

COVID-19 Vaccination

Introduction

About this policy

Fire and Emergency New Zealand strongly encourages all employees, volunteers, and contractors (**personnel** or **worker**) to be vaccinated against COVID-19 in an effort to minimise the risk of transmission of COVID-19 within the workplace and wider community. However, where it is considered necessary either by law or on health and safety grounds, Fire and Emergency may move beyond the stance of encouragement and require that certain work is only performed by a vaccinated worker.

This policy sets out Fire and Emergency's expectations and commitments in relation to COVID-19 vaccinations.

This policy should be read in conjunction with Fire and Emergency's Code of Behaviour, Policy to address bullying, harassment and victimisation, and Standards of Conduct Policy.

Who it applies to

All Fire and Emergency personnel, including:

- employees
- volunteers
- contractors.

All visitors to Fire and Emergency premises, for example:

- people engaged to carry out property or building maintenance and repair
- Fire and Emergency recruits
- non-Fire and Emergency personnel receiving training at our premises
- members of the Fire and Emergency Board or Local Advisory Committees¹
- family and whānau of personnel

Note: Certain categories of workers must be vaccinated under the COVID-19 Public Health Response (Vaccinations) Order 2021 to carry out their work. That Order takes precedence over this policy.

¹ The risk assessment does not currently cover members of the Fire and Emergency Board or members of Local Advisory Committees. A separate risk assessment will be carried out in respect of these roles.

Contents	This policy contains the following content:
	Background
	Overview
	Roles and responsibilities
	Vaccination requirements
	Information about vaccinations
	Other control measures
	Breaches of this policy
	Privacy
	Policy changes
	Definitions
	Related information

Background

Our commitment	Fire and Emergency is committed to keeping all Fire and Emergency personnel and other people who come into contact with us healthy and safe.
Our health and safety obligations	<p>Under the Health and Safety at Work Act 2015, Fire and Emergency is required to manage all work-related risks to our personnel and others. This extends to ensuring we appropriately manage the risk of COVID-19 infection and transmission within our brigades and stations, offices and other workplaces.</p> <p>There may be specific roles, or external sites, where being vaccinated is a requirement in order to safely commence or continue performing work.</p> <p>The health and safety risks created by COVID-19, and the measures and controls that can be taken to manage those risks, continue to evolve. This policy may change as further measures or controls become available or appropriate.</p>
We are a critical emergency service	As a critical emergency service, Fire and Emergency must ensure that we retain the capacity and capability to respond to emergencies throughout New Zealand.

Overview

COVID-19 Protection Framework	The Government's COVID-19 Protection Framework acknowledges there will be widespread levels of community transmission. A greater emphasis is being placed on individual protection through vaccination so that COVID-19 infections do not overwhelm health services.
Mixed workforce	Fire and Emergency has a mixed workforce where many members of personnel are required by the COVID-19 Public Health Response (Vaccinations) Order 2021 to be vaccinated to carry out their roles while other members of personnel are not subject to that Order. Many of these personnel interact with each other and share the same workplaces, often in confined spaces.

Public Service workforce guidance

The Public Service Commission has issued [workforce guidance for the COVID-19 Protection Framework](#) to the Public Service, including to Crown agents. Fire and Emergency is a Crown agent.

The Public Service workforce guidance seeks a consistent approach to implementing vaccination mandates across the Public Service. It sets out:

- an expectation that all public servants who can be vaccinated are vaccinated
- a general principle that agencies should require the use of a Vaccine Pass as a condition of entry for visitors including contractors to the workplace.

COVID-19 risk assessment

With the shift from elimination to minimisation of COVID-19, the Government has advised there will likely be some level of cases in the community on an ongoing basis.² In this changed environment, Fire and Emergency has assessed the likelihood of our people being exposed to COVID-19 as **almost certain**.

In determining whether personnel in particular roles are required to be vaccinated for health and safety purposes, Fire and Emergency has undertaken a health and safety risk assessment, in accordance with the Health and Safety at Work Act 2015 and government guidelines, to determine which roles, if any, must be undertaken by vaccinated personnel. In conducting the risk assessment, Fire and Emergency has considered:

- the nature of the role
- the risk of COVID-19 infection and transmission in the workplace
- other control measures that are currently in place
- feedback from personnel
- Input and feedback from the unions and associations.

