at, and that they, and their employees, will be asked about their vaccination status.

DIRECTIONS FOR USING THIS TEMPLATE

- Copy the below text and paste into a blank document on your company letterhead;
- Complete the sections in red text, adopt and adapt the rest of the text as necessary, and ensure that all text is the one colour e.g. black text;
- Attach a copy of the Vaccination Direction to this letter;
- Sign the letter and issue it to the contractor, subcontractor, supplier, volunteer or students – by hand, email (with read receipt), or via registered post.

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Current: 9 December 2021

TEXT TO COPY:

<place on company letterhead>

<insert date>

<insert name>
<insert position>

Dear <insert name>,

RE: Queensland Government Vaccination Direction

As you will be aware, the Queensland Government's Chief Health Officer has issued the *Public Health and Social Measures Linked to vaccination status Direction* ('Vaccination Direction').

The Vaccination Direction applies to <insert name of employer> as a business, activity or undertaking, and it must ensure that it complies with the vaccination entry requirements set out in the Vaccination Direction on and from 17 December 2021.

The Vaccination Direction states that only fully vaccinated visitors and staff, or those with a medical contraindication, will be permitted to enter and remain in hospitality venues.

The term hospitality venues does not include the accommodation part of an accommodation premises or retail areas, i.e. bottleshops.

The Vaccination Direction defines staff as:

Staff means anyone that enters, works at, provides services or volunteers at premises as part of the ongoing operation of a *business, activity or undertaking*, and whose services or delivery of goods cannot be provided or delivered in a contactless way. *Staff* may be employed as an employee, contractor or otherwise engaged, including as a volunteer or student on a placement in connection with an enrolled course of study.

Note: A worker who visits a high-risk setting as an incidental part of their duties but is not providing services as part of, or to, the business, activity or undertaking or their delivery or service is provided contactlessly, is not a worker at the business, activity or undertaking but is a visitor to the premises.

Example: barista, cleaner, chef, wait staff, decorator, on site support person, volunteers for an event, performers at an entertainment venue.

The Vaccination Direction defines a visitor as:

Visitor means a person, including a guest or patron, who enters a *business, activity or undertaking* other than as *staff* of the *business, activity or undertaking*, and includes employees of other businesses and government employees entering under an arrangement with the owner or operator, or in the performance of their duties.

Example: a government employee entering a café to consult with the owner or with staff as part of their work duties is a visitor and must comply with the COVID-19 vaccination and other requirements of this public health direction to enter. The owner or operator of the business, activity or undertaking must sight evidence of their COVID-19 vaccination but does not need to retain a record of it.

Example: a worker employed by another business but performing duties in the business, activity or undertaking is a visitor and must provide contact information and show evidence of their vaccination to the owner, operator or their staff.

Accordingly, our understanding is that any contractor, sub-contractor, supplier and their employees or a volunteer or student who is a visitor or performs work as staff in the hospitality venue premises of <insert name of employer> must comply with the Vaccination Direction.

This means that to enter and remain (this includes visiting and work) in our premises on and from 17 December 2021 they are required to be fully vaccinated against COVID-19 or provide evidence of a medical contraindication. Fully Vaccinated, as per the Vaccination Direction, means the prescribed number of doses of a COVID-19 vaccine.

<Remove not relevant option - you/ you and your employees/your employees> will be required to provide proof of COVID-19 Vaccination or of a medical contraindication. Suitable evidence includes:

- Written confirmation of COVID-19 vaccination provided as part of the vaccination process, such as a record of vaccine card; or
- Vaccination information displayed on the Check in Qld app; or

- A COVID-19 digital certificate or printed vaccination certificate from the [Australian Immunisation Register](#); or
- An online or printed immunisation history statement for COVID-19 vaccination, including confirmation of a medical contraindication; or
- An International COVID-19 Vaccination Certificate:
 - in a printed or electronic form from the Department of Home Affairs that confirms completion of an Australia Travel Declaration and vaccination against COVID-19 overseas; or
 - through Medicare online account through myGov or the Medicare mobile app; or
 - an official record of vaccination provided when vaccinated against COVID-19 overseas.

Attached to this letter is a copy of the Vaccination Direction. If you have not already, please take the time to read it, and feel free to contact me if you have any questions about it.

<Insert name of employer> is required to comply the Vaccination Direction, and advises you that it will be taking necessary steps to ensure its compliance.

Regards,

<Insert Name>
<Insert Position Title>



TEMPLATE G:

NOTICE REGARDING INABILITY TO WORK AT THE WORKPLACE

This template is for employers to provide to staff (as defined) to inform them, as per the Queensland Government's *Public Health and Social Measures linked to vaccination status Direction* (the 'Vaccination Direction'), that they are unable to attend the workplace due to their failure to provide acceptable proof in line with the Vaccination Direction.

