

COVID TODAY

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Mandatory vaccination across industry sectors..

The COVID-19 vaccine mandate conundrum

By Shazreen Hussain

Doctor quits over vaccine mandate!

Sophie Febery, a family doctor at the Methven Medical Centre, is quitting her job after the Government announced last week that healthcare workers must have their first vaccination by 30 October 2021 or risk losing their job. Febery is the same doctor who had launched a Facebook campaign, [#masks4all NZ](#) to get Kiwis to wear masks in public. "As Jacinda says, we should all assume we're infected and if we're infected then, of course, we will want to do everything we can to stop passing that onto others, and wearing a mask is just kind."

Most health care workers support having the Covid-19 vaccine. A grassroots group, named 'Doctors Stand Up for Vaccination', was established in August to provide a voice from the medical community to support vaccination, and last week the 6535 doctors put their names to a public register to provide evidence-based information to help the wider community.

Febery posted a statement online on Tuesday saying although she would no longer be allowed to see patients face to face, she may be available for virtual consults for a "few weeks" after the October deadline. She did not give a reason for her refusal to get jabbed but said there were some people in Methven who "remain in a similar position to me and fear for their jobs". Febery's announcement has certainly shocked the community she serves.



The Methven Medical Centre confirmed that Febery would stop seeing patients as of October 30 and said she had been a valued member of their medical team. "The whole team at the Methven Medical Centre are aware of the importance of getting our community vaccinated, and that is why we have been running an intense local vaccination programme since June," the centre said. Mayor, Neil Brown Ashburton

said that while it was Febery's individual choice, he encouraged people to get vaccinated to protect others in the community.

President Samantha Murton, Royal New Zealand College of GPs, said it was "saddening" when a doctor quit based on a vaccine that was proven to be harmless "it's a shame." Although she was yet to hear of other doctors taking a similar stance, Murton said the college had other services on standby including Primary Health Organisations and the Rural GP Network for the "small numbers" who might be required to fill positions. She also urged anyone with worries about the vaccine to talk with a doctor.

Mandatory vaccination is backed by us, the Meat industry says...



We would support a vaccine mandate for staff!

The Meat Industry Association believes a vaccine mandate must also be considered for meat processing after the Government's announcement last week to make vaccinations mandatory for the education and health sector. Esther Guy-Meakin, Association spokesperson, said it had written to the Food Safety and Associate Health Minister, Ayesha Verrall to make its views clear.

"The nature of our industry, particularly on the processing side, is that our workers do shifts side by side, in indoor environments, and while we do have comprehensive protocols that are ensuring physical distancing, personal hygiene and a range of other protective and cautionary measures, the fact is, they are in a higher-risk environment."

"And so, from our perspective, the vaccination is the best tool that we have to protect our workers and avoid the spread of Covid-19." Esther Guy-Meakin said efforts to encourage all employees to get jabbed were ongoing. Although processors could look at

making vaccination a health and safety condition at meat plants, this was a tough and complex process, and a sector-wide mandate was preferable, she said.

The horticulture sector also supports vaccination rollout

Canterbury dairy farmers, Dinuka and Nadeeka Gamage, told the NZ Herald on 18 October 2021, they believe vaccination is crucial to help protect their whānau, employees, and business. The 2021 Canterbury/North Otago Share Farmers of the Year contract milk 980 cows for Dairy Holdings Ltd at Ealing near Ashburton, where they employ three full-time employees.

"Getting vaccinated is important, especially for rural communities. The vaccine is part of our plan to shield our business from the virus," Dinuka said. "All five of us, and our 15-year-old son, have had the first dose of the vaccine. We're booked in to have our second dose this month."

Horticulture NZ is seeking certainty from the Government about vaccines in the workplace. Nadine Tunley, Chief Executive Horticulture NZ said that uncertainty is placing employers in a tricky position. "We'd really like to see Government come out and start to make some clear rules or regulations, particularly in the employment space."

You know, for us as food handlers and producers, we have big pack houses, where we can have hundreds of people in close proximity. They are handling food. It's getting packed for international and or domestic market."



"If there are one or two staff members within those facilities who are refusing vaccination, where do we stand from a rights perspective of 1) being able to ask those people if they are vaccinated because we need to fit our health standards, or 2) potentially not have them on the staff in those roles? Because we have to pack the product, we have to handle food that people consume."

Moving forward if New Zealand is going to be living with Covid-19 in the community - businesses need clarity on how to function, Nadine Tunley said.

