

Health Worker (Restrictions on Access) Directions (No 3)

Exemption Guidelines

Based on the health advice from Western Australia’s Chief Health Officer, due to the evolving Delta variant and risks of COVID-19, the *Health Worker (Restrictions on Access) Directions (No 3)* (the **Directions**) were made on 22 September 2021 and came into effect upon signing.

Under the Directions all health care workers and health support workers must be vaccinated against COVID-19 in order to enter or remain at a health care facility, unless they are an exempt person. A staged approach has been taken to vaccination as set out below.

Health care workers are required to be vaccinated against COVID-19 to enter a health care facility in accordance with the table below:

<i>Health care facility</i>	Staged vaccination schedule
<i>Tier one health care facility</i>	1 October 2021 – Partially vaccinated (first dose) 1 November 2021 – Fully vaccinated
<i>Tier two health care facility</i>	1 November 2021 – Partially vaccinated (first dose) 1 December 2021 – Fully vaccinated
<i>Tier three health care facility</i>	1 December 2021 – Partially vaccinated (first dose) 1 January 2022 – Fully vaccinated

Health support workers are required to be vaccinated against COVID-19 to enter a health care facility in accordance with the table below:

<i>Health care facility</i>	Staged vaccination schedule
<i>Tier one health care facility</i>	1 October 2021 – Partially vaccinated (first dose) 1 November 2021 – Fully vaccinated
<i>Tier two health care facility</i>	1 December 2021 – Partially vaccinated (first dose) 1 January 2022 – Fully vaccinated

Tier three health care facility	1 December 2021 – Partially vaccinated (first dose) 1 January 2022 – Fully vaccinated
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All health care workers, health support workers and owners or operators of a health care facility should refer to the Directions to determine the vaccination requirements for their relevant health care facility.

Partially vaccinated means that a person has been administered with at least one dose of a COVID-19 vaccination registered by the Therapeutic Goods Administration.

Fully vaccinated means that a person has been administered with two doses of a COVID-19 vaccine registered by the Therapeutic Goods Administration.

A health care worker or health support worker must produce evidence of their vaccination status when requested.

These Guidelines only provide a summary of the exemptions arising under the Directions. The signed Directions are available at [HEALTH WORKER \(RESTRICTIONS ON ACCESS\) DIRECTIONS \(No 3\) \(www.wa.gov.au\)](http://www.wa.gov.au) and may be amended or replaced from time to time. Frequently Asked Questions (FAQs) about the Directions are also available at [Directions for healthcare and health support workers](#).

Who is a health care worker?

Health care workers include:

- all those who provide health, medical, nursing, midwifery, pathology, pharmaceutical, social work or allied health services to a patient at the healthcare facility in any capacity;
- assistants in nursing, orderlies and hospital service assistants;
- students on placement; and
- ambulance officers.

Column 1 of the table in Schedule 1 of the Directions sets out who is a health care worker, with Column 2 of the table in Schedule 1 setting out the exemptions from the definition of health care worker.

Who is a health support worker?

Health support workers are those who provide goods or services at a health care facility, including in a paid or in a voluntary or unpaid capacity. This includes:

- a person employed or engaged by a third party, including a labour hire firm who provides staff to supplement the permanent workforce;
- a direct care worker including a personal care worker;

- administrative staff including those working in administration, management or reception services;
- ancillary staff including cleaners, laundry staff, gardeners, a person providing food preparation services, security officers and a person providing maintenance services;
- those providing lifestyle and social care, for example music or art therapy; and
- a person who provides commercial activities at premises that constitute a health care facility e.g. a person operating a kiosk.

Column 1 of the table in Schedule 2 of the Directions sets out who is a health support worker, with Column 2 of the table in Schedule 2 setting out the exemptions from the definition of health support worker.

What are the types of exemptions?

If you are a health care worker or health support worker, you are an exempt person if –

- You have a **medical exemption**
Medical exemption means a medical exemption recorded on the Australian Immunisation Register and displayed on the individual’s Immunisation History Statement.

Further information on medical exemptions is available on the Australian Immunisation Register available at <https://www.servicesaustralia.gov.au/individuals/services/medicare/australian-immunisation-register/what-register/immunisation-medical-exemptions>.

This information specifies that the only reasons you might be able to get an exemption from having a vaccine are if you:

- had anaphylaxis after a previous dose of a vaccine;
- had anaphylaxis after a dose of any component of a vaccine; or
- are significantly immunocompromised—for live vaccines only.

RANZCOG and ATAGI recommend that pregnant women are routinely offered the Pfizer vaccine (Comirnaty) at any stage of pregnancy. This is because the risk of severe outcomes from COVID-19 is significantly higher for pregnant women and their unborn baby. Further information is available at [Joint statement between RANZCOG and ATAGI about COVID-19 vaccination for pregnant women | Australian Government Department of Health](#)

- You have a **temporary exemption**
A health care worker, health support worker, or the owner or operator of a health care facility may apply for a temporary exemption. A temporary exemption will only last for a limited time and may be subject to terms and conditions. Details about this process are set out in these Guidelines.

