



**Customer
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Our reference: BN-04768-2021

Mr Ken Phillips
Executive Director
Self-Employed Australia
By email: kennethnormanphillips@gmail.com

Dear Mr Phillips

Thank you for your correspondence about work health and safety laws and COVID-19 vaccinations.

I understand that you are seeking guidance on whether businesses in NSW can mandate COVID-19 vaccinations for their workers. SafeWork NSW considers that employers must take a risk management approach, in consultation with workers, to determine the control measures they implement to prevent workplace transmission of disease, including COVID-19.

SafeWork NSW considers vaccination a high order risk control measure against disease. Employers may require workers to be vaccinated against COVID-19 if it is reasonably practicable to do so. Whether it is reasonably practicable will depend on a variety of factors, including eligibility for the vaccine, personal health, medical history, type of work, the risk of exposure, and the availability of alternative control measures.

The Government has published guidance on this issue at www.nsw.gov.au/covid-19/safe-workplaces and the SafeWork website, www.safework.nsw.gov.au. Further guidance is also available from Safe Work Australia at <https://www.safeworkaustralia.gov.au/>. Guidance is also available on other control measures businesses can implement to manage the risk of COVID-19 to workers and others in the work environment.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Tansey', with a long horizontal stroke extending to the right.

John Tansey
Executive Director, Policy and Strategy
Better Regulation Division

31/08/21