Corrections welcome vaccine mandate as Covid rages

The Department of Corrections' National Commissioner, Rachel Leota said many in prison are vulnerable to Covid-19 because of the transmission that could occur with large numbers of people living in close proximity. "We have a duty of care to the men and women we manage in prisons, our staff, and our communities," Leota said.



Since March 2020, there have been eight cases of Covid-19 in the prison facilities with zero transmission. Leota said mandating vaccination for prisons staff "provides an additional layer of protection".

The Government has extended its Covid-19 vaccine mandate to include people working in prisons across the country. On 18 October 2021, Cabinet extended its Covid-19 vaccine mandate to include people working in prisons across Aotearoa.

The mandate will apply to all prison employees including contracted providers, psychologists and health service staff. But the requirement does not extend to whānau, legal advisers and the Ombudsman visiting the prison.

The mandate requires staff to receive their first dose of the vaccine by 30 October 2021 and both doses by 1 December. Leota said although Corrections acknowledged the short timeframe, more than 65 per cent of their frontline staff were fully vaccinated while more than 80 per cent had received their first dose as of 11 October 2021.

Corrections launched a vaccination programme in May to encourage staff to get vaccinated. Materials about vaccine safety and effectiveness, conversations with health advisors, pamphlets and other resources had been provided to prison employees.

Some local and national strategies also included a drive-through vaccination clinic at Rimutaka Prison and discussions with inspiring leaders in prisons.

Acting Corrections Chief Executive, Topia Rameka, said the decision had been made to improve staff safety in the prison facilities.

The Warehouse: vaccinated staff required?

One of Aotearoa's largest companies and an iconic Kiwi department store the Warehouse Group is considering making vaccinations compulsory for its 12,000 employees. It had already offered a \$100 incentive to fully vaccinated staff. Staff across the group including The Warehouse, Warehouse Stationery, Noel Leeming, Torpedo7 and TheMarket.com were engaged on how to keep everyone safe from Covid-19.

The retailer said it had formed a preliminary view that most work came with a high risk of catching or spreading Covid-19 and that vaccination could be important to help manage that risk. The proposal makes vaccines compulsory for employees from 1 January 2022. The group is currently conducting a 14-day consultation process with staff.

Chief executive Nick Grayston said, "we're committed to keeping our team members as well as our customers and the many others who come into contact with us healthy and safe. The best way for us to do this is by our team being fully vaccinated."

"We have a responsibility to provide a safe workplace and we will be consulting with our team and seeking their views on a proposed policy to make Covid-19 vaccinations compulsory by January 1, 2022 for all team members."

Ben Peterson First Union National Retail Organiser, labelled The Warehouse's proposal as "bold". He said, "it's happened very quickly. We're looking at it legally to make sure things are robust." The union would work alongside its members to better understand the proposal.

The Warehouse could have a justifiable health and safety concern for a person in a customer-facing role, but night staff members who had limited contact with other staff and no customers wasn't as justifiable, he said.



What does this mean for employers?

Well, it all comes down to the need to conduct health and safety risk assessments to analyse whether a role needs to be performed by a vaccinated employee. Normal employment law still applies even in Covid-19. Employers need to assess risks and determine what is reasonable on health and safety grounds.



- ✚ We need 90 percent fully vaccinated before shifting to new the framework.
- ✚ There will be green, orange and red steps in the new framework with no lockdowns.
- ✚ Auckland to move out of lockdown into red when all three DHBs reach 90 per cent vaccine rates.
- ✚ Red step will mean relaxed restrictions for Auckland in comparison to Alert Level 4 restrictions.
- ✚ The country will move jointly through the steps as vaccination rates reach 90 per cent.
- ✚ Auckland's progress to be reviewed on 29 November 2021.
- ✚ Vaccine certificates to be mandated to access venues and events.
- ✚ Where cases climb and vaccine rates low, lockdowns can be used.
- ✚ Enhanced support package for businesses to release on 12 November 2021.
- ✚ \$120m grant to assist with increasing Maori vaccination rates initiated.
- ✚ Businesses that do not impose vaccine certificates cannot "operate as normal" - Jacinda Arden.

The matters discussed in this article can be extremely difficult to navigate during such unprecedented times. If you need assistance do not hesitate to reach out to a member of our team.

Resources

- Ministry of Social Development (www.msd.govt.nz)
- Ministry of Health (www.health.govt.nz)
- Inland Revenue (www.ird.govt.nz)
- Covid-19 Official Site (www.covid19.govt.nz)
- Employment NZ (www.employment.govt.nz)
- NZ Herald (www.nzherald.co.nz)

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