Based on the risk assessment undertaken, Fire and Emergency has determined that for our roles, if personnel remain unvaccinated in the workplace there is a medium or higher risk of contracting and transmitting COVID-19 because of:

- the level of face-to-face contact with personnel and others while at work
- the amount of time spent in close proximity with other people
- the ability to identify who personnel come into contact with
- attendance at community events, conferences and other large gatherings
- the level of travel required (domestically or internationally)
- the level of face-to-face contact with personnel covered by the COVID-19 Public Health Response (Vaccinations) Order 2021.

Given the shift to minimisation, Fire and Emergency considers some risk controls, such as physical distancing and PPE, will not be effective in sufficiently minimising the risk. The [COVID-19 risk assessment can be found here](#)

If a member of personnel performs a role that Fire and Emergency has determined, on the basis of the risk assessment, needs to be performed by a fully vaccinated worker, the worker will be consulted about this and may be asked to provide evidence of vaccination, if that information has not been previously disclosed to Fire and Emergency (see below).

Roles that must be performed by a vaccinated worker under the COVID-19 Public Health Response (Vaccinations) Order 2021 were not included in the risk assessment (see below).

² [COVID-19 Protection Framework \(traffic lights\)](#) (at 17 December 2021)

Roles and responsibilities

Fire and Emergency New Zealand

As part of managing the health and safety risks of COVID-19, Fire and Emergency will:

- support government-led initiatives that manage the health impact of COVID-19 on our people and the people they interact with
- support our people to ensure they have the information they need in relation to government measures including vaccination
- encourage compliance with government advice on vaccination and other COVID-19 related safety issues, such as testing, PPE and physical distancing
- continuously assess the risks presented by COVID-19 and the health and safety control measures available to ensure the health and safety of our people, the people who interact with them, and others we work with
- implement control measures to ensure the health and safety of our people and those who interact with them
- comply with the COVID-19 Public Health Response (Vaccinations) Order 2021.

Managers

Managers must:

- ensure members of their team or those working under their direction are informed of, understand and comply with this policy
- administer any specific procedures associated with COVID-19 in their functional area.

All personnel

All personnel must:

- familiarise themselves with the content and compliance requirements for this policy
- take personal responsibility for following official government advice in relation to COVID-19
- take reasonable care for their own health and safety and take reasonable care that their acts or omissions to not adversely affect the health and safety of other persons.

Vaccination requirements

Vital measure

Fire and Emergency accepts the Ministry of Health's advice that vaccination is a vital measure for reducing infection, including severity of infection, and transmission of COVID-19 and therefore ensuring the health and safety of the communities we serve, which encompasses all of New Zealand.

Personal choice

While we strongly encourage vaccination, we understand it is a personal choice. Fire and Emergency will support you in considering your decision and any potential consequences.

We encourage you to seek your own independent medical advice from credible sources about the COVID-19 vaccine.

Risk assessment outcome

For roles that Fire and Emergency considers to have a medium or higher risk of contracting or transmitting COVID-19, we have determined the role should be undertaken by a fully vaccinated member of personnel.

Our COVID-19 risk assessment identifies the risk rating at directorate level and, in some cases, for specific roles and teams. If your role is not specifically identified, the risk rating for your directorate or team will apply to your role.³

[Our COVID-19 risk assessment can be found here.](#)

Access to premises

In places where people will be coming into close contact with each other indoors for sustained periods of time, Fire and Emergency accepts public health advice that vaccination is the most effective control measure for reducing risk of infection and transmission of COVID-19.

Only fully vaccinated personnel and visitors will be permitted to enter Fire and Emergency premises from 28 February 2022 unless one of the below exceptions applies. Personnel inviting visitors to our premises must ensure that visitors are aware of and will comply with this policy before they arrive. Fire and Emergency reserves the right to refuse entry to Fire and Emergency premises if the visitor does not confirm (and, if necessary, provide evidence) they are fully vaccinated.

