

COVID-19 VACCINATION AND BUSINESS CONTINUITY POLICY

1.0 Introduction

- 1.1 Hawke's Bay Regional Council (**Council**) is responsible for providing a safe and healthy workplace by protecting the health and safety of our workers, volunteers and those affected by our work.
- 1.2 The Council's priority throughout the COVID-19 pandemic has been to:
 - 1.2.1 proactively protect the health, safety and well-being of our people and our community; and
 - 1.2.2 minimise disruptions to our core services and responsibilities to the community, local economy and environment. We need to ensure we can keep delivering our core services of protecting the community and environment in times of high community transmission and/or in the case of a civil defence emergency.
- 1.3 COVID-19 is a risk in our workplaces. We must take steps to minimise the risk of transmission of diseases, including COVID-19. Vaccination plays an important part in reducing the severity and spread of disease as vaccines are the most effective means for protecting against COVID-19, particularly as restrictions are lifted.
- 1.4 We anticipate the existing government requirements for vaccination may be extended throughout the coming year. It is not yet clear how that will impact on our operations.
- 1.5 Some of our stakeholders, (for example other territorial authorities, Napier Port and major manufacturing and processing facility operators) have indicated they will require those coming to their sites or premises to be fully vaccinated to perform work at their premises and/or on their behalf.
- 1.6 This COVID-19 Vaccination and Business Continuity Policy (**Policy**) sets out our approach to COVID-19 in our organisation, how this impacts the delivery of our services, and our expectations of workers. We may amend or revoke this policy from time to time, following consultation with workers.
- 1.7 This Policy applies to all employees, (including temporary and casual employees) and contractors who are required to enter our premises or the premises (including farms, forests and orchards) of others on our behalf, which are collectively referred to in this Policy as workers.
- 1.8 Where a worker is completing work at the worksite of another organisation, the worker is required to abide by that organisation's procedures for managing COVID-19. Workers may be required to agree to undergo a test for COVID-19 or to present their vaccine passport to access the site and perform work.

- 1.9 For the purposes of this policy “fully vaccinated” means having had the first and second doses of a COVID-19 vaccine and additional booster shots as may be recommended by the Ministry of Health from time to time. At the time of this policy coming into force Ministry of Health guidance is that a Pfizer vaccine booster shot(s) are required. To manage this, the Council requires workers to confirm the dates of their vaccinations, including boosters.

2.0 COVID-19 Protection Framework

- 2.1 New Zealand moved to the NZ COVID-19 PROTECTION FRAMEWORK on 3 December 2021.
- 2.2 There are three settings under the NZ COVID-19 PROTECTION FRAMEWORK: green, orange and red. If a person is fully vaccinated, they can move freely across all settings – what varies is how large gatherings will be at the different settings. A summary of the settings is **at the end of this document**.
- 2.3 COVID-19 vaccination rates and community transmission will play a key role in determining whether our region’s businesses will be at the green, orange or red setting.
- 2.4 The NZ COVID-19 PROTECTION FRAMEWORK has introduced a framework for organisations to use to determine whether it needs to require vaccinations and require workers to provide proof of vaccination by using the government’s vaccination passport system. Without using vaccine passports, events will not be able to operate in red or orange settings.
- 2.5 We anticipate that, given the restrictions on businesses that do not use vaccine passports, many of our stakeholders will use this framework to require vaccine passports to access their workplace. This will require our workers to provide proof of vaccine passports before being able to carry out work on their premises or on their behalf.
- 2.6 We also expect that with the change to the NZ COVID-19 PROTECTION FRAMEWORK, we will experience higher rates of community transmission of COVID-19, potentially impacting business continuity.

3.0 Risk Assessment

- 3.1 Due to the nature of our operations, roles within the Council may be required to work and interact with people considered at higher risk to the effects of COVID-19, as identified by public health guidance.
- 3.2 The Health and Safety at Work Act 2015 (**HSWA**) requires the Council as an employer to eliminate or minimise risks to health and safety, so far as reasonably practicable.
- 3.3 In consultation with representatives from Group Managers and Third Tier Managers, the Health, Safety & Wellbeing Team has carried out risk assessments for all of our roles, to determine what measures can be put in place to minimise the risk of COVID-19 in the workplace.
- 3.4 The risk assessments for all roles can be located on [Kōwharawhara](#).

- 3.5 Measures to eliminate or minimise the risk of infection for each type of role include (but are not limited to):
- Vaccinations
 - Rapid Antigen Testing
 - Physical distancing, planned and managed worker separation and isolation
 - Work bubbles and working from home
 - Personal hygiene measures
 - Implementing cleaning schedules
 - Tracking and tracing of all workers, visitors and contractors
 - Face coverings and other types of Personal Protective Clothing and Equipment (PPE).

