



Stewart Little  
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**Attention: Greg Corrigan**

Dear Greg,

**Re: DCJ COVID-19 Vaccination Policy**

I refer to your letter of 8 October 2021 outlining the PSA's feedback to the draft COVID-19 Vaccination Policy (the Policy) that was distributed for consultation and discussed on 6 October.

DCJ has taken a number of your comments and suggestions into consideration and made adjustments to the Policy, which has recently been approved by the DCJ Board. For ease of reference, I will respond to each issue as they are referred to in your correspondence.

**Medical Contraindication**

- i. The PSA sought confirmation that DCJ would explore 'all other options', including working from home, modification of duties, etc. before a decision is made on the employment of a person with a medical contraindication and a reasonable adjustment can't be made. The Policy and associated documents have been updated to reflect that all other relevant options must be explored before any decision is reached.
- ii. The PSA requested that employees be given the option of submitting their medical contraindication certificate to a nominated officer when they don't wish to submit the certificate to their manager. The Policy and associated documents now state that the employee can submit their contraindication certificate to their manager, one-up manager or People Business Partner.
- iii. The PSA asked that the policy should include the steps taken before a medical contraindication is referred to the Government medical assessment provider. This has been incorporated into the Policy and associated documents.

**Employees who do not comply**

- i. The PSA seeks that, in effect, employees be allowed to stay on leave indefinitely rather than be vaccinated. DCJ does not agree and employees will be required to comply with the requirement to be vaccinated by the stipulated dates (first and second dose).
- ii. The PSA seeks that employees who oppose existing vaccines should be entitled to take their accrued leave pending the arrival of the Novavax vaccine. As discussed at

our meeting on 6 September, the best vaccine is the one that is available and, at the time of writing, Novavax has not been approved for use in Australia and, apparently, has not been approved for use anywhere in the world and is still 'under evaluation' by the Therapeutic Goods Administration. DCJ does not agree to allow people to not comply with the policy pending the approval of a vaccine that may not happen.

- iii. The PSA sought a specification on the timeframe for 'initial contact' with employees who have not complied with the vaccine requirements. The Policy has been updated to include a statement that employees will be contacted within seven days after entering onto leave.
- iv. The PSA seeks that each individual case be determined on its merits. DCJ of course agrees, and decisions will be made accordingly.
- v. The PSA seeks a commitment that it will be provided with details on the number and functional areas of employees who do not comply with a direction to be vaccinated. DCJ is happy to discuss the issue.

### **Record keeping**

- i. The PSA has raised concerns regarding the storage of employees' information, medical data on the employees P-File and the security of these files in terms of who has access. P-Files are stored in accordance with the Departments Records Management Policy and there are appropriate rules within this policy for how employees' records are stored and who has access. The Policy and associated procedure now includes this reference.
- ii. In relation to other concerns regarding record keeping raised by the PSA, the Policy goes into great detail regarding what information is being collected, why, and how the information will be accessed and used. In addition, there are appropriate Privacy Statements incorporated into the different versions of Service Now.

### **Other issues raised by the PSA.**

#### Risk Assessments

I understand that the latest risk assessments for each areas has been provided to the PSA; if this is not the case, please advise at your earliest convenience. In addition, please note that all risk assessments have been uploaded to the DCJ intranet and can be accessed by all staff.

#### Employees already on leave

While the Policy has not been updated as it is considered an operational issue, Business Partners from People Branch will work with each Division to identify employees already on leave and ensure that there is appropriate communication.

#### Booster shots

The policy has been updated to reflect the potential that booster shots may be required in the future.

#### Review Period

The Policy has a review period of six months from the date of approval and DCJ commits to continuing to consult on the Policy and associated risk assessments.

### **Exceptional Circumstances justifying non-compliance**

In addition to consideration of the issues raised by the PSA, the Policy has also been updated to include the creation of a panel that will consider requests from employees seeking an exemption from the vaccine requirement for 'exceptional circumstances' that aren't related to a medical contraindication. A panel led by the People Branch will assess such requests.

I appreciate the feedback provided by the PSA and, more importantly, the constructive and consultative approach that the PSA has taken to discussing the fast-moving environment in which we are responding to COVID-19. As discussed in previous meetings, we are happy to meet with the PSA to discuss any pressing concerns in relation to the Policy.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steve Doran', written in a cursive style.

Steve Doran  
**Director Employee Relations**