



18 AUG, 2021

## Find your mojo on jobs, miners tell PM

The Australian, Australia

Page 1 of 1

# Find your mojo on jobs, miners tell PM

## EXCLUSIVE

EWIN HANNAN  
WORKPLACE EDITOR

Resource sector employers are urging the Morrison government to “stop the paralysis” and legislate to allow companies to mandate Covid vaccinations in the mining industry when vaccine supplies increase in coming months.

Ahead of a meeting between employers, unions and Industrial Relations Minister Michaelia Cash on Wednesday, Australian Mines and Metals Association chief executive Steve Knott said new federal legislation was required to give certainty to those employers he predicted would

seek to enforce compulsory vaccinations in their workplaces.

“As sure as night follows day, some employers will take the position that they want to move to compulsory vaccination for their employees for safety reasons.

“The last thing employers need is more uncertainty, to be caught up in Privacy Act, discrimination legislation, Fair Work Commission proceedings ... this is an area where we think the federal government should step up to the plate.

“At the moment, they are wiping their hands and leaving it to the states. We don’t think that is sustainable in the long term. It would be much easier if the federal government found their mojo on this issue, stopped the paralysis

and just gave some key directions that employers have that right as an inherent requirement of their role to mandate vaccinations.”

In response to Mr Knott’s comments, Senator Cash reiterated that the Morrison government’s position was that “vaccination is free and voluntary, unless a state or territory public health order is in place”.

She said there had been “another record day of vaccination (on Monday) with 279,000 in one

day, (and) 50 per cent of the country will have had at least one vaccine by the end of this week”.

“This data demonstrates that the government’s approach of encouraging, rather than mandating, is working,” she said.

“However, the government’s position of voluntary vaccination does not detract from individual employers seeking their own advice and mandating for their workforce if they believe it is the right decision for them.”

Australian Industry Group chief executive Innes Willox said the position by the ACTU and the Business Council of Australia that mandatory vaccinations be done

through nationally consistent public health orders was inadequate given the orders were “non-existent in nearly all sectors ... There have been more changes to the Constitution than there are health orders mandating Covid vaccinations.”

Mr Willox said there would be some situations where employers would need to direct their workers to be vaccinated without a public health order just as currently applied with flu vaccinations.

Australian Chamber of Commerce and Industry chief executive Andrew McKellar said “as a general principle, vaccinations should be voluntary”.

“We first need to be having a discussion about legal concerns around employer indemnities for

facilitating workplace vaccinations,” he said. “Then we can have a discussion about mandating vaccinations. We will be highlighting our concerns with indemnities in the roundtable tomorrow.”

Mr Knott said employers were looking for certainty because “what business hates is uncertainty ... we have got that in spades at the moment with the pandemic just from a day-to-day operating point of view. When there is a full vaccine supply, from a national leadership point of view, from a

national consistency point of view, we’d like set out the conditions by which employers could, without being prosecuted, insist on mandatory vaccinations,” he said.

If this did not occur, or employers were not indemnified, Mr

Knott said companies would look at exercising their common law rights and examine making compulsory jobs a condition of employment for new workers and for existing workers when contracts were renewed.

Fair Work Ombudsman Sandra Parker will brief Wednesday’s meeting on the regulator’s recent legal guidance, including how employers in Covid hotspots during lockdowns could have the power to direct workers to be vaccinated

Australian Information and Privacy Commissioner Angelene Falk, who believes new laws might be required to protect privacy if mooted vaccine passports are introduced, will also attend.

## BUSINESS P15

‘At the moment, they are wiping their hands and leaving it to the states’

STEVE KNOTT  
AMMA CEO