4.0 Vaccinations

Roles where workers may need to be vaccinated based on risk assessment

- 4.1 All roles have been identified as having a risk of harm to workers volunteers or others that cannot reasonably and practically be addressed by the Council by other measures alone.
- 4.2 This is based on the outcome of our risk assessment, risks associated with our work, public facing roles, community engagement, face to face interactions from external agencies and our own high level of internal engagement with each interaction increasing the likelihood of exposure to COVID-19. We must also work with our external stakeholders' COVID-19 mandated requirements to ensure we can continue to deliver our core services.
- 4.3 Given the above, Council is working towards all roles being performed by workers who are fully vaccinated against COVID-19. To achieve this, except as outlined below at clause 7.0, the Council requires:
- 4.3.1 all workers that have confirmed they are fully vaccinated against COVID-19 to maintain their fully vaccinated status in line with clause 1.9 of this Policy and public health advice (including any necessary booster vaccinations); and
- 4.3.2 all vacant roles after the implementation of this Policy to be performed by people who are fully vaccinated against COVID-19 in line with public health advice (including any necessary booster vaccinations).

Roles covered by the Government's mandatory vaccinations order (COVID-19 Public Health Response (Vaccinations) Order 2021)

- 4.4 The COVID-19 Public Health Response (Vaccinations) Order 2021 (**Order**) requires certain roles/types of work to be done by a vaccinated person.
- 4.5 From 1 January 2022, organisations captured by the Order will need to maintain a register and ensure only vaccinated workers and support people carry out certain work covered by the Order.

- 4.6 The following roles in the Council are covered by the Order:
- 4.6.1 All roles who enter, come into contact with children or students, or carry out work at a Registered School;
 - 4.6.2 All roles who enter or carry out work at Napier Port; and
 - 4.6.3 All roles who enter or carry out work in the Health and Disability Sector.
- 4.7 The above roles are required to be performed by workers who are fully vaccinated against COVID-19 in line with public health advice (including any necessary booster vaccinations) to continue to perform work covered by the Order.

Vaccination for roles where customers need to show a COVID-19 Vaccination Pass

- 4.8 All roles that involve work in a workplace where a vaccination pass is required for entry are required to be performed by workers who are fully vaccinated against COVID-19 in line with public health advice (including any necessary booster vaccinations).
- 4.9 The Council may designate premises or sites that are only accessible to vaccinated people and where vaccination passes will be required. This will be based on a risk assessment.

Contractors and Service Providers must show a COVID-19 Vaccination Pass

- 4.10 Council requires all contractors, subcontractors, service providers and suppliers at or visiting Council offices, Council controlled facilities (e.g. Regional Parks) and/or indoor Council worksites (including where the contractor controls the indoor worksite) to:
- 4.10.1 comply with this policy;
 - 4.10.2 have a system in place to capture the vaccination records for their workers; and
 - 4.10.3 produce a COVID-19 Passport before visiting or performing any work on site.
- 4.11 Council will not require copies of COVID-19 Vaccination Passes produced in accordance with the above to be held onsite.

Workplaces not controlled by the Council

- 4.12 Workers may need to access workplaces that are not controlled by the Council, for example:
- Any sector that are covered by the Order, for example health and, education
 - Other Local Authorities
 - Napier Port; and
 - Farm/Orchard Visits.
- 4.13 Workers in these roles may be required by the person controlling the business or undertaking at these sites to be vaccinated.
- 4.14 All workplaces not controlled by the Council including all contractor controlled outdoor work sites must:

- 4.14.1 Assess the risks of COVID-19 at these sites; and
- 4.14.2 Provide an appropriate plan to manage the risks of COVID-19, for review and acceptance to their Representative (Council Project Owner) as requested.

5.0 COVID-19 Vaccinations

- 5.1 We all play a part in the efforts to manage COVID-19. Getting vaccinated against COVID-19 is one measure in this community response.
- 5.2 We recognise that some workers and applicants may be advised to not receive the vaccine based on medical advice or that some individuals may choose to not be vaccinated due to their beliefs or personal circumstances.
- 5.3 Medical exemptions will only be considered if a person has received an exemption via the Government's centralised exemption process. If a worker is exempt, Council would then work to establish how and whether safety can be maintained.
- 5.4 If you are concerned about the safety or effectiveness of the vaccine, we encourage you to seek medical advice.