This template is for use with staff, as defined by the Vaccination Direction, who have:

- been issued template D titled "*DIRECTION TO GET VACCINATED - Public Health and Social Measures linked to vaccination status Direction*", or an alternative written direction; and
- not provided acceptable evidence of their full COVID-19 vaccination; and
- not provided evidence of a medical contraindication that they have claim to have.

NOTE: This notice can be provided to staff earlier than COB 16 December, for example, on a date which staff were informed that they needed to provide proof by so they could be rostered from 17 December. Refer to previous letters/emails that you have sent to your staff, for example, Template D, as it may include this date.

INSTRUCTIONS

- Copy the below text and paste into a blank document on your company letterhead;
- Complete the sections in red text, adopt and adapt the rest of the text as necessary, and ensure that all text is the one colour e.g. black text;
- Sign the letter and issue it to the worker – by hand preferably, or via registered post;
- Provide the copy NO LATER than COB 16 December to the relevant staff.

DISCLAIMER:

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Current: 13 December 2021

TEXT TO COPY:

<place on company letterhead>

<insert date>

<insert name>

<insert position>

Dear <insert name>,

RE: Notice of Inability to Work

The Queensland Government issued a direction; the *Public Health and Social Measures linked to vaccination status Direction* (the 'Vaccination Direction'), and it has effect from 5am on 17 December 2021.

The Vaccination Direction applies to staff who enter, work in or provide services at a business, activity or undertaking, where vaccination is a requirement of entry or affects occupant density requirements, as defined, across the Queensland.

The Vaccination Direction applies to <insert name of employer>.

This means that we have certain obligations as a person who owns, controls or operates a business, activity or undertaking to comply with the Vaccination Direction, and so do you as hospitality staff.

The requirement, as per the Vaccination Direction, is that as staff, you need to have provided acceptable evidence of COVID-19 vaccination or of a medical contraindication to be able to attend the workplace on or after 5am on 17 December 2021.

DELETE IF NOT APPLICABLE:

You were requested on <insert date> to provide such evidence by <insert date>.

As of today's date, you have not provided us acceptable evidence of your full COVID-19 vaccination, or of a medical contraindication.

Due to this, and in compliance with the Vaccination Direction, we have been unable to roster you to work on and from 17 December 2021.

In addition, as you are yet to provide this evidence, you cannot attend the workplace, in any capacity, on and from 5am on 17 December 2021.

Please be advised that if you do not provide management with acceptable evidence before starting your next shift on or after 17 December 2021, it will be taken that you have not complied with your requirements as per the Vaccination Direction.

Include for employees only:

As you are unable to attend as per the Vaccination Direction, please be advised that you are not entitled to receive any wages for hours not worked. In absence of providing acceptable proof of COVID-19 vaccination or of a medical contraindication before starting your next shift on or after 17 December 2021, it will be taken that at your initiative, you are not able to perform work on and from 5am on 17 December. This is because by not having provided this evidence, you do not meet the inherent requirements of your role.

In the event that you can provide acceptable evidence of your full COVID-19 vaccination or of a medical contraindication, you will be able to return to the workplace from the next available shift, taking into account rostering and operational requirements.

Proof is required to be in the form as stated by the Queensland Government as acceptable, which is:

- a. *written confirmation of COVID-19 vaccination provided to the person as part of the vaccination process such as a record of vaccine card; or*

- b. *vaccination information displayed on the Check in Qld app; or*
- c. *a COVID-19 digital certificate or printed vaccination certificate from the [Australian Immunisation Register](#); or*
- d. *an online or printed immunisation history statement for COVID-19 vaccination, including confirmation of a medical contraindication; or*
- e. *an International COVID-19 Vaccination Certificate.*

Regards,

<Insert Name>

<Insert Position Title>

TEMPLATE H: TEMPLATE APPLICATION FOR LEAVE

<place on letterhead>

APPLICATION FOR LEAVE

Note: All requests for annual leave must be received at least **two (2) weeks prior** to the leave date requested, unless agreed otherwise. All other leave notification is to be received on the day you return to work. Once completed, please hand to your Manager.

SECTION ONE – (Staff member to complete)

Surname: Click here to enter text.

Given Name: Click here to enter text.

Types of Leave:

Annual Leave

First and last days absent		
Total number of hours/days, excluding public holidays above:		

Personal Leave

First and last days absent		
Total number of hours/days, excluding public holidays above		
<input type="checkbox"/> Medical certificate attached	Other information:	

Unpaid Leave

First and last days absent		
Total number of hours/days, excluding public holidays:		

OTHER Leave *please specify:* _____

First and last days absent		
Total number of hours/days, excluding public holidays above		

Applicant's signature: _____ Date: _____

SECTION TWO – (Managers to complete and sign)

Recommended Not recommended Reason: _____

Manager's signature: _____ Date: ____ / ____ / ____

Comments: _____