

## What happens if my worker does not want to comply with mandatory vaccination?

**This fact sheet has information for people with disability and their families about what happens if your worker cannot or does not want to have a COVID-19 vaccination.**

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COVID-19 has been a challenging time for all of us.

What we have learned is the best way to protect our community is by as many of us getting vaccinated for COVID-19 as possible.

Some people cannot be vaccinated because of medical reasons. Others are making the decision not to be vaccinated based on personal beliefs.

The Government has brought in a rule of mandatory worker vaccination for all disability support workers. This is to make sure people with disability are as safe as possible, and can be confident there is a reduced risk of workers passing on COVID-19.

They must be fully vaccinated by 15 December 2021. Mandatory worker vaccination is also called a Public Health Direction or Direction.

Being fully vaccinated means that disability workers must have two injections to protect themselves from COVID-19 by 15 December 2021.

Disability workers who do not do this by 15 December 2021 are not able to provide disability services after this date.

Because it is the responsibility of workers to be fully vaccinated, it is reasonable for you to check that they are.

Disability workers are people who are providing face to face services to people with disability who get funding for support through government funding programs, such as the National Disability Insurance Scheme (NDIS), Queensland Community Support Scheme (QCSS), or My Aged Care.

Disability workers can also include:

- people employed through a disability service to provide you with assistance with daily life tasks
- people who volunteer or work unpaid through a disability service or provider
- students on placement with a disability service or provider as part of a university or TAFE course
- self-employed workers or sole traders who work under an ABN (Australian Business Number) to provide you with assistance with daily life tasks, such as:
  - people who help you to get dressed
  - shower
  - eat and/or prepare food
  - go out shopping
  - assist to pay your bills
  - assist you to visit your family or friends or
  - go to a café or the movies.
- people who provide other services to you paid for with your NDIS funding. For example:
  - people who mow your lawn
  - people who clean your house
  - people who provide other services like podiatry and physiotherapy.

If a worker refuses to provide proof of vaccination, you can choose not to be supported by them.

If you receive a service that is not face to face, such as online or on Zoom, the worker does not have to be vaccinated.



### What if my support worker cannot be vaccinated?

If a disability worker is unable to be vaccinated for COVID-19 for medical reasons (a contraindication) they must provide a medical certificate from a doctor.

Some workers may have a medical condition that stops them from having a COVID-19 vaccination.

If the time period for the medical condition is temporary:

- the timeframe must be stated on the medical certificate
- if the medical condition continues beyond the specified period the worker must provide a new medical certificate from their doctor.

Disability workers may continue to work if they are not vaccinated as a result of a medical condition, and have a certificate to prove it.

Before this happens, the disability service needs to ensure you are not at risk.

Disability workers in this situation must follow these rules to reduce the risk of passing on COVID-19:

- use personal protective equipment (PPE) such as masks and gloves and follow the PPE guidelines [here](#)
- have a COVID safe plan in place
- get a COVID-19 PCR test each day they work and stop work immediately if they receive a positive test result.



### What if my worker does not believe in vaccination or has concerns about the COVID-19 vaccination?

People who are choosing not to have the COVID-19 vaccination based on:

- personal beliefs or
- concerns that are not based on their own medical condition

will not be able to provide disability services in a person's home, school, disability accommodation service or healthcare setting after 15 December 2021.

You may lose support workers for this reason. Your service provider will work with you and your family to help you through this time.

This may involve:

- helping you to find additional workers outside the service who are vaccinated
- offering additional shifts to your other workers who are vaccinated
- looking at other workers in their service who are vaccinated and offering them additional shifts.



### What if I only want unvaccinated workers?

This would be a breach of the rule and is not allowed. Both disability services and workers can be fined by Queensland Health under the direction – most importantly though it is a risk to both your health and your worker.



## What if there is a shortage of disability support workers?

Disability services and employers may experience critical workforce shortages due to the Direction.

If this happens, the person in charge of the service can assess the risk to:

- people with disability
- staff
- other people in the setting

and decide that it is necessary for unvaccinated workers to continue for a short period (limited to three months) until the workforce shortage can be fixed.

If this happens workers have to:

- use a mask or personal protective equipment (PPE) and follow the PPE guidelines [here](#)
- an organisational COVID safe plan should be in place
- get a COVID-19 PCR test each day they work and stop work immediately if they receive a positive test result.

Only the Chief Health Officer or delegate can approve an unvaccinated worker to continue working beyond the three month period of workforce shortage.

The Government Health Direction or rule is called **Workers in a healthcare setting (COVID-19 Vaccination Requirements) Direction** and you can see it [here](#)