



# Clermont Crane Hire Pty Ltd

ACN: 133 248 245 ABN: 57 133 248 245

Yankee Station 880 Gregory Developmental Road, Clermont QLD 4721

Lot 9 Dysart Bypass Road, Dysart QLD 4745

Phone 0491 200 102 Email [operationsmanager@clermontcranehire.com.au](mailto:operationsmanager@clermontcranehire.com.au)

Website [www.clermontcranehire.com.au](http://www.clermontcranehire.com.au)

## Mandatory COVID-19 Vaccination Policy (CCH Policy 031)

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### 1. BACKGROUND

Clermont Crane Hire Pty Ltd (CCH) is committed to:

- complying with work health and safety legislation and ensuring, so far as is reasonably practicable:
  - ✓ the health and safety of its Employees while they are at work, and
  - ✓ that the health and safety of other persons is not put at risk from work carried out as part of the conduct of CCH.
- to complying with applicable government regulations (including public health orders) which require individuals working at certain sites to be vaccinated against the novel coronavirus disease 2019 (**COVID-19**).

For these reasons, CCH requires certain Employees to obtain vaccinations against COVID-19, in accordance with this policy.

CCH will remove any work-related barriers to people receiving the vaccine, including providing reasonable paid time off work to obtain the vaccinations (up to a half day for each dose) and up to one day of special leave immediately following each vaccination if needed. CCH will also pay for the reasonable cost of transport to and from a vaccination location if an employee needs it.

This policy contains certain directions with which Employees are expected to comply. However, it does not form part of any Employee's contract with CCH and does not create any enforceable rights or entitlements for Employees. The policy may be varied at CCH sole discretion.

### 2. SCOPE

This policy applies to:

- Management;
- Employees – full-time, part time, casual, contractual; and
- Other CCH Employees notified by CCH, from time to time (**Relevant Employees**).



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### 3. DEFINITIONS

The following definitions apply to this Policy:

**Employee** (generally) means a **Relevant Employee**.

**Exemption** means an exemption from CCH requirement to receive a COVID-19 vaccination, supported by evidence which would satisfy a reasonable person of the grounds of the Exemption, which is approved by CCH;

**Medical Practitioner** means a person licenced to practice medicine in Australia and who is registered under the *Health Practitioner Regulation National Law* or equivalent law in the Employee's State or Territory

**Vaccinated** means having received two doses of the Vaccine

**Vaccine** means a COVID-19 vaccine approved by the Therapeutic Goods Administration for use in Australia

### 4. POLICY

CCH requires the Employees in the categories below to be Vaccinated in accordance with this policy. Employees should obtain medical advice before being vaccinated, if required.

#### 4.1 Relevant Employees

Relevant Employees are:

- Management
- CCH Employees – full-time, part time, casual, contractual.
- Other CCH Employees notified by CCH from time to time (**Relevant Employees**).

Relevant Employees must obtain at least their **first dose of a Vaccine**:

- for Employees already employed at the date this policy is issued, by no later than **2 months**, and



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- for Employees who commence employment with CCH after the date this policy is issued, within **45 days** after they commence employment.

Relevant Employees must obtain at least their **second dose of a Vaccine:**

- for Employees already employed at the date this policy is issued, by no later than **2 months**, and
- for Employees who commence employment with CCH after the date this policy is issued, within **45 days** after they commence employment.

CCH expects each such Relevant Employee to have obtained vaccinations during the time periods set out above. If a Relevant Employee cannot obtain a vaccination by halfway through the time periods set out above, they must immediately inform their manager.

## 4.2 Evidence of vaccination

A Relevant Employee required to be Vaccinated in accordance with this policy must provide CCH with reasonable evidence they have been Vaccinated within 24 hours after the Employee receives each Vaccine.

Reasonable evidence must include the date of vaccination and be either proof of vaccination from myGov, an Employee's vaccination provider (including a medical practitioner) or the Australian Immunisation Register.

CCH may require an Employee who is required to be Vaccinated in accordance with this policy to provide the above evidence at any time.

## 5. EXEMPTIONS

A Relevant Employee may request an Exemption from complying with this policy, as set out below. All requests for Exemption will be assessed by CCH on a case-by-case basis and in accordance with law.

Any request for an Exemption:

- must be provided to CCH Operations Manager for consideration, and
- must be provided at least 10 days before the Employee is required to be Vaccinated under this policy for the first time.



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## A. Medical Exemptions

CCH recognises and respects Employees' rights under applicable legislation not to be subjected to unlawful discrimination in their employment on the grounds of a 'disability' as defined in that legislation, which includes certain medical conditions. CCH also recognises that for people with certain medical conditions, it may not be safe for them to be Vaccinated.

For these reasons, CCH may grant an Exemption from Vaccination on medical grounds if it is reasonably satisfied the Exemption is required to avoid unlawful discrimination or for safety reasons on the basis of a genuine medical condition.

