

Covid 19 Vaccination Policy

1 EECA's Guiding Principles Relevant to This Policy

- 1.1 The COVID-19 Vaccination Policy aligns with EECA's guiding principles of:
- ensuring a healthy and safe environment
 - being a good employer

2 Overview

- 2.1 EECA proactively identifies and controls risks arising from its work. In relation to the management and control of COVID-19, EECA will continue to be guided by public health advice from the Ministry of Health and health and safety advice from WorkSafe.
- 2.2 Vaccines are free and one of the most powerful control measures against contracting and transmitting COVID-19. Vaccines significantly reduce the risks associated with COVID-19 and will help keep our workforce, their families and the community we interact with, safe.
- 2.3 The New Zealand Government's goal is to get everyone who can be vaccinated in Aotearoa, to be vaccinated. In line with public health advice, EECA strongly encourages and will support all our people to be vaccinated against COVID-19, if they can safely be vaccinated. Vaccination works together with the other controls EECA has in place to help reduce the risk of exposure to COVID- 19 in our workplaces.
- 2.4 EECA considers COVID-19 vaccination is a vital part of how EECA will protect the wellbeing, health and safety of our people, their families and the community.
- 2.5 The Health and Safety at Work Act 2015 and related regulations require that workers and others are given the highest level of protection from workplace health and safety hazards and risks, so far as is reasonably practicable. This includes risks associated with COVID - 19.

3 Policy Statements

- 3.1 The policy statements in this policy come into effect on 21 February 2022
- 3.2 EECA will take all reasonably practicable steps to protect its workers and those coming into its worksites from hazards and risks in the workplace, including from infectious diseases

such as COVID-19.

- 3.3 From 21 February 2022, only the following people may enter an EECA worksite¹:
- a. vaccinated EECA workers (employees and contractors), vaccinated workers from other agencies, vaccinated visitors, and exempt persons;
 - b. persons who are not eligible to be vaccinated against COVID-19 in New Zealand (e.g. those under the approved vaccinated age);
 - c. persons who are authorised by law to enter an EECA worksite (e.g. the New Zealand Police);
 - d. exempt persons, being persons who have been granted a medical exemption by the Director-General of Health and persons who have been granted an exemption by EECA's Chief Executive.
- 3.4 EECA will provide all EECA workers (employees and contractors) with access to public health information and advice regarding COVID-19 vaccines, including the process for becoming vaccinated, benefits, and side effects, and provide translations where necessary.
- 3.5 EECA employees will be provided with a reasonable opportunity and/or sick leave (based on the nature of the employment agreement) to:
- a. receive a vaccination;
 - b. recover from a vaccination (e.g. if the staff member feels unwell after the vaccination); and/or
 - c. take advice about COVID-19 vaccination from an appropriate health practitioner of their choice (and EECA will meet the reasonable costs of this).
- 3.6 Any EECA worker (employee or contractor) who is not able to show a current valid COVID-19 Vaccination Certificate or other official Ministry of Health record regarding COVID-19 vaccination from 21 February 2022 and not otherwise an exempt person will need to work from home, while EECA engages in a good faith process, including to understand why the EECA worker has not been vaccinated, and any other relevant facts and circumstances. For an EECA employee, EECA will also engage to understand whether there is the potential for alternative arrangements. EECA will engage with EECA workers who are not able to show a

¹ **Note:** The examples listed in clause 3.3b and are not exhaustive. They are for illustrative purposes only.

current valid COVID-19 Vaccination Certificate or other official Ministry of Health record regarding COVID-19 vaccination in accordance with the principles of good faith.

- 3.7 Where an EECA worker (employee or contractor) is unable to be vaccinated, EECA will follow a fair process in good faith, including considering the individual worker's circumstances and reasons for not being vaccinated (e.g. whether the reasons for not being vaccinated are time limited), and in accordance with any agreement with the person contracted by EECA.
- 3.8 It is unlikely that a person will be an exempt person under this policy on any grounds other than medical, however each individual's situation will be considered on a case-by-case basis.
- 3.9 The grounds for medical exemption from vaccination will be aligned with the criteria for medical exemptions published in the Gazette by the Director-General of Health, consistent with the COVID-19 Public Health Response (Vaccinations) Order 2021. If an EECA worker is medically exempt, EECA will collect this information in order to determine whether additional risk mitigation measures are required. If, after conducting a fair process, EECA considers that there are no suitable alternative options for an unvaccinated employee, they will be issued notice of termination in accordance with their employment agreement and applicable law². Termination will be a last resort.
- 3.10 EECA will begin to collect vaccination status and exemption status from EECA workers (employees and contractors) from the commencement of this policy. From 21 February 2022, EECA workers (employees and contractors) seeking to enter an EECA worksite, attend an EECA function not held at an EECA worksite, or perform a front-facing or external role, and other workers seeking to enter an EECA worksite will be required to show a current COVID-19 Vaccination Certificate (e.g. using My Vaccine Pass), or in exceptional circumstances another official Ministry of Health record regarding COVID-19 vaccination. EECA will handle that information in accordance with the Privacy Act 2020, any code made under that Act, and any specific provision in an enactment concerning vaccination data.
- 3.11 From 21 February 2022, visitors will be required to show a current valid COVID-19 Vaccine Certificate (e.g. using My Vaccine Pass), or in exceptional circumstances another official Ministry of Health record regarding COVID-19 vaccination, in order to enter an EECA worksite. EECA will handle that information in accordance with the Privacy Act 2020, any

