Dear (Name)

Re Request for Covid19 testing

Date / /

To (Employer name)

Dear \_\_\_\_\_\_\_\_

**Re Request for Covid19 testing**

I confirm you have advised that I must be tested for Covid19 as a condition of continuing work.

I am not aware of any laws in this country for mandatory testing for Covid19. Could you please advise of the relevant legislation both state and federal, also of any case law to verify this?

The department of health guidelines also do not indicate anything mandatory about such testing. There is no Biosecurity Control Order in accordance with the legislation requirements to compel medical testing of me.

If you are insisting that Covid19 testing is mandatory in order for me to continue working or return to work, then I advise that I am entitled to know the grounds upon which such request is lawful and reasonable as set out in employment law guidelines and case law.

I advise that I am fit and healthy and do not have any symptoms of illness and ready and able to work in my usual role.

In the event you still insist on Covid19 testing of me as a condition of my return to work, then I request the following questions be answered, and that without prejudice to my employment rights, that I be stood down with normal rate of pay until sufficient answers are provided by you and that then provided with sufficient to get legal advice as to whether or not the employer request is lawful and reasonable to submit to:

1. What exact isolated condition/disease exactly is being proposed to be tested (provide scientific

 description)?

2. Is such condition/disease scientifically isolated to be tested?

3. What is the technical name for the test proposed to be used and from what country did it originate from and what company manufactured it?

4. Who will be conducting the tests and under what guidelines?

5. Are the tests accurate to identify the condition/disease as set out in qu.1?

6. Are the tests safe and will you compensate me for any physical harm caused by the tests?

7. Are specimens of sample from the testing (including DNA) going to be retained by testers or anyone else?

8. Can you guarantee my privacy from the testing procedures aimed at obtaining genetic material from me and other personal information?

9. Can you meet any liability claims of any breach of privacy (noting that claims may be as much as $20,000 million per breach)?

10. Can you meet any liability claims should I be discriminated on medical or disability grounds if I am refused work on the basis of not being tested (noting that such claims may be as much as $3,080,000)?

11. Who advised or directed you to inform me and any of my co-workers, that such testing must be submitted to, before we were allowed to return to work?

12. Who advised or directed you to inform me and my co-workers that such testing of our bodily samples is compulsory/mandatory at law?

13. What are the financial incentives you have been offered for this testing to be carried out?

14. How much are the financial incentive payments per test and what are the additional financial incentives?  Are the payments payable to the employer or employee?  If payable to the employee, have the employees been notified of this and if so in what manner?

17. Is the request for employees including myself to be tested for covid19 a condition of me returning to work?  If so, how does such a request comply with OHS and employment laws? How does such a request comply with OSHA guidelines?

Please also supply copies of all written communications and documents relevant to the answers to the above questions where you have obtained same from third parties including insurers and legal advisors.

I look forward to your response.

Yours Faithfully,