

[Steps to help the employee...](#)

### Notes to accompany COVID 19 Vaccine Mandate Document: Practical Application

Currently WA State legislation in under OHS WA Act – 1984 this is now being replaced with the National WHS (WA) Act – 2020 which will as of January 2022 include industrial manslaughter laws. (*Legislation passed 10/11/21.*) These Acts stipulate all members of the workplace have a duty of care to provide a safe workplace.

1. When an employee is mandated to have the vaccine by his/her employer they should approach their company (1) Health and safety representative, or the CEO CFO, Manager or owner and provide them with a copy of the 'Document' to read. The employee should then request the document be signed by the company representative, page 8. Both parties should have a copy of this signed 'Document' (*One for the company & one for all employees who signed onto document*).
2. Signing this 'Document' indicates that the employer representative understands the concerns raised in the document of the mandating of an experimental vaccine and understand under the OHS/WHS laws, the requirement of risk mitigation of any hazard identified in the workplace by the workers. (*All parties affected by the hazard at the workplace have a say in the risk assessment process.*)

[You have now put your employer on notice. The Health and Safety Representative are required by law to document the safety risk and bring to the attention the employees Serious concerns and issues raised in the document to the PCBU & officers of the business.](#)

3. The employer is then required to contact the Government to seek clarification with all the Health & Safety issues of the vaccines and the fact that the mandating the vaccine for their workforce at their workplace will not prevent transmission of the Covid Virus. It is **Not a suitable control measure**.
4. If your employer is not willing to address this serious health and safety concern you have brought to their attention and they decide to terminate your employment, you then have the documentation to support a claim of unfair dismissal with an Industrial Relations lawyer.
5. If employer looks to suspended workers without pay until they get vaccinated, employees can request that the Health & Safety representative issue a provisional improvement notice (PIN) on the company for breach of the OHS/ WHS Act - failure to provide a safe workplace. This document places the PCBU (CEO / Owner) on Notice that the government regulator Worksafe, Mines Department or NOPSEMA have been notified and the company has 7 days to respond on what actions they have taken to address the breach. If the Government regulator is not satisfied with Companies response of the breach they may visit site to investigate further.
6. With this document we are demanding the government provide peer reviewed independent medical evidence that these vaccines do not cause cancer or alter DNA. Hazard risk control measures

[The vaccine does not stop transmission of COVID. Find another control measure!](#)

If you feel your union is not working for you and is not supporting you in this matter there are a number of unions that will. Go to Redunion to see a full list of unions available. Glenn Ferguson has experience in this industry and out of necessity has recently started his own union (Transport Edge) Mobile: 0400041956.

*Recommend you research the WA Industrial Manslaughter laws recently passed into law by the WA Parliament. Potential penalties can be up to 20 years jail & \$5,000,000.00 fine for individual (CEO/Boss) and up to \$10,000,000.00 for the company. Should they be found guilty of gross negligence and caused the death of an employee. The PCBU/ Owner (CEO /CFO) can then also be sued in Civil court for damages by the deceased workers family.*

### Disclaimer

The author assumes no responsibility or liability for the content of the information provided and the information is not a substitute for advice from a legal or medical expert. For further information seek out the advice of a relevant expert.