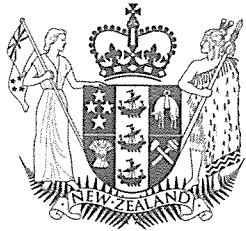


**From:** s9(2)(a)  
**Sent:** Wednesday, 10 November 2021 4:42 p.m.  
**To:** Douglass, Carol  
**Cc:** s9(2)(a)  
**Subject:** RE: SEEMAIL: RE: Urgent comment sought on Cabinet paper re COVID vaccination requirements in the workplace [SEEMAIL]

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thanks both, that makes sense and have passed that feedback on.



s9(2)(a)

Private Secretary, Defence | Office of Hon Peeni Henare  
 Minister of Defence | Minister for Whānau Ora  
 Associate Minister of Health | Associate Minister of Tourism  
 Associate Minister of Housing (Māori Housing)

s9(2)(a)

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

\*If you're wondering about the use of pronouns she/her on this signature you can find more information about how sharing pronouns can help to create a sense of belonging and respect [here](#).

**From:** Douglass, Carol [mailto:CAROL.DOUGLASS@s9(2)(a)]  
**Sent:** Wednesday, 10 November 2021 4:32 PM  
**To:** s9(2)(a)@parliament.govt.nz  
**Cc:** s9(2)(a); s9(2)(a)

**Subject:** RE: SEEMAIL: RE: Urgent comment sought on Cabinet paper re COVID vaccination requirements in the workplace [SEEMAIL]

\*\*\* [SEEMAIL] This message may contain classified information \*\*\*

Hi s9(2)(a)

The only feedback from an MoD perspective is that provisions around the ability of an employer to require vaccination if required by a third party is essential for us. The current draft appears to cater for this in the following sections, but needs to be clear in whatever regulations are passed that this may be in respect of an organisation's premises, not just to enter a customer's site.

Para 59

As shown above, there is a range of reasons for which employers can require vaccination. At present, this can happen for health and safety reasons, where a risk assessment has been undertaken. An employer can also require vaccination on the basis of a condition imposed by a third party, for example as a requirement to access premises the third party controls where the employer's workers undertake work.

Recommendation 21

Third party requirements

**note** that if a third party imposes a condition on an employer that the employers' workers must be vaccinated to deliver services to the third party, or access the premises of the third party, the employer can require workers doing that work to be vaccinated;

The reason why this is critical is that the Ministry works in an integrated way with NZDF personnel and will need to be able to mandate vaccinations for its staff should the NZDF declare this to be a requirement to enter and work in Defence areas, particularly Defence House, which is our primary place of work. As you know our staff also need to regularly visit NZDF camps and bases in the regions.

Let us know if you need anything more.

Ngā mihi  
Carol

---

**From:** s9(2)(a)  
**Sent:** Wednesday, 10 November 2021 3:52 p.m.  
**To:** s9(2)(a) @parliament.govt.nz; Douglass, Carol <CAROL.DOUGLASS@s9(2)(a)>  
**Subject:** SEEMAIL: RE: Urgent comment sought on Cabinet paper re COVID vaccination requirements in the workplace [SEEMAIL]

Hi s9(2)(a)

On first reading it doesn't appear to change our previous feedback in so far as our relationship with the NZDF and actions that might be taken with regard to Defence Areas.

I will consult further with Carol and come back to you early tomorrow morning at the latest.

Cheers s9(2)(a)



---

s9(2)(a)  
COVID-19 Business Continuity Lead  
Defence House, 34 Bowen Street, Pipitea, PO Box 12703, Wellington 6144,  
New Zealand

s9(2)(a)

---

**From:** s9(2)(a) @parliament.govt.nz  
**Sent:** Wednesday, 10 November 2021 3:08 p.m.  
**To:** s9(2)(a) Douglass, Carol <CAROL.DOUGLASS@s9(2)(a)>  
**Subject:** RE: Urgent comment sought on Cabinet paper re COVID vaccination requirements in the workplace [SEEMAIL]  
**Importance:** High

Hi again all

Attached is another Cabinet paper on vaccination requirements, this time in terms of mandating vaccination for work that involves contact with vulnerable people or that is critical to New Zealand's national interests, and to allow employers to require vaccination for work if indicated by use of a vaccination assessment tool. Have copied a summary of the paper below.

As you may already be aware, NZDF have responded directly to MBIE advocating the inclusion of NZDF and Defence Areas/Workspaces in the category of work that is critical to NZ's national interests (see attached). The Minister is supportive of this.

**Can you please me know if you want me to pass on any feedback/implications from a MoD perspective?**

I'll need input by tomorrow morning to meet the deadline set by Minister Wood's office, but grateful if you could let me know before the end of the day if you will be responding so I can give the adviser a heads up.

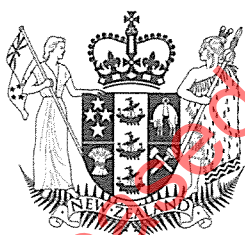
Thanks  
s9(2)(a)

### Summary

On 26 October 2021, Cabinet agreed a range of decisions relating to Government vaccination mandates, employer decisions to require vaccination, employment law changes and WorkSafe funding. Minister Wood is now seeking agreement to mandate vaccination for work that involves contact with vulnerable people or that is critical to New Zealand's national interests, and to allow employers to require vaccination for work if indicated by use of a vaccination assessment tool.

The paper seeks agreement to mandate vaccination for face-to-face services that the government and other providers deliver to our vulnerable populations, and work that is critical to our national interests to protect against interruption to essential services or lifeline utilities. It also proposes whether consideration should be given to mandating vaccination for work in areas where the use of CVCs is prohibited, namely supermarkets, dairies, petrol stations and on public transport.

The paper also poses two options for a simple vaccination assessment tool in regulations under the COVID Act to help provide certainty to workplaces – one points-based, the other a simple checklist. While it will not be mandatory for PCBUs to use the vaccination assessment tool when they are deciding whether to require vaccination, this will enable them to undertake more extensive risk assessments should they wish to. The paper also gives Ministers options on whether we should allow employers to require vaccination for broader reasons, such as for conditions imposed by a third party, or if undue disruption is posed by unvaccinated workers.



s9(2)(a)  
Private Secretary, Defence | Office of Hon Peeni Henare  
Minister of Defence | Minister for Whānau Ora  
Associate Minister of Health | Associate Minister of Tourism  
Associate Minister of Housing (Māori Housing)

s9(2)(a)  
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

\*If you're wondering about the use of pronouns she/her on this signature you can find more information about how sharing pronouns can help to create a sense of belonging and respect [here](#).