If an Exemption is granted on medical grounds and the Employee would suffer disadvantage as a result, such as being unable to work in their job at a particular location, CCH will make reasonable adjustments to accommodate the Employee, unless to do so would impose an unjustifiable hardship upon CCH or if the Employee cannot safely perform the inherent requirements of their job even with the adjustments being made.

If CCH cannot make reasonable adjustments to accommodate the Employee (or the Employee does not accept the accommodation offered), CCH may need to terminate the Employee's employment.

If an Employee requests an Exemption on medical grounds, they must provide evidence from their treating Medical Practitioner that would satisfy a reasonable person of the Employee's need for the Exemption.

If an Employee requests an Exemption on medical grounds, CCH may, in its sole discretion, do one or more of the following:

- require the Employee to provide more medical evidence than they have already provided;
- require the Employee to sign a medical authority such that CCH nominated doctor can inquire further with the Employee's treating medical practitioner and obtain (and provide CCH with) a medical report about the requested exemption;
- attend a medical examination with a Medical Practitioner nominated by CCH, at CCH cost, to obtain further information so CCH can assess the request for an Exemption.



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## B. Religious or ethnic origin Exemptions

CCH recognises and respects Employees' rights under applicable legislation to be free from unlawful discrimination in employment on the grounds of religion and ethnic origin.

If an Employee's religion or ethnic origin prevents them from receiving a COVID-19 vaccination they can apply for an Exemption. Any such application must be supported by evidence which would satisfy a reasonable person of the grounds for such an Exemption, such as a supporting letter from someone of authority within the Employee's religion or ethnic origin, e.g. a minister, rabbi, priest, or cultural leader or elder. The letter should set out the reasons for the requested Exemption.

An Exemption may be granted if CCH is reasonably satisfied an Exemption is required on the basis of a genuinely held religious belief or due to an Employee's genuine ethnic origin needs.

If an Exemption is granted on these grounds and the Employee would suffer disadvantage as a result, such as being unable to work in their job at a particular location, such as being unable to work in their job at a particular location, CCH will make reasonable adjustments to accommodate the Employee, unless to do so would impose an unjustifiable hardship upon CCH or if the Employee cannot safely perform the inherent requirements of their job even with the adjustments being made.

If CCH cannot make reasonable adjustments to accommodate the Employee (or the Employee does not accept the accommodation offered), CCH may need to terminate the Employee's employment.

## C. Other grounds of Exemption

If an Employee seeks an Exemption on grounds other than the above, they should provide CCH with detailed written reasons and any supporting evidence to assist CCH in considering the request.

## D. How will requests for an Exemption be handled

All requests for an Exemptions will be handled by CCH as follows:

- a) Provide the request in writing, along with supporting evidence (as described above) to CCH by emailing it to



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[operationsmanager@clermontcranehire.com.au](mailto:operationsmanager@clermontcranehire.com.au) or giving it to CCH Operations Manager.

- b) CCH may at any stage ask an Employee for further information or seek professional or expert advice or an opinion (including but not limited to from a medical practitioner) to assist CCH consider and determine the request.
- c) After considering a request for an Exemption, unless further information or evidence is required (in which case it will be sought), CCH Operations Manager will decide whether to grant the Exemption request.
- d) CCH will endeavour to conclude the above process within 14 working days. An Employee who would otherwise be required to be Vaccinated under this policy is not required to do so if they have an Exemption request pending.

All requests for Exemptions and information provided by an Employee in connection with such requests will be handled confidentially.

### E. Where an Exemption may not be granted

An Exemption may not be granted:

- if CCH is not satisfied the Exemption is required for genuine medical, religious, ethnic origin or other reasons protected by safety or discrimination laws;
- if to do so would be unlawful;
- if to do so would create a risk to health and safety which cannot otherwise be eliminated or reduced, or
- if to do so would cause CCH unjustifiable hardship.

### F. What if an Exemption is not granted?

If CCH does not grant an Exemption, the Employee will be expected to obtain the Vaccine in accordance with this Policy. If they do not do so, it will be dealt with as non-compliance with this policy.

## 6. NON-COMPLIANCE WITH THIS POLICY



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The obligations imposed on Employees by this policy are lawful and reasonable directions, with which Employees must comply.

If an Employee does not comply with this policy without reasonable excuse, CCH may take disciplinary action against the Employee, which may include termination of employment.

As set out above, even an Employee with an Exemption may face termination of their employment, in the circumstances outlined in this policy in section 5.

## 7. PRIVACY AND RECORD KEEPING

CCH will need to view and collect information about the vaccination status of an Employee to whom this policy applies, in order to comply with its obligations under the WHS Act and in certain cases, public health orders.

CCH will collect, use, disclose and store records containing information about an Employee's vaccination status or other health information in accordance with its obligations under the *Privacy Act 1988* (Cth).