

# COVID-19 vaccine mandatory for FIFO and other resource sector workers

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Worthwhile read for: Mining industry

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After industry speculation, Western Australia (**WA**) Premier Mark McGowan has announced that all FIFO workers and local workers on WA mining, oil and gas and exploration sites must receive their first dose of the COVID-19 vaccine by 1 December 2021, and be fully vaccinated by 1 January 2022.

The direction will extend to all visitors of mining or resources operations, as well as employees who work at regional and remote sites or run mission critical infrastructure, such as remote train and port control (even remote operators located in Perth).

The direction aims to address the risk posed by the movement of workers in the mining, oil and gas and exploration sector to and from regional and remote locations throughout WA. It also seeks to protect the vulnerable Aboriginal communities and regional towns in the vicinity of mine sites.

While the details of the direction are still being finalised and have not yet been published on the WA Department of Health website, it is expected that employers will be responsible for collecting and maintaining appropriate records of vaccinated workers to ensure compliance with the direction. Mining companies should put in place processes to maintain appropriate records of vaccinated workers and keep an eye out for full details of the direction on the WA Department of Health website to ensure compliance.

As with other mandatory vaccination directions, there will be exemptions available for approved medical reasons.

The significant move by the WA State Government to require COVID-19 vaccinations for all FIFO and local workers in the resources and mining industry follows similar directions in other industries including ports, transport, freight and logistics, healthcare and aged care.

The power for the WA State Government to make health directions, such as the mandatory vaccination for workers in high risk industries, is permitted under the Public Health Act 2016 (WA). However, employers in the private sector are keenly watching developments in this space and asking whether it is legal to make it mandatory for employees to be vaccinated in businesses other than in high-risk industries where specific Government directions apply.

This latest move by the WA State Government to require COVID-19 vaccinations for all FIFO and local workers in the resources and mining industry supplements the overall trend in the private sector towards mandatory vaccinations, but there are several factors employers should consider before mandating COVID-19 vaccinations (in the absence of a health direction).

Further information regarding what employers should consider before mandating COVID-19 vaccinations [is available here](#) or if you would like any further information on the above, please do not hesitate to contact us.

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