**From:** s9(2)(a)  
**Sent:** Friday, 22 October 2021 9:46 AM  
**To:** s9(2)(a) <[redacted]@parliament.govt.nz>; Douglass, Carol <CAROL.DOUGLASS@s9(2)(a)>  
s9(2)(a) <[redacted]@parliament.govt.nz>; Woods, Andy AIRCDRE <[redacted]@parliament.govt.nz>;  
Beck, Darren LTCOL <[redacted]@parliament.govt.nz>  
**Cc:** s9(2)(a) <[redacted]@parliament.govt.nz>

**Subject:** RE: Urgent comment sought on Cabinet paper re COVID vaccination requirements in the workplace  
[SEEMAIL]

\*\*\* [SEEMAIL] This message may contain classified information \*\*\*

Good morning s9(2)(a)

The main implication for the Ministry of Defence are any measures taken by the NZDF for:

- Defence House given the shared building, shared floor and frequency of interaction, and
- Access to Defence areas and activities e.g. relating to such aspects as capability delivery.

There are no other circumstances for the Ministry that don't apply to other policy agencies. Vaccination in the workplace policies that apply to the whole public service, would apply to MoD.

Cheers s9(2)(a)



New Zealand  
**MINISTRY OF DEFENCE**  
Manatū Kaupapa Wāonga

s9(2)(a)

COVID-19 Business Continuity Lead

Defence House, 34 Bowen Street, Pipitea, PO Box 12703, Wellington 6144,  
New Zealand

s9(2)(a)

**From:** s9(2)(a) [redacted]@parliament.govt.nz

**Sent:** Thursday, 21 October 2021 9:15 p.m.

**To:** Douglass, Carol <CAROL.DOUGLASS@parliament.govt.nz> s9(2)(a)

[redacted] s9(2)(a) Woods, Andy AIRCDRE [redacted] s9(2)(a);

Beck, Darren LTCOL [redacted] s9(2)(a)

**Cc:** [redacted] s9(2)(a)

[redacted] s9(2)(a) [redacted]@parliament.govt.nz

**Subject:** Urgent comment sought on Cabinet paper re COVID vaccination requirements in the workplace  
[SEEMAIL]

**Importance:** High

Evening all

The Minister has received the attached paper for Ministerial consultation by **10am tomorrow**. I've been asked to check with both agencies on any implications or concerns you wish to raise. I imagine it will impact NZDF more than MoD.

#### Summary

The paper is seeking agreement to introduce legislation clarifying the process for requiring vaccination in the workplace.

Currently vaccination at work can be required in two ways:

- Workers are subject to one of the health orders because they work in MIQ, at the border, in the health sector, or in the education sector; or

- An employer conducts an assessment under the Health and Safety at Work Act and determines that vaccination is required to provide a safe workplace.

Employers and unions have both raised concerns that this does not provide sufficient certainty and that additional legislation will provide greater clarity for all involved.

The Bill will:

- Strengthen the Government's existing ability to require vaccination and testing for the highest risk workers from a health perspective
- Enable the Government to require vaccination for two further reasons:
  - Preventing disruption to key public services and essential services; and
  - For primary industry exporters, where necessary to maintain access to overseas markets
- Provide a clearer process for employers to determine vaccination is required for public health reasons and clarifying a number of process obligations around mandatory vaccination including:
  - Requirements for businesses with overlapping duties to collaborate on vaccination requirements e.g. multiple employers on a construction site
  - Clarifying who is exempt from vaccination requirements
  - Requirements for employees to provide employers with proof they are vaccinated where their role requires vaccination and for employers to keep records of vaccination status.
- Require before an employer terminates an employee they provide a minimum 4 week period for the person to become vaccinated
- Require that employers provide employees with reasonable paid time off to be vaccinated.

Please note the intention is that when a vaccine certificate requires vaccination of customers this will also apply to the employees. As such it is proposed mandatory vaccination covers those workers such as hospitality, large events, and close proximity businesses. The exact workplaces requiring vaccination under the new COVID-19 Protection Framework is being confirmed in a paper being considered in tandem with this paper.

The intention is for the Bill to be introduced in November and passed through all stages under urgency.

The proposals have been developed together with the CTU and Business NZ. The Small Business Advisers Group, Retail NZ and FOMA are also being consulted.



s9(2)(a)

Private Secretary, Defence | Office of Hon Peeni Henare  
Minister of Defence | Minister for Whānau Ora  
Associate Minister of Health | Associate Minister of Tourism  
Associate Minister of Housing (Māori Housing)

s9(2)(a)

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

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#### Note:

The information contained in this email message is intended only for the addressee and is not necessarily the official view or communication of the Ministry. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it. If you have received this message in error, please email or telephone the sender immediately. Thank you"

---

**From:** Douglass, Carol  
**Sent:** Friday, 19 November 2021 1:46 p.m.  
**To:** Bridgman, Andrew; Swain, Michael; Yardlev, Michael; Wickremasinghe, Pasanka;  
s9(2)(a)  
**Subject:** FW: CDF DIRECTIVE 26/2021 - VACCINATION STATUS AS AN ENTRY REQUIREMENT TO CERTAIN DEFENCE AREAS unclassified  
**Attachments:** CDF Directive 26-2021 - Vaccination Status as an Entry Requirement to Certain Defence Areas - NOV 21 SIGNED.pdf

As foreshadowed COVID-19 vaccination is now required as a condition of entry to Defence areas in Auckland - see below and attached Directive.

Released under the Official Information Act 1982

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**From:** s9(2)(a)  
**Sent:** Monday, 22 November 2021 9:44 a.m.  
**To:** Bridgman, Andrew; Douglass, Carol; Swain, Michael; Wickremasinghe, Pasanka; Yardley, Michael; s9(2)(a)  
**Subject:** COVID-19: Vaccine Mandate Cabinet Paper - HQ NZDF Brief for Min Def  
**Attachments:** OMDRFO 2021-075 DPB Vaccine Mandates.docx

Good morning

On Friday, we worked with HQ NZDF on a brief for Min Def ahead of the MBIE Vaccine Mandate paper going to Cabinet today. Please see attached.