Access to premises - exceptions

There are limited circumstances in which personnel or visitors who are not fully vaccinated may be permitted to enter Fire and Emergency premises. These are set out below and are exhaustive.

Classes of people

- Personnel and visitors who have a medical exemption; and
- Personnel and visitors who have not been approved by MedSafe as eligible to receive a COVID-19 vaccination. For illustrative purposes, as at the date of introducing this Policy, this currently includes children under five years and three months.⁴
- Members of the community seeking advice or support relating to fire safety.

Certain outdoor situations

- Gatherings or functions that are held wholly outdoors in the open and where attendees will not be required to access buildings or other internal locations.

Civil defence emergencies

- Entry by members of the community during a civil defence emergency to premises provided as shelter or emergency and temporary housing for people.

Fire and Emergency's usual security requirements and COVID-19 Protection Framework protocols continue to apply and must be followed even where vaccination is not required by this policy.

³ All roles have been assessed and grouped where possible under branch directorates, based on the roles having similar work activities.

⁴ [MedSafe has approved the vaccination for children from the age of five years. The age of five years and three months is provided here to allow time for a child to be fully vaccinated.](#)

Roles covered by the Vaccinations Order

Roles covered by the COVID-19 Public Health Response (Vaccinations) Order 2021 must be carried out by vaccinated members of personnel.

This includes roles that may require an individual to be within two metres, for 15 minutes or more, of a Health Practitioner providing health services to the public or work in education services where there is contact with children or students.

We worked with the unions and associations who represent our people to identify the roles required by the Order to be vaccinated. These roles are set out on the Portal > COVID-19 > Mandatory vaccinations > [Roles covered by the Health Order](#).

Fire and Emergency also expects those workers from other organisations who respond to incidents that are controlled by Fire and Emergency to be vaccinated in accordance with the COVID-19 Public Health Response (Vaccinations) Order 2021.

All personnel – role-based vaccination covered by the risk assessment

In addition to roles required to be vaccinated as a result of our COVID-19 risk assessment, there may be specific roles that are required to be carried out by a fully vaccinated member of personnel to perform their duties. For example, because their duties include carrying out work at an external location or locations that require vaccination as a condition of entry.

Where Fire and Emergency has decided that a role should be undertaken by a fully vaccinated worker, Fire and Emergency:

- will notify the worker in writing of the decision and specify a date by which the worker must be fully vaccinated in order to continue to carry out their work
- may seek evidence of full vaccination from the worker
- will consult with the worker regarding additional health and safety measures that may be taken to manage the risks associated with COVID-19, including interim measures in the period between the decision being made and the requirement coming into effect to ensure the risk is managed as far as is reasonably practicable.

Fire and Emergency will provide reasonable notice before the requirement to be fully vaccinated comes into effect to allow unvaccinated personnel to become fully vaccinated.

Personnel are entitled to choose not to be vaccinated. Fire and Emergency acknowledges that there may be circumstances where a worker has received a medical exemption from being vaccinated or may not be vaccinated due to religious or other reasons.

Personnel who are not vaccinated must continue to follow the Ministry of Health's advice on personal protection and prevention of the spread of COVID-19. Fire and Emergency will work with affected personnel to assess the situation and the actions required on a case-by-case basis and will consider the reasonably practicable options in the circumstances (including taking into account the government's requirements, the relevant COVID-19 Protection Framework traffic light settings, medical guidance, and Fire and Emergency's health and safety obligations).

IMPORTANT

If you choose not to disclose your vaccination status to Fire and Emergency, it will be assumed you are not fully vaccinated. For the purposes of this policy, this means you will be treated as not being fully vaccinated.

Existing employees in a role that requires full vaccination

For existing employees who choose not to be fully vaccinated, or who cannot be fully vaccinated (for example, due to medical reasons), Fire and Emergency will consult with the employee about suitable alternatives on an individual basis.

Fire and Emergency may consider other options, including termination of employment, in the event that:

- Fire and Emergency and the employee, after a reasonable consultation process, fail to agree suitable alternative ways of working or reach another agreement that will sufficiently minimise health and safety risks as far as is reasonably practicable; and
- Fire and Emergency determines that allowing the employee to continue to work in their position would be a breach of this policy and therefore a breach of Fire and Emergency's health and safety obligations

Other options may include offering the employee a limited period of leave to enable them to become vaccinated.