² Including Schedule 3A of the Employment Relations Act 2000.

code made under that Act, and any specific provision in an enactment concerning vaccination data. EECA will work with visitors who are unwilling or unable to show appropriate evidence on a case-by-case basis. EECA will consider whether it can reasonably accommodate visitors who are unvaccinated, while still minimising health and safety risks, through other protections such as the use of personal protective equipment, physical distancing, or hygiene practices.

- 3.12 Under this policy, someone shall be regarded as vaccinated if they have received a full course of any of the COVID-19 vaccines approved by the New Zealand Government (as described in Schedule 3 of the Vaccinations Order as amended from time to time) including any booster vaccination required, when eligible.
- 3.13 Unless exempt, all new employees and contractors, where their role requires, are required to be vaccinated before commencing work with EECA. Potential candidates for employment and prospective contractors will be notified of the vaccination requirements for their role prior to commencing work.
- 3.14 This policy will be regularly reviewed, with its first review before 16 May 2022. Review of this policy will include consideration of any changes in public health advice and Government guidance and regarding COVID-19.

4 Purpose

- 4.1 The purpose of the Covid-19 Vaccination Policy is to set out EECA's approach to COVID-19 vaccinations in line with EECA's *Health and Safety Risk Assessment- Transmission of COVID-19 in the workplace* (see below).
- 4.2 This policy is based on EECA's:
- a. obligation to provide a work environment that is without risks to health and safety, so far as is reasonably practicable. This obligation includes eliminating or minimising, as far as is reasonably practicable, the hazards and risks associated with exposure to COVID-19 through work.
 - b. priority to keep our people safe and well.

5 Scope

- 5.1 This policy applies to all workers at EECA worksites in New Zealand, including those employed or engaged on any basis by EECA, whether they are casual, temporary, or permanent, whether full time or part time.
- 5.2 This policy also applies to visitors to EECA worksites.
- 5.3 This policy is limited to vaccinations for COVID-19, including booster vaccinations. It does not apply to treatment or controls relating to other infectious diseases or risks.

6 Definition of terms

- 6.1 In this policy the following terms have the meaning specified in the table below:

Term	Definition
Booster	A booster is the next dose in a vaccination series to likely boost immunity that may have waned over time.
Exempt person(s)	A person who has been granted a current COVID-19 vaccination exemption by the Director-General of Health or the Minister for the COVID-19 Response, or who is otherwise determined, in writing and signed, by the EECA Secretary to be exempt from the requirement to be vaccinated under this policy.
Field workers	This covers any work activity that involves working in the field in an uncontrolled (non-EECA/Government controlled) environment. Teams that fall into this category include Account Managers.
EECA workers	EECA employees and secondees, including employees and contractors, whether casual, temporary or permanent, and whether full time or part time.
EECA worksite	An EECA-controlled premises (whether controlled permanently or temporarily) in New Zealand. In relation to a site with multiple tenancies, it means the areas of the premises controlled by EECA. For the purposes of this policy, an EECA worksite excludes a place which is described in Schedule 2 of the Vaccinations Order. For the avoidance of doubt, an EECA worksite does not include an EECA worker's home or place of residence, even if they perform EECA work there.
COVID-19 Vaccination Certificate	The official record of an individual's COVID-19 vaccination status for use in Aotearoa New Zealand.
Vaccinated	Means a person who has a current valid COVID-19 Vaccination Certificate and has received a full course of any of the COVID-19 vaccines approved by the New Zealand Government (as described in Schedule 3 of the Vaccinations Order as amended from time to time). A person

	<p>may also have received any booster vaccination received in the timeframe advised by the Ministry of Health.</p> <p>Schedule 3 of the Vaccinations Order can be found here: COVID-19 Public Health Response (Vaccinations) Order 2021 (LI 2021/94) (as at 01 January 2022) Contents – New Zealand Legislation</p> <p>Vaccinated does not include those who have had COVID-19 in the past and have laboratory evidence of antibodies or immunity. This is because vaccines provide additional protection compared to natural immunity.</p>
Visitor	Means a person who is not an EECA worker and includes, but is not limited to, a person who is accessing EECA services.
Vaccinations Order	Means the COVID-19 Public Health Response (Vaccinations) Order 2021 and any amendments from time to time. This order does not require any person to be vaccinated. It does require that certain work is carried out only by persons who are vaccinated (subject to very limited exceptions and exemptions).
Worker	Has the meaning given to it in section 19 of the Health and Safety at Work Act 2015 as being an individual who carries out any work in any capacity for EECA as a person conducting a business or undertaking (PCBU). This includes, but is not limited to EECA workers, employees, suppliers, clients, tradespeople, service providers, secondees and contractors.