Cheers s9(2)(a)  
s9(2)(a)

**COVID-19 Business Continuity Lead, Ministry of Defence**  
s9(2)(a)



[OMDRFO 2021-075 DPB Vaccine Mandates.docx](#)

Released under the Official Information Act 1982

**From:** Beck, Darren LTCOL  
**Sent:** Wednesday, 1 December 2021 10:27 a.m.  
**To:** s9(2)(a)  
**Subject:** RE: COVID-19 Management Transition Instructions and Considerations - Defence Area Wellington unclassified

We can ask...they don't have to tell. Failure to confirm or deny means they will be treated as vulnerable with additional protections in place...refusal of entry will come later on.

D

**Lieutenant Colonel Darren Beck**  
 Executive Officer – Office of the CDF  
 Headquarters New Zealand Defence Force  
 34 Bowen Street | Wellington 6011

s9(2)(a)

www.nzdf.mil.nz



**From:** s9(2)(a)  
**Sent:** Wednesday, 1 December 2021 10:08 a.m.  
**To:** Beck, Darren LTCOL s9(2)(a)  
**Subject:** RE: COVID-19 Management Transition Instructions and Considerations - Defence Area Wellington unclassified

Hi Darren

Thanks for this.

I know we discussed this earlier but I note that in the third bullet point and the final question in the questionnaire you have asked attendees to declare their vaccination status. Specifically, regarding attendees at meetings with externals (e.g. MFAT) on the Ground Floor or Level 1, I'm not sure that we can legally ask them that under the current settings. I can understand why you would do it for social gatherings such as the NZDF Person of the Year Awards but not for small meetings.

We are trying to get some clear language for an email from Andrew to all MOD staff going out today.

Cheers s9(2)(a)

s9(2)(a)

**Director (South East Asia) International Branch, Ministry of Defence**

s9(2)(a)

**From:** Beck, Darren LTCOL  
**Sent:** Wednesday, 1 December 2021 9:39 a.m.  
**To:** s9(2)(a)  
**Subject:** FW: COVID-19 Management Transition Instructions and Considerations - Defence Area Wellington unclassified



**From:** Beck, Darren LTCOL  
**Sent:** Thursday, 2 December 2021 8:28 a.m.  
**To:** s9(2)(a)  
**Cc:** s9(2)(a) Douglass, Carol  
**Subject:** RE: MOD COVID-19 Update to Staff - FYI  
**Attachments:** ATT54932.jpg

That would be good. There's nothing in my minor amendments that alter your message. I have made some changes/clarifications based on MoD points. Should go out midday.

D

**Lieutenant Colonel Darren Beck**  
 Executive Officer - Office of the CDF  
 Headquarters New Zealand Defence Force  
 34 Bowen Street | Wellington 6011

s9(2)(a)

[www.nzdf.mil.nz](http://www.nzdf.mil.nz)



**From:** s9(2)(a)  
**Sent:** Wednesday, 1 December 2021 5:51 p.m.  
**To:** Beck, Darren LTCOL s9(2)(a)  
**Cc:** s9(2)(a) Douglass, Carol <CAROL.DOUGLASS> s9(2)(a)  
**Subject:** RE: MOD COVID-19 Update to Staff - FYI

Thanks Darren,

Just FYI we will now wait until you have sent your comms to HQNZDF and then the note will go out to MOD staff.

Thanks,  
 s9(2)(a)

**From:** Beck, Darren LTCOL  
**Sent:** Wednesday, 1 December 2021 11:56 a.m.  
**To:** s9(2)(a)  
**Cc:** s9(2)(a) Douglass, Carol <CAROL.DOUGLASS> s9(2)(a)  
**Subject:** RE: MOD COVID-19 Update to Staff - FYI

Looks good.

D

**Lieutenant Colonel Darren Beck**  
 Executive Officer - Office of the CDF

Headquarters New Zealand Defence Force  
34 Bowen Street | Wellington 6011

s9(2)(a)

[www.nzdf.mil.nz](http://www.nzdf.mil.nz)

<< OLE Object: Picture (Device Independent Bitmap) >>

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**From:** s9(2)(a)

**Sent:** Wednesday, 1 December 2021 11:30 a.m.

**To:** Beck, Darren LTCOL s9(2)(a)

**Cc:** s9(2)(a) Douglass, Carol <CAROL.DOUGLASS@s9(2)(a)>

**Subject:** MOD COVID-19 Update to Staff - FYI

Kia ora Darren,

Carol, s9(2)(a) and I have drafted the below message for SecDef to send to staff in relation to the information you are sending on Defence Areas in Wellington this week (tomorrow as we understand). Sending through for your information, but very happy to discuss if any points we have noted below are unclear or need amending.

Pending any feedback from SecDef, we are planning for him to send this to MOD staff this afternoon.

Many thanks!

s9(2)(a)

---

**From:** Douglass, Carol

**Sent:** Wednesday, 1 December 2021 11:10 a.m.

**To:** s9(2)(a) s9(2)(a)

s9(2)(a)

**Subject:** RE: For Review: COVID-19 Update

Kia ora koutou,

You will have seen the announcement that New Zealand is moving to the new COVID-19 Protection Framework (traffic light system) as of 11:59pm Thursday 2 December. Further information on the traffic light system can be found on [www.covid19.govt.nz/traffic-lights/covid-19-protection-framework](http://www.covid19.govt.nz/traffic-lights/covid-19-protection-framework)

High rates of vaccination is New Zealand's key tool in protecting people and minimising the spread of COVID-19, and central to the settings in the COVID-19 Protection Framework.

This email outlines what the move to the new Protection Framework means for the Ministry of Defence.

#### Considerations for Ministry of Defence staff

For those of us based in Wellington, we will be moving to Orange - this setting works on the assumption that there will be community transmission, with pressure on our health system.

While the new setting does not immediately change the way we are working, we need to plan on the increased likelihood that COVID-19 will be in Wellington and in the Ministry's workforce.

