

Article Information

Authors: Emily Haar, Erin McCarthy

Service: Employment & Labour, Employment Relations Podcast

Employment Relations Podcast #19 - Privacy and Consent: Is your organisation collecting "sensitive" personal information about your staff?

In Episode 19 of our Employment Law for the Time Poor Podcast, Partner Erin McCarthy, and Senior Associate Emily Haar, as they discuss how the Fair Work Commission decision in Lee v Superior Wood turned employers' understanding of the "employee records exemption" to the Privacy Act 1988 (Cth) on its head, and what the legal requirements are for collecting sensitive personal information, including health information, about employees.

As a follow on to our discussion about some of the legal challenges that may be involved in employers seeking to mandate COVID-19 vaccinations in their workforce, the next question becomes, can an employer lawfully ask an employee whether they are vaccinated, and what can they do if the employee refuses to answer that question?

Subscribe via your preferred podcasting application:

- Apple Podcasts
- Spotify
- Google Podcasts
- If you use a different podcast app you can subscribe to the podcast by copying and pasting https://piperalderman.libsyn.com/rss in to the RSS feed

Piper Alderman is assisting clients on the spectrum of legal issue arising from the pandemic. Please see our <u>COVID-19</u> resource <u>hub</u> for more information on areas including **employment**, **industrial relations**, **construction law**, **government & defence**, **insolvency** and **property**.

piperalderman.com.au Page 1 of 1