- You are **performing a specific duty**
This includes duties such as law enforcement, performing a statutory duty, responding to an emergency (other than as an ambulance officer), providing emergency care or acting under a Fair Work entry permit or a Work Health and Safety entry permit. For the full list please see paragraph 7 of the Directions available at [Health Worker \(Restrictions on Access\) Directions \(No 2\) \(www.wa.gov.au\)](http://www.wa.gov.au).
- You are a person of the kind **listed in the Directions as exempt**
These include patients, family members or friends of a patient, a tradesperson who provides services at a health care facility on an ad hoc basis only and who is not required to come within 1.5 metres of patients, a delivery driver who provides goods at a health care facility on an ad hoc basis who is not required to come within 1.5 metres of patients, in-reach service providers or contractors such as pastoral care workers or solicitors (other than those engaged by the owner or operator of a health care facility), and also includes ad hoc volunteers who attend less than once per week. For the full list please see Column 2 of the table in Schedule 1 and Column 2 of the table in Schedule 2 of the Directions available at [Health Worker \(Restrictions on Access\) Directions \(No 2\) \(www.wa.gov.au\)](http://www.wa.gov.au).
- **Any other person** or class of persons declared to be an exempt person
A person or class of persons may be declared to be exempt. An exemption may be subject to terms and conditions. Details about this process are set out in these Guidelines.

For more information about specific exemptions please refer to the Directions available at <https://www.wa.gov.au>.

Temporary Exemption – Paragraph 17(a)(ii)

How do I apply for a temporary exemption?

An individual health care worker or an individual health support worker may apply for a temporary exemption or the owner or operator of a health care facility may apply for a temporary exemption on behalf of their staff.

If you are a health care worker or health support worker, or the owner or operator of a health care facility and you wish to apply for a temporary exemption, please submit an Exemption Application Form.

As it can take time to determine an application for a temporary exemption, and you may be contacted to provide further information, please submit the Exemption Application Form well in advance of the time that an exemption is required.

You do not need to apply for a temporary exemption if you have a medical exemption, you are performing a specific duty which is exempt under the Directions or if you are listed in the Directions as an exempt person.

Duration of exemption

A temporary exemption will be granted for a specified period or for a specified purpose, which will be considered on a case by case basis.

Exemption may be subject to terms and conditions

A temporary exemption may be subject to terms and conditions which will be specified in the exemption.

Reasons to apply for a temporary exemption

Individual Health Care Worker or Health Support Worker

Examples of when a temporary exemption may be considered for a health care worker or health support worker are as follows:

- if the health care worker or health support worker can demonstrate they have taken every effort to access a COVID-19 vaccine registered by the Therapeutic Goods Administration in accordance with the staged approach to health care facilities, but have been unable to due to supply or access limitations;
- if the health care worker or health support worker has been vaccinated against COVID-19 outside Australia with a vaccine that is not registered by the Therapeutic Goods Administration; or
- if the health care worker or health support worker is in the process of applying for a medical exemption but that process is not yet complete.

Information and evidence to support the application for temporary exemption will need to be provided.

Health Care Facility owner or operator (class of persons)

The owner or operator of a health care facility may submit an application for a temporary exemption on behalf of its staff. Examples of when a temporary exemption may be considered are as follows:

- if the health care facility is in a region to which there is limited, or no supply of COVID-19 vaccine registered by the Therapeutic Goods Administration; or
- if the health care facility can demonstrate that they are making every effort to ensure health care workers and health support workers at the health care facility have been vaccinated against COVID-19 but has not yet achieved this.

Information and evidence to support the application for temporary exemption will need to be provided.

If a temporary exemption is approved

If the temporary exemption is approved, an exemption approval will be provided to the applicant.

The health care worker or health support worker should

- produce a copy of the exemption approval for inspection if directed to do so by an emergency officer;
- provide a copy of the exemption approval to their employer or the owner, occupier or person apparently in charge of the health care facility for their records; and
- keep a copy of the exemption approval available when attending a health care facility to provide evidence of their capacity to attend.

If a temporary exemption is not approved

You will be notified if a temporary exemption is not approved. If the temporary exemption is not approved the health care worker or health support worker who is not vaccinated in accordance with the Directions may not enter or remain at a health care facility in their capacity as a health care worker or health support worker unless they are otherwise exempt.

Declaration of an exempt person or class of persons – Paragraph 17(e)

A person or class of persons may be declared to be exempt. A health care worker, health support worker or the owner or operator of a health care facility may apply for an exemption. This exemption may be subject to terms and conditions.

Compelling circumstances must exist for a declaration under paragraph 18(e) to be made.

For example, an exemption could be granted in rare circumstances where a medical exemption cannot be recorded on the Australian Immunisation Register but an expert or experts approved by the Chief Health Officer have provided advice about the need for an exemption.

More information

If you would like more information about the types of exemption and information and evidence that may need to be provided, please contact COVIDVaccinationExemption@health.wa.gov.au.

Further information is available at:

www.wa.gov.au

Call **13 COVID (13 268 43)** for general and quarantine related queries

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This document can be made available in alternative formats on request for a person with disability.

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