NZDF are implementing additional measures to protect the force and ensure that the NZDF can keep operating and maintain its contingent response capability, by limiting the impacts of COVID-19 on its people and workplaces. We

ask that Ministry staff remain aware of the differing NZDF requirements and respect these when interacting with NZDF personnel in the workplace.

NZDF will shortly be sending out some new guidance for enhanced health protection measures in Defence Areas in Wellington. Staff will have seen that vaccination is a requirement for access to Defence areas in Auckland. Ministry staff work in Defence areas and are therefore required to comply with any direction issued under Section 2 of the Defence Act 1990. This includes any requirement to be fully vaccinated to access a Defence area. You will be kept informed should NZDF requirements for Defence areas beyond Auckland change.

Ministry staff will also need to comply with requirements of businesses, other organisations and agencies (for example attendance at inter-agency meetings, access to Parliament) as part of your daily work routine.

A reminder for us to continue the following key practices when working in Defence House, particularly should COVID-19 become present in Wellington or a destination that you visit while on holiday

- We must continue to do a **daily self-symptom check and stay home** if we have any COVID symptoms or are feeling unwell. Call Healthline for advice.
- If a member of your household is showing symptoms of COVID-19, we encourage you to take a precautionary approach and work from home until you know it is safe to return to Defence House.
- If you or a member of your household have been to a location of interest stay at home and call Healthline for advice on what to do.
- **Check in using the COVID-19 tracer app** when entering the building and keep records in your outlook calendar of who you are interacting with and where
- Always **swipe your access card** in and out of meeting rooms and access points
- **Wear masks** in public and communal areas of the building and when meeting with NZDF personnel
- Maintain **good handwashing** and sanitising practice
- Comply with limits on numbers of people in lifts to enable appropriate **physical distancing**
- **Meetings**, including with external participants can be held on the ground floor and level one, with measures to ensure physical distance requirements are met.
- **Events may be catered** but food must be plated individually and served or uplifted by the individual

## Vaccinations

Although the decision to be vaccinated against COVID-19 rests with the individual, this decision has work related consequences for those who choose not to be vaccinated.

Te Kawa Mataaho Public Service Commission has issued Public Service Workforce Guidance for the COVID-19 Protection Framework, applying to all public service agencies. This reiterates the expectation of the Public Service Commissioner that all public servants who can be vaccinated, are vaccinated; and that public agencies must comply with all required public health and social measures. The guidance includes a directive that all public agencies must conduct a systematic health and safety risk assessment to determine whether, and to what extent, vaccination is required to work in the workplace. A draft Ministry risk assessment is in development and will be circulated with a draft vaccination policy to staff for comment shortly.

We will continue to operate within Government guidance, as well as HQNZDF practices for working in Defence Areas, particularly Defence House which is the place of work for most of us. LT will communicate any changes as and when we receive updated guidance from Government.

As always, staff welfare is paramount. Look after yourselves and look after each other.

Ngā mihi,  
Andrew

**From:** s9(2)(a)  
**Sent:** Thursday, 9 December 2021 9:45 a.m.  
**To:** s9(2)(a) Douglass, Carol; s9(2)(a)  
**Subject:** FW: Fully Vaccinated Requirement for Headquarters New Zealand Defence Force - Defence House, 34 Bowen Street, Pipitea | unclassified  
**Attachments:** ATT43295.jpg

Fyi,


Cheers,  
s9(2)(a)

---

**From:** Bridgman, Andrew  
**Sent:** Thursday, 9 December 2021 9:42 a.m.  
**To:** Short, Kevin AM s9(2)(a)  
**Subject:** RE: Fully Vaccinated Requirement for Headquarters New Zealand Defence Force - Defence House, 34 Bowen Street, Pipitea | unclassified

Thanks Kevin - as per our discussion last week we are fully supportive of your approach to vaccination requirements for Defence House.

Kind regards,  
Andrew

	<p><b>Andrew Bridgman</b> (he/him)          Secretary of Defence - Te Tumu Whakarae mō te Waonga</p> <p>Defence House, 34 Bowen Street, Pipitea, PO Box 12703, Wellington 6144, New Zealand</p> <p>s9(2)(a)</p> <p>E: <a href="mailto:andrew.bridgman@s9(2)(a)@defence.govt.nz">andrew.bridgman@s9(2)(a)@defence.govt.nz</a></p>
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\* If you're wondering about the use of pronouns he/him on this signature you can find more information about how sharing pronouns can help to create a sense of belonging and respect [here](#).

Released under the Official Information Act 1982

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**From:** Douglass, Carol  
**Sent:** Thursday, 9 December 2021 11:53 a.m.  
**To:** MOD Employees Only (HR use)  
**Cc:** Beck, Darren LTCOL; Wells, Simon CDR  
**Subject:** Vaccination Mandated for Access to Defence House from 16 December [unclassified]

Kia ora koutou

Staff will have seen the message below regarding the requirement for vaccination against COVID-19 from 16 December 2021 for access to Defence House.

Some of the information in the message relates only to NZDF personnel. Ministry staff and other occupants of Defence House are 'visitors' in terms of the regulations covering Defence Areas.

#### **What does this mean for Ministry staff and visitors?**

In order to access Defence House from Thursday 16 December you must be fully vaccinated against COVID-19 and have a Ministry of Health COVID-19 Vaccination Certificate. As indicated in our draft COVID-19 Vaccination Policy, HR has established a Vaccination Register which will record staff vaccination status based on staff showing HR staff their vaccination certificate. NZDF also require this information to enable your continued access to the building. HR will provide this information to NZDF so that you don't have to provide it twice.

In order to gather the information prior to 16 December, HR will be available in a breakout room by Defence Policy and Planning Division at the following times:

- 1-4pm today Thursday 9 December
- 9-11 tomorrow Friday 10 December
- 9-4 Monday 13 December.

Further timings will be arranged as required.

If you are currently not fully vaccinated you will need to work from home from Thursday 16 December. Once our COVID-19 Vaccination Policy is finalised and approved by LT, you and your Manager will need to discuss next steps, including the long term implications of the COVID-19 requirements for your work with us.

We understand that vaccination is a sensitive topic for some people. If you feel like you'd like further support don't forget you can access our Employee Assistance Programme via Vitae at any time by calling 0508 664 981.

