

# COVID TODAY

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## Government versus National on certificates & mandates!

### Covid-19: National's Judith Collins criticises vaccine certificates and mandates

By Shazreen Hussain



On 5 October 2021 Prime Minister Jacinda Ardern announced Cabinet had agreed to the use of vaccine certificates in the country, and they were expected to be a digital

Covid-19 vaccination certificate containing a QR code. National Party leader Judith Collins says the country's vaccine certificates are "far too late". Collins told *Morning Report* the Government should have been working on vaccine certificates a long time ago. She said the UK had vaccine certificates since May, the EU since June and we only now have IT support at the Ministry of Health working on the idea which is "just far too late".

Chris Hipkins Covid-19 Response Minister, told *Morning Report* the term 'certificate' was likely to be used to distinguish between what one would need for domestic travel and what would be needed to travel internationally. The Government was working to ensure a verification system meant it could not be forged. Hipkins said there will be a system where those who are scanning someone in will be able to validate whether the name on the QR code matches the name that is recorded against the vaccine. The vaccine certificate is not only intended for travel for also "aimed at places of particular risk", he said.

Hipkins said the Government has already given early hints where the certificates are highly likely to be used such as events or hospitality venues.



Collins views on mandatory vaccinations

In the meantime, Collins said vaccine mandates would not work until vaccine certificates were implemented. She said the

Government should have placed urgency on making vaccine information available to employers. "At the moment, with the Government still not having its rollout of a vaccine certificate, it leaves us nowhere with it because it doesn't matter what we talk about with mandating and saying all these things, the fact is nobody can prove that they're vaccinated in an easy fashion," Collins told *Morning Report*.

Collins said National is very clear when it comes to mandatory vaccinations because they believe in personal responsibility and private property rights therefore every business must make their decisions based on the health and safety legislation. She said if the Government can't even mandate vaccines for its own workers, teachers, corrections officers, and others - then it is hard to expect businesses to follow. The Government needs a plan of how they are going to implement it.



As for making vaccinations mandatory, Collins said National believes in private property rights and every business has the right to decide who is allowed into their premises. The other point Collins mentioned is that when talking about food, you must ensure no matter what, that people can still access food.

Collins said businesses could "exclude anybody they want to for any reason". "That is actually the law, that is a private property right." However, people must still be able to access the purchase of food irrespective of their vaccination status.

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### 'No jab no job' mandate will increase unemployment in New Zealand - Judith Collins

The National Party has claimed that if the Government allows workplaces to say, "no jab, no job", it will increase the unemployment rate. Currently, employers are facing a legal minefield - the law requires employers to keep workers and customers safe, but it also stops them from

being able to force employees to disclose their vaccination status. Employees who aren't vaccinated are much more likely to contract the virus and pass it on to others.

Even Singapore is experiencing immense outbreaks and increasing numbers of deaths, with a persistent minority refusing the vaccine, and others not yet eligible despite being one of the highly vaccinated places.



On 4 October 2021, *Newstalk ZB* reported that the Auckland Business Chamber in its recent member survey, found 90 percent of members want Government intervention to mandate vaccination in workplaces. Chief Executive Michael Barnett said, businesses could try to make vaccination mandatory for workplace safety and for the safety of their consumers, but they would face legal challenges and years of testing in addition to costs. What they need is for the Government to remove the ambiguity he said.

At present employers can ask prospective new employees if they have been vaccinated. However, the request must be reasonable for the role and required for health and safety reasons. Candidates are not obliged to answer this question, but if they don't - or admit that they haven't been jabbed - employers can use that as a reason not to employ the candidate, but in doing so they need to be mindful not to breach the Human Rights Act 1993.

On the other hand, for existing employees, if the role requires vaccination this would require a change in the terms and conditions of the individual employment agreement which must be done in consultation with the employee.

Judith Collins said the Government needs to provide guidance to businesses. The Government's mandate for frontline border workers to be vaccinated has been found to be lawful. However, it has not made any commitments in regards to other sectors such as in-person education. The Government needs to be "very careful" in how it proceeds,

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"because the last thing you want to do is add to the extra people who are already on benefits, which is now what, about 200,000 people on main benefits ", Collins said.



The [Ministry of Social Development's](#) latest statistics shows there were 360,402 individuals receiving a main benefit on September 24 - down 882 on the previous week. Assuming she meant Jobseeker Support, there were 112,956 individuals receiving that and considered work-ready, up 6222 from August 13 - before the lockdown started - but down 366 on the week before. Another 81,000 are Jobseeker Support but they are temporarily unable to be employed due to medical reasons.

