

22 December 2021

The Branch Secretary
Health Services Union – NSW, Qld, Vic, WA, SA

By email: info@hsu.asn.au
 info@vahpa.asn.au
 union@hsuwa.com.au
 info@hsusant.org.au

Dear Secretary

Consultation regarding proposed new COVID-19 safety measures at GenesisCare

We are writing to you to make you aware that GenesisCare have today announced to all employees nationally that we are commencing a consultation process regarding proposed new COVID-19 safety measures which are currently under consideration for implementation in 2022.

For context, GenesisCare is a provider of cancer care services across Australia, operating 36 cancer centres in major metropolitan and regional settings. We also provide cardiology and sleep medicine services at more than 80 locations nationally.

As the Health Services Union represents a number of our employees across Australia we want to make you aware of the proposed new COVID-19 safety measures and invite you to engage with us during the consultation process.

Why we are considering the implementation of new COVID-19 safety measures in 2022

It is uncontroversial that SARS-CoV-2, the virus that causes COVID-19, has involved a high burden of disease in Australia throughout 2020 and 2021. Any person infected with COVID-19 is at risk of developing serious illness from the virus, which may lead to death. We expect that the risks posed by COVID-19 will continue into 2022 and given the dynamic nature of the pandemic, we believe that policies aimed at protecting the health and safety of our employees are essential to maintaining open and safe workplaces at GenesisCare. This is particularly important in light of our status as a healthcare company, as according to scientific literature, healthcare workers have the highest risk occupations for exposure to COVID-19 due to the nature of their work.¹

The new COVID-19 safety measures currently under consideration

Having regard to the risks to health and safety posed by the COVID-19 virus, the initiatives GenesisCare are proposing to implement in 2022 are under consideration as safety measures designed to meet our duty to ensure, so far as is reasonably practicable, the health and safety of our employees at work, in accordance with work, health and safety legislation in Australia.

¹ World Health Organization and International Labour Organization, *Preventing and mitigating COVID-19 at work* (19 May 2021).

The proposed initiatives under consideration are:

1. The implementation of a policy requirement that all employees of GenesisCare be vaccinated against COVID-19 to help prevent symptomatic infection and reduce the risk of transmission.
2. The implementation of a policy requirement that when GenesisCare deems it appropriate, and provided it is lawful and practical, all employees of GenesisCare participate in rapid antigen testing protocols when attending GenesisCare premises to screen for the presence of infection and minimise the risk of workplace COVID-19 exposures.

The proposed policy requirement to be vaccinated against COVID-19

The proposed policy requirement that all employees of GenesisCare be vaccinated against COVID-19 is being considered having regard to the following facts about the approved and available COVID-19 vaccinations in Australia:

- COVID-19 vaccines are effective at preventing symptomatic COVID-19 infection;
- COVID-19 vaccines substantially reduce the risk of serious illness or death;
- COVID-19 vaccines substantially reduce the risk of transmission of the COVID-19 virus;
- vaccination is the most effective and efficient control available to combat the risks posed by COVID-19; and,
- an unvaccinated person is more likely to acquire COVID-19 from another unvaccinated person, rather than a vaccinated person.

Currently, all employees who work in our clinics are required to be vaccinated against COVID-19 in accordance with state public health orders (which apply to a majority of our employees). However, these public health orders do not apply to our shared services and other employees who do not work primarily from clinics. As there is intersection between our clinic-based employees and shared services employees, whereby clinic-based employees may interact with shared services employees in our head office and vice versa, unless we impose a policy requirement that all employees be vaccinated against COVID-19, there is a risk of transmission of the COVID-19 virus between our clinical and non-clinical employees. Additionally, in the absence of a policy requirement that all shared services employees are vaccinated against COVID-19, there is a risk of transmission of the COVID-19 virus between unvaccinated shared services employees.

For these reasons, it is our position that requiring all GenesisCare employees to be vaccinated against COVID-19 as a policy requirement is a reasonable, lawful and proportionate response to the risks posed by the COVID-19 virus. We are therefore considering implementing this initiative with a view that all employees would be required to be fully vaccinated by 1 May 2022 (unless vaccination is contraindicated and a medical exemption applies). To support



employees to comply with this proposed policy requirement, employees will be given access to 2 hours paid time off for the purpose of attending each vaccination appointment.

The proposed policy requirement to participate in rapid antigen testing protocols

The proposed policy requirement that all GenesisCare employees participate in rapid antigen testing protocols is being considered to screen for, and enable early detection of, the COVID-19 virus. In this regard:

- rapid antigen testing provides a mechanism to identify the presence of the COVID-19 virus in pre-symptomatic and asymptomatic employees who may otherwise carry and transmit the virus to others; and
- where the presence of the COVID-19 virus is detected through rapid antigen testing, the screening tool indicates that employees may be infectious, enabling COVID-19 safety protocols (including isolation pending diagnosis) to be enacted to help prevent workplace COVID-19 exposures.

Because rapid antigen testing can be undertaken in 15-20 minutes, is minimally invasive, and can be self-administered by employees, it is an effective tool to minimise transmission of COVID-19 in the workplace and reduce the risk of workplace exposures. We are therefore considering implementing this initiative with a view that GenesisCare will provide all employees with testing kits free-of-charge, and employees will be required to participate in rapid antigen self-testing a predetermined number of times per week, depending on their position and location, prior to attending the workplace. As part of the testing protocol, it is proposed that employees will be required to self-report the result of their rapid antigen test via a confidential online portal, and not attend work if the test produces a positive result, until a negative PCR test result is returned.

Our approach to consultation

We are committed to a process of genuine and meaningful consultation with all employees, unions, and health and safety representatives while these new COVID-19 safety measures are under consideration and before we make any decisions to proceed.

The consultation period **commences today and will continue through to 28 January 2022**.

We are providing all employees the opportunity to give input, offer feedback, and contribute suggestions, initially through a survey that opens today and will close on 28 January 2022. Through this survey, we are seeking to obtain data in relation to the proportion of employees in the workplace who are already vaccinated, or plan to be vaccinated, and provide employees a medium through which they can express their views on the proposed safety measures and contribute their suggestions and ideas on how these initiatives can be effectively implemented.

In addition to the survey, we have created a mailbox (covid19safety@genesiscare.com) through which employees can engage with us and raise any questions or concerns about the



proposed new COVID-19 safety measures. If desired, employees may also request to meet with us to discuss the proposed initiatives through this mailbox.

As we progress through the consultation period, we will also be sharing further information with employees about the proposed new COVID-19 safety measures, including socialising the proposed Immunisation Policy and rapid antigen testing protocol.

If you would like to engage with us about the proposed new COVID-19 safety measures as part of the consultation process, we invite you to do so by contacting **Nicole Barclay, Employee Relations Manager** by email at Nicole.Barclay@genesiscare.com or phone on 0498 783 524.

We look forward to your partnership on these matters as we seek to protect the health and safety of all our employees at GenesisCare.

Yours faithfully

Nicole Barclay
Employee Relations Manager
GenesisCare