Ngā mihi  
Carol

**From:** Beck, Darren LTCOL  
**Sent:** Wednesday, 15 December 2021 10:22 a.m.  
**To:** Douglass, Carol <CAROL.DOUGLASS [REDACTED] s9(2)(a)>  
**Cc:** [REDACTED] s9(2)(a)  
**Subject:** RE: CDF Directive 33/2021-Vaccination status as an entry requirement to certain Defence Areas unclassified

Yep. The timing allows staff to be double vaccinated by 17 Jan if they are that way inclined.  
D

**Lieutenant Colonel Darren Beck**  
Executive Officer – Office of the CDF  
Headquarters New Zealand Defence Force  
34 Bowen Street | Wellington 6011

[REDACTED] s9(2)(a)

www.nzdf.mil.nz



**From:** Douglass, Carol  
**Sent:** Wednesday, 15 December 2021 9:03 a.m.  
**To:** Beck, Darren LTCOL [REDACTED] s9(2)(a)  
**Cc:** [REDACTED] s9(2)(a)  
**Subject:** RE: CDF Directive 33/2021-Vaccination status as an entry requirement to certain Defence Areas unclassified

Thanks Darren

Is it okay for us to send the Directive out to staff, noting the change of date?

**From:** Beck, Darren LTCOL  
**Sent:** Wednesday, 15 December 2021 9:02 a.m.  
**To:** Douglass, Carol <CAROL.DOUGLASS [REDACTED] s9(2)(a)>  
**Cc:** [REDACTED] s9(2)(a)  
**Subject:** RE: CDF Directive 33/2021-Vaccination status as an entry requirement to certain Defence Areas unclassified

Correct Carol. CDF has aligned to the mandate to avoid any issues re enforcement.

MoD info is now loaded up. Thanks for the work on that. There were some confirmations required on the following please.

[REDACTED] s9(2)(a)

Regards,

D

---

**From:** Douglass, Carol <CAROL.DOUGLASS [REDACTED] s9(2)(a)>  
**Date:** Wednesday, 15 Dec 2021, 08:47  
**To:** Beck, Darren LTCOL [REDACTED] s9(2)(a)  
**Cc:** [REDACTED] s9(2)(a)  
**Subject:** FW: CDF Directive 33/2021-Vaccination status as an entry requirement to certain Defence Areas unclassified

Hi Darren

Just checking my reading of this that the requirement for vaccination to enter Defence House doesn't kick in for Ministry staff until midnight 16 January 2022 when the attached Directive takes effect?

Thanks, Carol

Released under the Official Information Act 1982

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**From:** Douglass, Carol  
**Sent:** Wednesday, 15 December 2021 10:49 a.m.  
**To:** MOD Employees Only (HR use) [REDACTED] s9(2)(g)(ii)  
**Cc:** Beck, Darren LTCOL [REDACTED] s9(2)(a)  
**Subject:** Vaccination status as an entry requirement to Defence Areas unclassified

Kia ora koutou

Attached is the Directive signed yesterday by CDF on the requirement to be fully vaccinated to enter Defence Areas, including Defence House (see Annex A of the Directive for details of all areas included). Please note that the date has changed from that proposed earlier. It will now apply, including for all Ministry staff and visitors, from **midnight 16 January 2022**. The current order relating to Auckland CDF Directive 26/2021 Vaccination Status as an Entry Requirement to Certain Defence Areas remains in effect.

Ngā mihi  
Carol

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**From:** s9(2)(a)  
**Sent:** Wednesday, 26 January 2022 4:30 p.m.  
**To:** Beck, Darren LTCOL  
**Subject:** RE: Clarification about building access - medical exemptions

Hi Darren

Super helpful (as was the conversation) – thanks so much

Ngā mihi

s9(2)(a)

s9(2)(a) Chief People Advisor/ Āpiha Mātāmua ā-Tāngata | Pūmanawa Tangata /HR  
 Ministry of Defence | s9(2)(a)

---

**From:** Beck, Darren LTCOL  
**Sent:** Wednesday, 26 January 2022 4:05 p.m.  
**To:** s9(2)(a)  
**Subject:** RE: Clarification about building access - medical exemptions

s9(2)(a) relevant references from an NZDF perspective....

<http://ddms-r/DS/D0-0012/D0-0012-02/CDF%20Directive%2032-2021%20Vaccine%20Mandate-Members%20of%20the%20Civil%20Staff.pdf>

<< OLE Object: Picture (Device Independent Bitmap) >>

<http://ddms-r/DS/D0-0012/D0-0012-02/CDF%20Directive%2026-2021%20-%20Vaccination%20Status%20as%20an%20Entry%20Requirement%20to%20Certain%20Defence%20Areas%20-%20NOV%202021%20SIGNED.pdf>

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<http://orgs/sites/nzdf-health/PublicDocs/Defence%20Health%20Directive%2021-016%20version%203%20dated%2013%20Dec%202021.pdf>

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**Lieutenant Colonel Darren Beck**  
Executive Officer – Office of the CDF  
Headquarters New Zealand Defence Force  
34 Bowen Street | Wellington 6011

s9(2)(a)

www.nzdf.mil.nz

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**From:** s9(2)(a)  
**Sent:** Wednesday, 26 January 2022 12:34 p.m.  
**To:** Beck, Darren LTCOL s9(2)(a)  
**Cc:** Douglass, Carol <CAROL.DOUGLASS> s9(2)(a)  
**Subject:** FW: Clarification about building access - medical exemptions

Hi Darren

Just checking in to see if you've managed to gather any thoughts about my query as I've had a couple of queries about this.

Ngā mihi

s9(2)(a)

s9(2)(a) Chief People Advisor/ Āpiha Mātāmua ā-Tāngata | Pūmanawa Tangata /HR  
Ministry of Defence | s9(2)(a)

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**From:** s9(2)(a)  
**Sent:** Wednesday, 19 January 2022 2:30 p.m.  
**To:** Beck, Darren LTCOL s9(2)(a)  
**Subject:** Clarification about building access

Hi Darren

Happy 2022!

I wondered if you could help with a hypothetical question that has been raised with me.

If a visitor to Defence House (say, an MoD employee or employee from another agency who works in the building) had a correct Ministry of Health medical exemption certificate excusing them from COVID vaccination would they be able to enter Defence House? (I know medical exemptions are few and far between!)

