
This is a template letter for employers/restaurants/schools or any other institutions that “require” your vaccination status or any other health records. Delete/amend sections as you see fit to your relevant situation. This is not legal or medical advice.

REMEMBER: Employers, restaurants, airlines, nightclubs, and other such venues need us employees and customers more than we need them. They go bankrupt without us, so STAND YOUR GROUND!

Delete after reading

[date]

Dear [addressee],

I am writing to you in relation to this new requirement for me to receive a COVID-19 vaccine. I have a number of queries and doubts which if you could clarify for me, I would be most appreciative.

Firstly, medical history is confidential information by law and is protected by section 16B of the *Privacy Act 1988 (Cth)*, so I am curious to know how you plan to obtain my health information (e.g., vaccination status) without my express consent? In case there was any presumption of consent, I will clarify this by stating in plain and simple terms, that I do not consent to the revelation of my personal health information.

Secondly, could you please point me to where in my employment contract it states that I am required to receive a COVID-19 vaccination, or reveal any personal medical information, as a condition of retaining my employment status? It is my understanding that the terms and conditions of my employment are governed by the employment contract. Unless there was an explicit requirement in said contract for me to meet any such requirement, amending a contractual agreement with terms and conditions, without the consent of the parties involved, can expose the breaching party to being pursued for damages. In other words, there was no “meeting of the minds” that took place, which is a necessary element for amending any contract that two or more parties have agreed to.

Thirdly, the confidential doctor-patient relationship is a long-established principal in law, which has been upheld by numerous court rulings (*Attorney General (VIC) v Commonwealth [1945] HCA 30*; *Wong v Commonwealth [2009] HCA 3*; among others), which prohibits any third-party intervention in this relationship. Therefore, I would like to know where you derive the authority to breach such established legal rights?

Fourth, the Commonwealth Constitution contains an explicit prohibition on any form of medical compulsion (within section 51xxiiiA), and this has been interpreted by the High Court through decades of case law to mean that patients are protected from having medical services imposed on them against their will, and that doctors are protected against having to provide a service against their will (see *British Medical Association v Commonwealth [1949] HCA 44*; *General Practitioners Society v Commonwealth [1980] HCA 30*; *Wong v Commonwealth [2009] HCA 3*; among others). Therefore, any mandate to receive a COVID-19 vaccine has no legislative basis so I would like to know once again, where you derive the authority to make such impositions?

Fifth, it would only be reasonable that undertaking a responsibility to stop the spread of COVID-19 would confer a responsibility to also stop the spread of any other transmissible diseases. Therefore, I am requiring you to produce the evidence that you and every other [employee/worker] does not carry

HIV, Hepatitis A or B, Tuberculosis, Influenza, STD, measles, mumps, the common cold and/or any other communicable diseases? This is so as to ensure that there is no discriminatory treatment between diseases or employees, in respect of the medical obligations that have to be met in order to maintain their employment. Furthermore, I would also like to know each action plan you have in place, in relation to all of the other infectious diseases.

Sixth, I would prefer not to be served by someone who uses any form of recreational drugs (marijuana, cocaine, meth, etc.) and since it appears that private medical information is no longer private, you should have no problem producing a copy of your and every [employee/worker]'s toxicology test. Additionally, given the number of alcohol-related deaths that occur each year, it would be in the interest of community safety for you to produce the evidence that every [employee/worker] has a BAC of 0.00.

Seventh, could you please confirm that you will be taking full liability for imposing a COVID-19 vaccine on me, should I experience any adverse effects. I have attached a vaccination warranty form which you should have no problem signing.

Eighth, please confirm to me that you will be able to remove the said vaccination from my body upon the termination of my employment tenure. As the vaccine is only being imposed as a condition of employment, it is only fair that you provide the means for it to be removed from my body upon completion/termination of my employment.

I will be more than happy to comply with the requirement to receive a COVID-19 vaccine, on the condition that you provide a satisfactory answer to each and all of my eight points, as well as the signed liability form, so that any doubts I have can be clarified.

Please respond to me within 14 days.

Yours sincerely,
[your name]

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