The official unemployment rate is 4 percent measuring up until June - the next update from Statistics NZ, which will cover the September quarter, is due on November 3. The current rate of unemployed people is sitting at 117,000. Collins said National believes in personal and private property rights, and if the Government is going to mandate vaccines it needs to explain why they should mandate it. She said making vaccination mandatory for frontline border workers and frontline health workers made sense in August 2021, but it would be "a bit too tough" to require everyone else to get vaccinated.

Countries such as Indonesia and Turkmenistan have made vaccines mandatory. However, many other countries have introduced vaccine passports to help increase the uptake of the vaccine and block unvaccinated people from accessing various venues.

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### Are teachers likely to face the Monday mandate?

Most likely yes! To ramp up the vaccination rates, the Government will most likely mandate COVID-19 vaccination on teachers. The Ministry of Health is now recommending those with the first dose bring their period between vaccines back to three weeks to get as many people vaccinated as possible.

Previously, a six-week wait was encouraged to ensure more Kiwis could get at least partially vaccinated.

On 6 October 2021, the Director of Public Health Dr. Caroline McElnay told the Newshub, ramping up vaccination rates will help increase community immunity. McElnay said among these will be teachers who will likely face a vaccination mandate come Monday.

During the COVID-19 update on Wednesday, COVID-19 Response Minister Chris Hipkins gave a warning to teachers after he was questioned whether teachers should prepare for a mandate. Hipkins said: "If I was a teacher, I would be making sure I'd be getting the first dose at this point."

The New Zealand Principals' Federation said they want to inform their workforce that being vaccinated is "absolutely critical". Executive Perry Rush said, "we agree in this country we follow science".

Hipkins has warned that getting back to zero cases is now not likely, therefore tracking down the unvaccinated to ensure they get jabbed is imperative since the virus is finding



its way to the unvaccinated and making them sick. He said the next week and a half is critical as the Government wants to pull out

all of the stops to push more Kiwis to get urgently vaccinated.

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### Hospitality businesses: Should vaccine certificates be mandatory?

While the Government has announced vaccine certificates will be required in the future if someone is attending a high-risk or a large event, it is yet unclear if the certificates will be needed to enter hospitality businesses.

On 5 October 2021, Prime Minister Jacinda Ardern announced that consultation is underway on whether the Government will make passports - which verifies if an individual is fully vaccinated - mandatory for other businesses where there is a possibility of transmission such as a hospitality business. Businesses such as healthcare and supermarkets were ruled out by Ardern.

Nonetheless, people in the hospitality industry are reaching out to the Government to make passports mandatory. Businesses are concerned if they make passports mandatory there is a chance of conflict between staff and customers.

In Toronto (the capital city of the Canadian province of Ontario), the province's new vaccine certification program started on 22 September 2021, where proof

of COVID-19 vaccination is required to access non-essential businesses in Ontario, including movie theatres, concert halls, gyms, and indoor restaurants. "The venues that we have chosen are responsive to the risk that we have found in Ontario," Ontario's Medical Officer of Health Dr. Kieran Moore said at a news conference on 1 September 2021. "If the risk increases in other venues, we can add and implement additional measures to protect Ontarians."

*Do you think New Zealand should follow a similar approach by requiring vaccine certificates to be mandatory at hospitality businesses? Let us know your thoughts.*

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### Latest on COVID-19: what you need to know!



- Auckland moved into phase one of the Government's 'roadmap to recovery' on Wednesday 6 October 2021. Auckland region remains at alert level 3, with the rest of the country (excluding parts of Waikato) at level 2.
- Aucklanders can now connect with one other household outdoors with no more than 10 people.
- Early childhood education services have recommenced, and the public can move around the city for recreation.

### Resources

- Ministry of Social Development ([www.msd.govt.nz](http://www.msd.govt.nz))
- Work and Income ([www.workandincome.govt.nz](http://www.workandincome.govt.nz))
- Inland Revenue ([www.ird.govt.nz](http://www.ird.govt.nz))
- Covid-19 Official Site ([www.covid19.govt.nz](http://www.covid19.govt.nz))
- Employment NZ ([www.employment.govt.nz](http://www.employment.govt.nz))
- CBC News (<https://www.cbc.ca>)



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