I've read the CDF Directive 33/2021 and I'm not clear enough to be able to answer the query.

Ngā mihi

<< OLE Object: Picture (Device Independent Bitmap)  
>>

s9(2)(a)

Chief People Advisor/ Apiha Mātāmua ā-Tāngata

Defence House, 34 Bowen Street, Pipitea, PO Box 12703, Wellington 6144, New Zealand

s9(2)(a)

W: [www.defence.govt.nz](http://www.defence.govt.nz)

\* If you're wondering about the use of pronouns she/her on this signature you can find more information about how sharing pronouns can help to create a sense of belonging and respect [here](#)

My employer allows me to work flexibly so I may be emailing you outside normal business hours. Please just respond when it suits your normal work patterns.

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**From:** Douglass, Carol  
**Sent:** Tuesday, 9 November 2021 9:09 a.m.  
**To:** Ferris, Lisa BRIG [REDACTED]; Yardley, Michael <MIKE.YARDLEY@[REDACTED]>  
**Cc:** [REDACTED]  
**Subject:** RE: SEEMAIL - [REDACTED] - Vaccine Mandate for Auckland Defence Areas

Many thanks for this Lisa

I mentioned this possibility at our Leadership Team meeting yesterday. None of our employees have an Auckland Defence Area as their primary place of work, although as you say they frequently visit for business reasons. If the decision is taken to require vaccination to enter, I assume any unvaccinated staff won't be able to visit, in the same way they won't be able to travel internationally on business.

Mike - FYI in respect of any MoD contractors who operate in an Auckland Defence Area.

Ngā mihi  
 Carol

---

**From:** Ferris, Lisa BRIG  
**Sent:** Monday, 8 November 2021 5:04 p.m.  
**To:** Douglass, Carol <CAROL.DOUGLASS@[REDACTED]>  
**Subject:** SEEMAIL - [REDACTED] - Vaccine Mandate for Auckland Defence Areas  
**Importance:** High

Kia ora Carol,

I am not sure who this should be sent to in MOD - you may be aware of this already (I know I have flagged it briefly) but note that CDF is about to initiate consultation with Civil Staff and Contractors limiting access to Auckland Defence Areas to only those persons who are fully vaccinated.

I understand that a number of MOD personnel and MOD associated contractors may travel to Auckland Defence Areas for work.

Under CDF's intent, if the order comes into effect once consultation has been completed, those persons would be included as visitors to a Defence Area and would be required to be vaccinated for entry.

Some messaging will likely come out tomorrow on the ILP but we cannot comment too much further until consultation has been completed and CDF makes a decision on the issuance of the Directive.

The intent is for something to be in place by Tuesday week.

Happy to discuss further.

Cheers

Lisa

**From:** Douglass, Carol  
**Sent:** Tuesday, 2 November 2021 1:57 p.m.  
**To:** Ferris, Lisa BRIG [REDACTED]; Woods, Andy AIRCDRE [REDACTED]; Beck, Darren LTCOL [REDACTED]; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: URGENT Feedback sought on COVID related work, Crown Law advice on vaccinations and update on guidelines.

Many thanks for your quick response Lisa

Will this be enduring after Auckland moves out of Alert Level 3 and will it apply to visiting MoD staff (once we are able to travel) as we have a lot of to and fro to Devonport, Whenuapai, Papakura, Defence Technology Agency etc as part of our normal business.

FYI we are happy to support any mandate you need to apply, we just want to be sure that whatever is put in place for the public service enables us to do this legally in respect of our employees.

Ngā mihi  
 Carol

**From:** Ferris, Lisa BRIG  
**Sent:** Tuesday, 2 November 2021 1:46 p.m.  
**To:** Douglass, Carol <CAROL.DOUGLASS [REDACTED]>; Woods, Andy AIRCDRE [REDACTED]; Beck, Darren LTCOL [REDACTED]; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: URGENT Feedback sought on COVID related work, Crown Law advice on vaccinations and update on guidelines.

Kia ora Carol,

FYI - we are working on a vaccine mandate for access to Defence Areas in the Auckland region at the moment based on CDF's power of command and the HSWA obligations.

Our current advice from the Chief Medical Officer is that a mandate is not required outside of the AKL region although the position may change.  
Consultation should be underway imminently with affected persons - I am unsure of MOD employees work at Auckland Defence Areas and may be affected?

Cheers

Lisa

---

**From:** Douglass, Carol <CAROL.DOUGLASS@[REDACTED] s9(2)(a)>  
**Date:** Tuesday, 02 Nov 2021, 1:37 PM  
**To:** Woods, Andy AIRCDRE [REDACTED] s9(2)(a), Beck, Darren LTCOL [REDACTED] s9(2)(a), Ferris, Lisa BRIG [REDACTED] s9(2)(a), [REDACTED] s9(2)(a)  
**Cc:** [REDACTED] s9(2)(a)  
**Subject:** FW: URGENT Feedback sought on COVID related work, Crown Law advice on vaccinations and update on guidelines.

Apologies for the scattergun approach but we are keen to work with NZDF on our response to this email to ensure that we are able to mandate vaccination for our employees if NZDF declares this to be a requirement to enter and work in Defence areas. It's not clear to us that either Option 1 or 2 would enable this, given we are not public facing and can maintain 1 m distancing.

If someone could get in touch with [REDACTED] s9(2)(a) tomorrow before the deadline for response that would be great.

Ngā mihi  
Carol

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**From:** Sarah Borrel [REDACTED] s9(2)(a)  
**Date:** Tuesday, 02 Nov 2021, 11:48 AM  
[REDACTED] s9(2)(a)

**Subject:** Feedback sought on COVID related work, Crown Law advice on vaccinations and update on guidelines.

Kia ora koutou

The purpose of this email is to update you on several aspects of COVID related work.

**Consulting on the Vaccination risk assessment process (Powerpoint attachment)**

We are keen to get a public sector feedback on a number of topics that are being proposed to help establish a risk assessment framework for employers to follow when deciding whether to require vaccination for different types of work.

