

CORONAVIRUS LIMBO

# No job, no job punted

It's a 'legal minefield'

MITCH CLARKE

VICTORIAN businesses have slammed the federal government for "duck shoving" responsibility to employers amid confusion over whether they should mandate vaccinations for staff.

It comes after the Fair Work Ombudsman unveiled a new four-tier system to explain when and how it could become "lawful and reasonable" for bosses to compel workers to be jabbed.

Industry experts told the Herald Sun there was a growing acceptance that public-facing jobs – including hospitality and retail – would back a mandatory vaccine stance, while office-based roles would lean towards an education approach. Business groups are up in arms with ongoing confusion over the potential legal implications of mandating the job, or not doing so and then workers or customers becoming infected.

Corporate Dojo founder Karen Gately, who is a people leadership expert, said the government needed to make "firmer decisions" and provide stronger guidelines.

"I think the government is playing it safe and shifting the risk and accountability to business – and that's not helpful now," Ms Gately said.

"While the framework is giving employers some guidance, it's still super challenging, and the reality is that employers are being asked to run the gauntlet.

"Employers are going to have to not only think about health and safety laws, but also discrimination laws when making vaccination policies."

It remains unknown what potential consequences or penalties could be in place for

businesses if an employee is sacked or a person is not hired for refusing to get a jab.

Small Business Australia executive director Bill Lang said the revised position of the Fair Work Ombudsman was a business "legal minefield".

"If the government is intent on shifting the burden of requiring employees to be vaccinated to business owners, then as they have done for the GPs administering the vaccines, our business owners should have full indemnity of any action from employees, the state government or customers," Mr Lang said.

"This is a complete failure of leadership by government. A decision requiring employees to take the job is one government needs to make, which was the position of the Fair Work Ombudsman Natalie Jane only a handful of weeks ago, and there seems no reason, health or otherwise, why Ms Jane's advice on this matter should have altered." Prime Minister Scott Morrison said on Friday the government was "not suggesting that businesses should be mandating vaccines to their employees".

Jungle HQ gym owner Jack Boon said the past 18 months had been "treacherous to say the least". "The last thing we need is an obstacle and burden to us, when this is something I view as well outside the scope of my duties and obligations," Mr Boon said. Last night, police confirmed they were investigating social media threats against food manufacturer SPC after its announcement Covid vaccines would be mandatory for staff. Investigators from Shepparton were probing reports of alleged food contamination of SPC products.

mitch.clarke@news.com.au



Bill Kollatos, chief executive of fruit and vege distribution business Yarra Valley Farms, in the company's cool room in Melbourne.

## FRESH FOOD DISTRIBUTOR GOES BUST

STEPHEN DRILL

A NATIONAL fresh food distribution company has gone bust, with its devastated boss blaming "snap lockdowns" for sending the business to the wall.

In2food, which also trades as Yarra Valley Farms Australia, delivered the hammer blow to staff late on Friday afternoon.

They were told that receivers FTI Consulting had been appointed, with plans to keep the limping business afloat until a new buyer was found.

In2food Australia chief executive Bill Kollatos tried to soften the distress of staff with a letter attached to the receivers' circular.

"The disruption of snap lockdowns in multiple states in combination with the problematic retail journey within the ready to eat meals category, has left us with no choice but to enter into voluntary administration," Mr Kollatos said.

"In consultation with our lender, they have appointed a receiver to trade the business and undertake a recapitalisation/sale process."

The company, which also traded as Middle Road Investments and Inspired Food Solutions, was a key link in the wholesale supply chain for farmers.

In2food supplied supermarkets, hospitals, aged care, retailers, airlines and restaurants with fresh farm foods.

The company will continue to trade during the administration period, with no job cuts announced in Friday's statement.

However, FTI Consulting did include information for staff on how to access the federal government's Fair

Entitlements Guarantee.

This means the government will cover long service leave or unpaid annual leave if the company collapses further.

FTI Consulting confirmed that the company had enough money to pay staff wages while it looked for a new owner.

Mr Kollatos said he was determined to keep the business going with the help of the administration process and the support of the company's lender.

He claimed there were also interested buyers who had been in contact.

## Mask gaffe apology

A LIBERAL MP has been forced to apologise after he was photographed leaning over a counter to a store owner with his mask down.

Polwarth MP Richard Riordan was snapped mid-conversation inside a busy fast food establishment within his regional electorate, which encompasses Colac.

Mr Riordan said he was trying to communicate with

the shop's non-English speaking owner, congratulating him on reopening after a fire in March.

"I did have the mask down, I don't deny that one bit," he said. "We have Covid, we have restrictions, but we can't lose humanity, we can't lose our sense of connectedness..." He said he had made a judgment and felt he was "being safe".

## Make a date with vax Airport traveller bump

SINGLES are swiping right on the Covid jab.

Dating app Tinder has introduced a vaccine status feature, with stickers launched on Friday allowing singles to add "vaccinated" or "vaxxing soon" to their profile. The app will link to the government vaccine website so users can book an appointment.

Tinder senior director Papi Dev said the shot had become

a "popular talking point", with mentions of "vaccine" in Tinder bios increasing by 220 per cent from January to July.

"Our intent is to make dating safer everywhere and for everyone ... and start something epic," she said.

The new feature comes as the Victorian government says all state vaccination hubs will offer the AstraZeneca vaccine to people over 18 years.

MELBOURNE Airport recorded a 33 per cent increase in travellers last month, even as Victoria was plunged into its fifth lockdown.

New figures to be released on Saturday show the airport had more than 467,000 travellers in July, up from 77,774 for the same time last year – but an 85.7 per cent drop from two years ago.

There were more than 23,000 international arrivals, with 27,550 travellers flying out. Flights to and from New Zealand accounted for 78 per cent of international trips.

Melbourne Airport chief executive Lyell Strambi said the busiest routes in July were the Gold Coast, Brisbane, Hobart and Cairns – with higher passenger numbers early in the month.

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