This process will be managed in accordance with the Individual Employment Agreement or relevant Collective Employment Agreement (whichever applies), the Employment Relations Act 2000 and any other applicable legislation and Fire and Emergency policy.

If an employee's employment is terminated, Fire and Emergency will provide the greater of either 4 weeks' paid written notice or the paid contractual notice period recorded in the employee's employment agreement. Parties may agree to payment in lieu of notice.

Existing employees – time off for vaccinations

Fire and Emergency will provide employees reasonable paid time off during normal working hours to receive a dose of a COVID-19 vaccine (or booster), provided that this time off will not unreasonably disrupt the business or the performance of the worker's duties.

New employees – to a role or position that requires full vaccination

The Public Service Commission's guidance provides that as a default position all new employees must have a clause in their letter of offer or employment agreement that requires them to be vaccinated.

Consistent with that guidance and our COVID-19 risk assessment, all applicants for (a) new or vacant roles, or (b) positions within roles, that must be carried out by a fully vaccinated person may be required to provide evidence they are fully vaccinated for COVID-19 as a condition of, and required qualification for, employment.

Offers of employment will be conditional on applicants being fully vaccinated or becoming fully vaccinated before the start date of any employment with Fire and Emergency.

If an applicant cannot be fully vaccinated, Fire and Emergency will assess the situation and the actions required on a case-by-case basis, but ultimately such a situation may result in no offer being made or any offer of employment being withdrawn.

Contractors and consultants

Any contractors or consultants attending Fire and Emergency premises must be fully vaccinated. If the individual cannot be fully vaccinated (for example, those who have a medical exemption), Fire and Emergency may consider alternative arrangements, provided such arrangements can be safely and effectively accommodated.

Contractors assisting with incident response led by Fire and Emergency must be fully vaccinated to work alongside other Fire and Emergency personnel at an incident.

Fire and Emergency reserves the right to refuse entry to Fire and Emergency premises or to an incident if the contractor or consultant does not confirm (and, if necessary, provide evidence) they are fully vaccinated.

Fire and Emergency reserves the right to terminate a contractor or consultant's engagement if the engagement requires that they attend Fire and Emergency premises or work alongside other Fire and Emergency personnel and the individual does not confirm (and, if necessary, provide evidence) they are fully vaccinated.

Existing volunteers in a role that requires full vaccination

For existing volunteers who choose not to be fully vaccinated, or who cannot be fully vaccinated (for example, volunteers who have a medical exemption), Fire and Emergency will consult with the volunteer about suitable alternatives.

Fire and Emergency may consider other options, including discharge from Fire and Emergency, in the event that:

- Fire and Emergency and the volunteer, after a reasonable consultation process, fail to agree suitable alternative ways of working or reach another agreement that will sufficiently minimise health and safety risks as far as is reasonably practicable; and
- Fire and Emergency determines that allowing the volunteer to continue to work in their position would be a breach of this policy and therefore a breach of Fire and Emergency's health and safety obligations.

Other options may include offering the volunteer a limited period of leave to enable them to become vaccinated.

New volunteers – to a role that requires full vaccination

All new volunteers to roles that must be carried out by a fully vaccinated person may be required to provide evidence of full vaccination for COVID-19 as part of their application to volunteer.

Individuals who are not fully vaccinated will not be permitted to become volunteers. If an individual subsequently becomes fully vaccinated, they will be required to submit a new application.

Information about vaccinations**Official sources of information**

Fire and Emergency relies on information about vaccination from the New Zealand government and official medical sources. While individuals may have their own views about vaccination, information shared in the workplace should be consistent with information from the New Zealand government and official medical sources.

False, misleading or medically unverified information

If an individual:

- shares false, misleading or medically unverified information about vaccination in the workplace; or
- deters another member of personnel from being vaccinated

the individual may be subject to disciplinary action up to and including dismissal in the case of an employee, discharge in the case of a volunteer or termination of a contract in the case of a contractor.