Attached are MBIE prepared slides on the policy advice being prepared. We (and MBIE) are seeking your feedback on the first two topics:

- The risk assessment framework (Slides 4-8)
- Covid Vaccine Certifications (slides 9-12)

Question #1 for feedback (slides 4-8):

Think about Option 1 and Option 2 for the risk assessment framework and how they would apply to public sector work, in particular:

- Are the four factors in Option 1 and Option 2 relevant to the work of your agency?
- Are the factors easy to **understand** and **use**?
- Should there be **other factors**, for example, the risk of undue disruption to the provision of services
- Do you **prefer** Option 1 or Option 2, and **why**?

Question #2 for feedback (slides 9-12)

Would you have any employees that undertake work in an area will be covered by any of the six CVC areas (hospitality, gatherings, events, close contact businesses, gyms, tertiary education)?

If so, please provide feedback on the questions at slide 12.

Please send your feedback, which can be brief, on these questions to [employmentrelations@publicservice.govt.nz](mailto:employmentrelations@publicservice.govt.nz) by **2pm Thursday 4 November**.

We are also interested in whether you would like to have a short (virtual) workshop this Thursday to 'trial' using the risk assessment framework options (slides 5 and 6) in order to provide feedback on how they might work in public service settings. Please indicate by return email if you would like to be invited to this workshop. It will be scheduled immediate following the Heads of HR meeting at 12.30pm.

We have provided the full set of MBIE slides FYI, but note that MPI is providing guidance on the overseas market access (slides 13-15) and that we have already consulted with you on the additional vaccination mandates (slides 16-19).

**Crown Law Advice (PDF attachment)**

Attached is Crown Law advice on vaccination and employment for departments, departmental agencies and Crown agents. This advice remains legally privileged.

**While you are welcome to share this within your agency, please do so only with people who need to see it and please remind readers that the advice remains legally privileged. Please do not share this advice outside your agency.**

**Guidance**

We have updated our guidance to reflect the changes for the Waikato and (pending) Auckland level changes that were announced yesterday. See [COVID-19 Public Sector Workforce Guidelines](#).

We are working to update the guidance to reflect the recent announcements by the Government of a COVID-19 Protection Framework. We hope to be able to start to engage with you on any Public Sector settings that might operate within the Framework in the next couple of weeks.

Ngā mihi  
Sarah

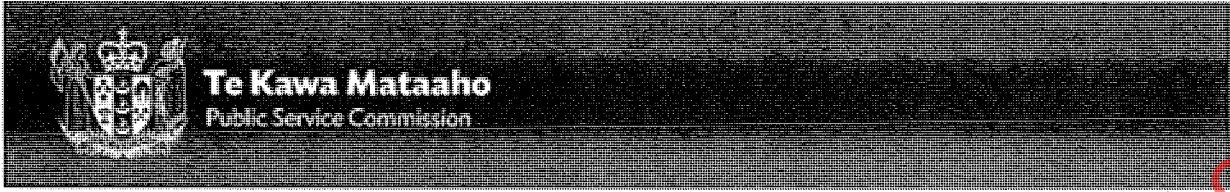
**Sarah Borrell**

**Pou Whakahaere | Manager, Workforce and Employment Relations**

Ngā Hononga Ohu Mahi | Workforce and Employment Relations

Te Ohu Mahi, te Mahi me te Whakaōrite | Workforce, Employment Relations and Equity

waea pūkoro: s9(2)(a) | īmēra: s9(2)(a)



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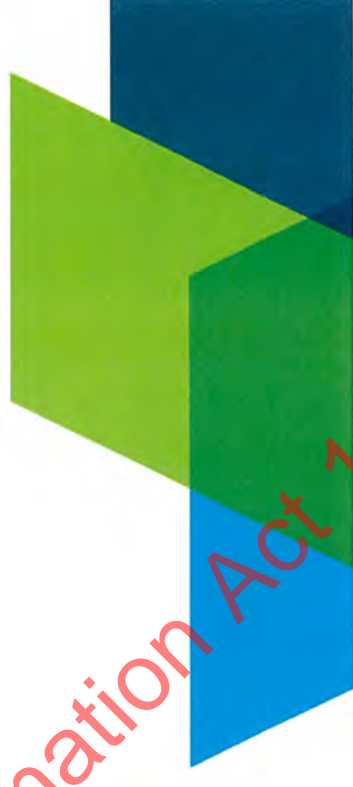
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# COVID-19 vaccination and workplaces

Planned law changes, November 2021





# What the Government has decided

On 26 October 2021, the Government announced law changes to:

- Create a risk assessment framework for employers to follow when deciding whether to require vaccination for different types of work.
- Mandate vaccination for work where:
  - Customers must show a COVID-19 Vaccination Certificate (CVC) to enter places, or
  - This is needed to continue exporting goods to an overseas market.
- Require employers to give employees paid time off to be vaccinated.
- Create a four-week paid notice period for unvaccinated workers whose employment is terminated because their work requires vaccination.

The Government also announced it is considering whether additional vaccination mandates are needed for other types of work, where there is strong public interest in doing so.

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## Process and timing

- Law changes are expected to come into effect at the end of November (around 27 – 30 November).
- Drafting is already underway for the employment law changes (paid time off for vaccination and four weeks' paid notice of termination).
- We are currently seeking feedback on details about:
  - The risk assessment process,
  - How vaccination mandates will work with CVCs,
  - How vaccination mandates will support overseas market access, and
  - Whether any additional vaccination mandates are needed, particularly for work in critical utilities or other essential services.
- We also welcome your thoughts on guidance/support needed to implement these changes.

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Risk assessment framework



# Option 1 for risk assessment framework

Option 1 involves counting points relating to four factors.

No threshold has been set yet for what would require vaccination. The higher this threshold (eg 6 points compared to 2 points), the greater the risk tolerance.

Work environment		Ability to maintain physical distancing	
0	1	0	2
Mostly done outside	Mostly done in an indoor space at least 100m <sup>2</sup>	Able to maintain distancing	Cannot maintain distancing (ie close proximity)
		at least 1 m	
Nature of work		Length of time (per day) with hard-to-identify people	
0	1	0	2
No contact with public	Public-facing: people are easy to identify	Brief contact (eg less than 20 minutes)	More than a few hours
		20 minutes to a few hours	

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## Option 2 for risk assessment framework

Option 2 involves a checkbox exercise based on the same factors as option 1. Similar to option 1, no threshold has been set yet for what would require vaccination (eg at least two factors present).

