

Agency Bulletin

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Mandatory Covid-19 vaccine for health care and other workers

The WA Government announced that Covid-19 vaccinations are mandatory for health care workers in public and private facilities from 1 October 2021, with the intent that all relevant workers will be fully vaccinated by January 2022. Port Authority workers considered at risk are required to have had their first dose by 15 October 2021.

Workers who experience a reaction to mandated vaccinations may be covered by workers' compensation. Workers' compensation claims lodged on an Agency for a Covid-19 vaccination should be immediately submitted to the Insurance Commission.

Claims should be submitted with confirmation that the worker's vaccination was mandated as a condition of employment and if so, the basis of that mandate. If the worker's vaccination was not mandated, please provide details of the role the Agency played in facilitating, directing or encouraging the worker's vaccination.

If the worker's vaccination has been mandated as a condition of employment, it is likely their employment will be considered a contributing factor. The issue is less clear if the vaccination is not mandated.

If the injury, condition or symptoms being claimed are not a known side effect of the vaccination administered to the worker, or if symptoms present outside of the expected timeframe, the Insurance Commission would seek further medical and/or factual information to assist in determining liability.

Mandating of Covid-19 vaccinations may also affect other aspects of workers' compensation claims. For example, workers choosing not to be vaccinated may not be able to participate in return to work programs in the workplace which may impact their eligibility to receive entitlements.

The Insurance Commission will issue further guidance on potential scenarios that may arise from the implementation of the mandatory Covid-19 vaccination.

Key Points

- **Covid-19 vaccines mandatory for health care and Port Authority workers**
- **Reactions to a mandated vaccine likely covered by workers' compensation**



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