Other control measures

Other control measures in place Vaccination is one of many control measures that may be applied to manage the risk of infection and transmission of COVID-19. These measures and controls may change over time in line with evidence-based practice, levels of community transmission, changes in government restrictions or controls and as the understanding of COVID-19 develops.

Breaches of this policy

Breaches Breaches of this policy, including dishonesty about an individual's vaccination status, are considered serious misconduct and may result in disciplinary action up to and including dismissal in the case of an employee, discharge in the case of a volunteer or termination of a contract in the case of a contractor.

Privacy

Information about vaccination status Fire and Emergency may request information and evidence about COVID-19 vaccination status to assist in assessing compliance with this policy and obligations under the Health and Safety at Work Act, and so Fire and Emergency can respond appropriately to the health and safety risks of COVID-19.

Personnel must keep their information up to date All personnel must ensure that the information they have provided Fire and Emergency about their vaccination status is accurate and kept up to date, including after receipt of a vaccination (including booster(s)).

Privacy Act Fire and Emergency will only collect, store, access, use and disclose personal information in accordance with the Privacy Act 2020.

Policy changes

Policy and risk assessments may change The content of this policy and the risk assessments may change on an ongoing basis in line with evidence-based practice, levels of community transmission, changes in government restrictions or controls (e.g. opening of borders), and as the understanding of COVID-19 develops.

As such, Fire and Emergency reserves the right to vary, amend, or terminate this policy at any time.

Changes will be communicated Any changes to this policy or the risk assessments will be communicated to personnel.

Definitions

Evidence of vaccination	Evidence of vaccination means government recognised proof of vaccination, including a vaccination certificate (My Vaccine Pass), a letter from the Ministry of Health, or such other evidence Fire and Emergency deems appropriate.
Fire and Emergency premises	Fire and Emergency premises refers to any Fire and Emergency owned or controlled property where members of personnel work or provide services (or are likely to do so) including any vehicle, building or other structure.
Fully vaccinated or full vaccination	Fully vaccinated or full vaccination means the individual has received all doses of a COVID-19 vaccine or combination of COVID-19 vaccines specified in, and administered in accordance with, Schedule 3 of the COVID-19 Public Health Response (Vaccinations) Order 2021 and any dose of COVID-19 vaccine boosters specified in, and administered in accordance with, Schedule 4 of the Public Health Response (Vaccinations) Order.
Medical exemption	A medical exemption means a temporary medical exemption approved and issued by the Director-General of Health.
Workplace	Workplace means a 'workplace' as defined by section 20 of the Health and Safety at Work Act 2005: <ul style="list-style-type: none"> (a) a place where work is being carried out, or is customarily carried out, for Fire and Emergency; and (b) includes any place where a worker goes, or is likely to be, while at work.

Related information

Policies and protocols

[Code of Behaviour](#)

[Good employer and EEO policy](#)

[Exposure to COVID-19 at incidents \(G2 SOP-D COVID-19\)](#)

[ICT acceptable use policy](#)

[NHQ COVID-19 Protection Framework](#)

[Policy to address bullying, harassment and victimisation](#)

[Records management policy](#)

[Recruitment and transfers policy](#)

[Safety, health and wellbeing commitment](#)

[Service Delivery COVID-19 Protection Framework](#)

[Standards of conduct policy](#)

Legislation

[COVID-19 Public Health Response Act 2020](#)

[COVID-19 Public Health Response \(COVID-19 Vaccination Certificate\) Order 2021](#)

[COVID-19 Public Health Response \(Vaccinations\) Order 2021](#)

[COVID-19 Public Health Response \(Protection Framework\) Order 2021](#)

[Employment Relations Act 2000](#)

[Health and Safety at Work Act 2015](#)

[Privacy Act 2020](#)

Reference

[COVID-19 health and safety risk assessment](#)

Useful links

[Public Service workforce guidance for the COVID-19 Protection Framework](#)

[COVID-19 Protection Framework \(traffic lights\)](#)

[Ministry of Health website](#)

Document information

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Record of amendments

Date	Brief description of amendment
January 2022	Initial version.