Factors	
Work environment	Mostly indoors
Ability to maintain physical distancing	Unable to maintain at least 1 m distancing
Nature of work	Public-facing
Length of time (per day) with hard-to-identify people	More than brief contact with people

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# Questions about risk assessment framework

About the two options:

- Which option do you prefer?
- Are they easy to use?
- Do any other factors need to be included?
- How does work in your business or sector score under each option?
- What do you think the threshold should be for each option?

About the process for using the framework:

- How should engagement with workers happen?
- Where an organisation has health and safety representatives, is this enough for worker engagement?
- How should unions be involved in the process?



# Questions about risk assessment framework

About factors included in the framework:

- We have only included factors related to work health and safety, based on public health advice. Should the framework include any other factors, like risk of undue disruption or third-party access requirements?
- If yes, how would these be defined and measured?

About other health and safety controls:

- Should PCBUs/employers be required to consider other health and safety controls as well as vaccination?
- If so, should they do this at the same time as the risk assessment, or before/after it?

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Vaccination mandates and CVCs

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## Vaccination mandates in CVC areas

- By “CVC areas”, we mean the five/six settings that will legally need to require CVCs to operate (or operate with fewer restrictions) under the COVID-19 Protection Framework:
  - At the Green, Orange and Red levels: hospitality, gatherings, events, close contact businesses, gyms.
  - At the Red level only: tertiary education.
- At the Orange and Red levels, work in all CVC areas requires vaccination.
  - This is even if the business has chosen to operate with more restrictions (ie contactless trading for hospitality, or lower capacity limits for gatherings).
- At the Green level, there are two options:
  - Mandating vaccination for work, similar to Orange and Red. This is our preference because it is the simplest approach.
  - Only requiring vaccination for work if a business has chosen to operate with CVCs.

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# COVID-19 Protection Framework and CVCs

		Green	Orange	Red
Hospo	Yes	No limits.	No limits.	Up to 100 people based on 1 m distancing, seated and separated.
	No	Up to 100 people based on 1 m distancing, seated and separated.	Contactless operation only.	Contactless operation only.
Gather-ings	Yes	No limits.	No limits.	Up to 100 people based on 1 m distancing.
	No	Up to 100 people based on 1 m distancing.	Up to 50 people based on 1m distancing.	Up to 10 people.
Events	Yes	No limits.	No limits.	Up to 100 people based on 1 m distancing, seated and separated.
	No	Up to 100 people based on 1 m distancing, seated and separated.	Cannot operate.	Cannot operate.
Close contact	Yes	No limits.	No limits.	Public health requirements in place.
	No	Face coverings for workers, 1 m distancing between customers.	Cannot operate.	Cannot operate.
Gyms	Yes	No limits.	No limits.	Up to 100 people based on 1 m distancing.
	No	Up to 100 people based on 1 m distancing.	Cannot operate.	Cannot operate.
Tertia-ry ed	Yes	(Not applicable)		Capacity based on 1 m distancing for onsite delivery.
	No			Distance learning only.

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## Questions about vaccination mandate re CVCs

- Do you support our approach to mandating vaccination for work in CVC areas at the Green level?
- Would there be challenges for your business/sector be if vaccination is/isn't mandated for work in CVC areas at the Green level?
- If you are in one of the five/six CVC areas, have you decided whether you will require CVCs when operating?
  - What do your workers think of this decision?
  - If you have chosen to require CVCs, are all (or enough) of your workers vaccinated?
- When do you think the vaccination mandate for work in CVC areas should come into effect?
  - How long do you think is needed to encourage workers to be vaccinated?
  - Should there be different dates for customers vs workers?
- Any mandate will apply to all work in a CVC area (eg subcontractors, suppliers). What practical issues need to be managed as a result?

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Vaccination mandates and  
overseas market access

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## Vaccination mandates and overseas market access

- The Government will allow vaccination to be mandated for work to ensure overseas market access.
- This is to avoid situations where trading partners stop importing New Zealand food products because of concerns about COVID-19 transmission in workplaces.
- At this stage, we envisage this applying in relation to food exports.
- This is the system we are considering:
  - First, the Director-General of MPI makes a declaration about what food goods this mandate applies to.
  - Then, employers can apply to MPI for authorisation to use the mandate if their business is covered.

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## Questions about overseas market access

- Should the Government mandate vaccination to ensure access to overseas markets?
- What kind of employers/businesses would need to be covered by this mandate for overseas market access reasons?
- If these employers used the risk assessment process, would it produce the same outcome?
- Should employers only be allowed to rely on this mandate if exports (eg to certain markets) make up a set proportion of their business?

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Additional vaccination mandates

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## Additional vaccination mandates

- The Government is considering whether additional vaccination mandates are needed.
  - So far, vaccination has been mandated for the following work: work in border/MIQ facilities, health sector, education sector (excluding tertiary), prisons.
  - Soon, vaccination will or may also be required in CVC areas and for overseas market access.
- The Government will only be able to make additional mandates if there is a public health rationale or they are in the public interest.
- Examples raised thus far have been lifeline utilities/essential services, and services that involve contact with vulnerable people.

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## Questions about additional vaccination mandates

- When is it in the public interest for the Government to mandate vaccination for work? What are some examples?
  - Without a mandate, would the risk assessment framework produce the same outcome?
  - If yes, should this be left to the risk assessment framework?
  - If no, why mandate vaccination if the health and safety/public health threshold isn't met?
- Should work in areas where CVC use is prohibited (eg supermarkets) require vaccination? Why, or why not?
- Is there any distinction in the threshold for mandates in the public sector and private sector?

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## Questions about critical utilities/essential services

- Should the Government mandate vaccination to protect critical utilities or essential services?
  - If yes, how should these be defined?
- Would a mandate still be necessary if the risk assessment framework produced the same outcome?
  - If yes, should this be left to the risk assessment framework?
  - If no, why mandate vaccination if the health and safety/public health threshold isn't met?
- Should the mandate differentiate between frontline work and head office/corporate work?
- What exemptions/exceptions from the mandate would be needed (eg for urgent or critical work to be done by unvaccinated workers)?

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