6.0 COVID-19 Testing

- 6.1 To reflect the increased likelihood of community transmission of COVID-19:
 - 6.1.1 we may require a worker to take a COVID-19 (PCR) test if that worker is considered a close contact of a person who has returned a positive COVID-19 test; and
 - 6.1.2 if instructed by the Ministry of Health, workers will be required to take a COVID-19 (PCR) test.
- 6.2 Council may implement workplace screening through the use Rapid Antigen Testing (RAT) for the purpose of ensuring the safety of all workers.
- 6.3 Testing is a reasonable request and is an additional measure to ensure our workers and those affected by our work remain safe.
- 6.4 If the worker does not agree to our request, this may amount to serious misconduct, on the basis that the refusal may impact on the health and safety of others and is a failure to comply with a reasonable instruction.
- 6.5 We may, after consultation with the worker, propose suspension with pay before we take any further disciplinary action.

7.0 Alternative Arrangements

- 7.1 Due to the high percentage of vaccinated workers, the Council will:

- 7.1.1 endeavour to support workers who have either not disclosed their vaccination status or indicated they do not intend/or have chosen not to get vaccinated (including workers who are medically vulnerable and or are medically exempt); and
 - 7.1.2 consult with these workers about their ability to perform their role safely.
- 7.2 Consultation could include:
- 7.2.1 Reasonable and practical options for working from home;
 - 7.2.2 Redeployment to alternative duties.
- 7.3 Working from home and/or alternative duties will only be considered where practical and where this will not involve face-to-face interaction with other workers or external business relationships.
- 7.4 Any arrangements regarding working from home or alternative duties will be temporary with a fixed review date to ensure the arrangement continues to be workable for both parties.
- 7.5 Should a role reduce due to the worker being unable to carry out their full duties, an agreement to vary the hours of work will need to be reached. Any reduction in hours of work will result in a reduction in salary accordingly.
- 7.6 Any changes relating to a worker's role will be agreed and confirmed as a variation to the worker's employment agreement.
- 7.7 Should agreement be unable to be reached, or no alternative, practical options are able to be identified, the Council may commence the formal process of terminating the worker's position with Council.

8.0 Vaccination Information

- 8.1 All vaccination information collected by the Council about workers will be kept confidential.
- 8.2 All information collected, used and stored under this Policy will be handled in accordance with our policies and applicable privacy laws.
- 8.3 This Policy is subject to change following any legislative change and/or public health advice and guidelines.

COVID-19 Protection Framework (traffic lights)

The new framework provides a guide to protecting one another, keeping our health system running well and businesses open.

Factors for considering a shift between levels

- vaccination coverage;
- capacity of the health and disability system;
- testing, contact tracing and case management capacity; and
- the transmission of COVID-19 within the community, including its impact on key populations.

Decisions will also include other factors, including economic and social impacts and operational considerations.

Localised protections and lockdowns: can be used as part of the public health response, in addition to other measures, where necessary to protect affected communities.

My Vaccine Pass: the official record of COVID-19 vaccination status. Everyone is legally required to provide My Vaccine Pass to enter places that have vaccination requirements in place to operate under the traffic light settings. Some places may also choose to put in place their own vaccination requirements. Children under the age of 12 years and three months do not need to provide a vaccine pass, but they do count towards capacity limits. A negative test result is not a substitute.

You cannot be asked to provide your Vaccine Pass to access basic needs services, including supermarkets, dairies, petrol stations, public transport, pharmacies and essential health care. This also applies to specific education and housing services.

Unite
against
COVID-19

<p>GREEN</p>	<p>COVID-19 across New Zealand, including sporadic imported cases.</p> <p>Limited community transmission.</p> <p>COVID-19 hospitalisations are at a manageable level.</p> <p>Whole of health system is ready to respond – primary care, public health, and hospitals.</p>	<p>General settings</p> <ul style="list-style-type: none"> • Record keeping/scanning required • Face coverings mandatory on flights • Public facilities (e.g. libraries, museums, public pools) – open <p>No limits if My Vaccine Pass is used for:</p> <ul style="list-style-type: none"> • Hospitality (e.g. cafes, restaurants, bars) • Gatherings at your home <p>If My Vaccine Pass is not used, the following restrictions apply:</p> <ul style="list-style-type: none"> • Hospitality (e.g. cafes, restaurants, bars) – up to 100 people, based on 1m distancing, seated and separated • Gatherings at your home – up to 100 people • Other gatherings (e.g. weddings, tangihanga, faith based services, marae, social sports) – up to 100 people, based on 1m distancing 	<ul style="list-style-type: none"> • Retail (e.g. shops, banks, outdoor markets, takeaway only businesses) – open • Workplaces – open • Other gatherings (e.g. weddings, tangihanga, faith based services, marae, social sports) • Events (e.g. cinemas, concerts, auctions, sporting events) • Events (e.g. cinemas, concerts, auctions, sporting events) – up to 100 people based on 1m distancing, seated and separated for service of food and drink • Close-proximity businesses (e.g. hairdressers, beauty salons) – face coverings for staff, 1m distancing between customers 	<ul style="list-style-type: none"> • Education (schools, ECE, tertiary) – open • Accommodation (e.g. hotels, cabins, backpackers) – open • Close-proximity businesses (e.g. hairdressers, beauty salons) • Outdoor community gatherings (e.g. a community fair) • Gyms • Outdoor community gatherings (with uncontrolled access, e.g. a public parade) – up to 100 people, based on 1m distancing • Gyms – up to 100 people, based on 1m distancing
<p>ORANGE</p>	<p>Community transmission with pressure on health system.</p> <p>Whole of health system is focusing resources but can manage – primary care, public health, and hospitals.</p> <p>Increasing risk to at-risk populations.</p>	<p>General settings</p> <ul style="list-style-type: none"> • Record keeping/scanning required • Face coverings mandatory in some places (e.g. on flights, public transport, taxis, retail, public facilities) and encouraged elsewhere <p>No limits if My Vaccine Pass is used for:</p> <ul style="list-style-type: none"> • Hospitality (e.g. cafes, restaurants, bars) • Gatherings at your home <p>If My Vaccine Pass is not used, the following restrictions apply:</p> <ul style="list-style-type: none"> • Hospitality (e.g. cafes, restaurants, bars) – contactless only • Gatherings at your home – up to 50 people • Other gatherings (e.g. weddings, tangihanga, faith based services, marae, social sports) – up to 50 people, based on 1m distancing 	<ul style="list-style-type: none"> • Public facilities (e.g. libraries, museums, public pools) – open with capacity limits based on 1m distancing • Retail (e.g. shops, banks, outdoor markets, takeaway only businesses) – open with capacity limits based on 1m distancing • Other gatherings (e.g. weddings, tangihanga, faith based services, marae, social sports) • Events (e.g. cinemas, concerts, auctions, sporting events) • Close-proximity businesses (e.g. hairdressers, beauty salons), events (e.g. cinemas, concerts, auctions, sporting events) and gyms are not able to operate 	<ul style="list-style-type: none"> • Workplaces – open • Education (schools, ECE, tertiary) – open with public health measures in place • Accommodation (e.g. hotels, cabins, backpackers) – open • Close-proximity businesses (e.g. hairdressers, beauty salons) • Outdoor community gatherings (e.g. a community fair) • Gyms • Outdoor community gatherings (with uncontrolled access, e.g. a public parade) – up to 50 people, based on 1m distancing
<p>RED</p>	<p>Action needed to protect health system – system facing unsustainable number of hospitalisations.</p> <p>Action needed to protect at-risk populations.</p>	<p>General settings</p> <ul style="list-style-type: none"> • Record keeping/scanning required • Face coverings mandatory in some places (e.g. on flights, public transport, taxis, retail, education (Year 4 and up, including tertiary), public facilities) and encouraged elsewhere <p>With My Vaccine Pass, the following restrictions apply:</p> <ul style="list-style-type: none"> • Hospitality (e.g. cafes, restaurants, bars) – up to 100 people, based on 1m distancing, seated and separated • Gatherings at your home – up to 100 people • Other gatherings (e.g. weddings, tangihanga, faith based services, marae, social sports) – up to 100 people, based on 1m distancing <p>If My Vaccine Pass is not used, the following restrictions apply:</p> <ul style="list-style-type: none"> • Hospitality (e.g. cafes, restaurants, bars) – contactless only • Gatherings at your home – up to 25 people 	<ul style="list-style-type: none"> • Public facilities (e.g. libraries, museums, public pools) – open with capacity limits based on 1m distancing • Retail (e.g. shops, banks, outdoor markets, takeaway only businesses) – open with capacity limits based on 1m distancing • Gyms – up to 100 people, based on 1m distancing • Events (e.g. cinemas, concerts, auctions, sporting events) – up to 100 people based on 1m distancing, seated & separated for service of food & drink • Close-proximity businesses (e.g. hairdressers, beauty salons) – public health requirements in place • Other gatherings (e.g. weddings, tangihanga, faith based services, marae, social sports) – up to 25 people, based on 1m distancing • Close-proximity businesses (e.g. hairdressers, beauty salons), events (e.g. concerts, sporting events) and gyms are not able to operate 	<ul style="list-style-type: none"> • Education (schools & ECE) – open with public health measures in place • Workplaces – working from home may be appropriate for some staff • Accommodation (e.g. hotels, cabins, backpackers) – open • Outdoor community gatherings (e.g. a community fair) – up to 100 people, based on 1m distancing • Tertiary education – open onsite with capacity limits based on 1m distancing • Tertiary education – alternative learning options only • Outdoor community gatherings (with uncontrolled access, e.g. a public parade) – up to 25 people, based on 1m distancing