7 Health and Safety Risk Assessment

- 7.1 For work not covered by the Vaccinations Order (and any similar legislation), EECA has assessed the risk and impact of COVID-19 infection for all of our people based on an assumption of a highly transmissible virus and widespread community transmission.
- 7.2 We have identified work tasks that involve contact with others, the most credible worst-case scenario associated with the risk of infection with COVID-19, and the likelihood of transmitted infection occurring and it leading to that consequence.
- 7.3 We have assessed inherent risk, residual risk with current controls (e.g. hand washing, physical distancing, cleaning), and what having all EECA workers vaccinated who work in that area would do to the risk rating. Inherent risk is our risk ranking before we put controls in place. Residual risk is the level of risk that is left untreated after controls are put in place.
- 7.4 Vaccination presents an additional control and significantly reduces the risk in terms of both likelihood and severity. Being vaccinated does not mean that you are now exempt from wearing a mask, physical distancing etc. All current COVID-19 prevention controls apply equally to vaccinated and non-vaccinated people at EECA worksites. However, being vaccinated reduces the severity of effects of the virus, the likelihood of catching the virus

and ending up in hospital.

- 7.5 EECA's risk assessment is dynamic and will be revised should any factors change, including public health advice and the availability of additional controls (for example, rapid antigen testing).

8 Vaccination Status and privacy

- 8.1 EECA acknowledges that your vaccination status is personal information.
- 8.2 Vaccination status information will be collected, stored, used and disclosed in accordance with this policy, EECA's Privacy Policy, EECA's Staff Personal Information Policy (where applicable), the Privacy Act 2020 and any specific provision in an enactment regarding vaccination status (for example in the COVID-19 Public Health Response Act 2020).

Collection, use and disclosure

- 8.3 EECA needs to understand whether you are vaccinated, or are an exempt person, in order to keep you and others who come to an EECA worksite safe, including to ensure we have effective controls in place at our worksites.
- 8.4 You generally do not need to provide EECA with access to your vaccination status unless required by law (for example as required by the Vaccinations Order). If you choose not to disclose your vaccination status, we will assume that you are unvaccinated.
- 8.5 We will work with you to obtain evidence of your vaccination status or medical exemption. You can provide EECA with your COVID-19 Vaccination Certificate by using My Vaccine Pass (which can be obtained from My Covid Record [My Covid Record | Ministry of Health NZ](#))
- 8.6 Vaccination and medical exemption status information will be collected and used for the purposes of:
- taking all reasonably practicable steps to ensure the health and safety of persons at an EECA worksite
 - enabling EECA to meet its obligations under the Vaccinations Order (where relevant)
 - administering and ensuring compliance with this policy.
- 8.7 Vaccination and medical exemption status information may be used and disclosed for the purposes above, where you authorise EECA to do so, and where required by law.

Storage

- 8.8 EECA will keep information collected for the purposes of this policy secure and will ensure that access is restricted to only those EECA people who require the information.

9 Unvaccinated Employees, Secondees, Contractors, Suppliers, Visitors to an EECA Worksite

Employees and secondees

- 9.1 As an employee or secondee, if you are not vaccinated and the work you undertake must be performed by a vaccinated worker unless you are an exempt person, and you choose not to be vaccinated, we will work with you on a case-by-case basis to understand your situation and what employment options might be available to you. We will do this in good faith.
- 9.2 Depending on your role and the nature of the work undertaken, we will consider the way you work, the ability for you to undertake your work from an alternative location, and the availability of alternative work and our duty to reasonably accommodate your circumstances.
- 9.3 In good faith, we will ensure that you have opportunities to seek further information, seek independent advice, respond to any proposed changes to your employment and will take into consideration your feedback prior to making any decision. You will have the chance to meet with your manager or some other suitably placed person within EECA and be supported by a representative or support person of your choice. This could be a family member, union representative or a friend.
- 9.4 EECA's priority is to retain our people and accommodate individuals' choices not to be vaccinated where we can. If we are unable to find a solution with you (such as alternative duties or redeployment), we may need to consider the termination of your employment. This, however, would be the last resort, after a consultation process with you.

Contractors, Suppliers and Visitors

- 9.5 EECA will be writing to all contractors and suppliers regarding this policy, including its site entry requirements to its worksites before the Policy Statements become effective and in relation to any update to the Policy Statements.
- 9.6 Visitors will be required to provide proof that they are vaccinated or are an exempt

person prior to entry to EECA sites.

- 9.7 Where a contractor is unable or unwilling to comply with this policy, EECA will engage with them in good faith consistent with the terms of its agreement with the contractor.

10 Fair Treatment

- 10.1 EECA is committed to a workplace free from discrimination and harassment in accordance with its obligations under human rights laws. You are entitled to choose not to be vaccinated. If you are not vaccinated and/or choose not to disclose your vaccination status to EECA, you may be unable to enter an EECA worksite and we will work with you individually as outlined in this policy.
- 10.2 In taking this approach, EECA is balancing people's right to make their own choices and decisions on vaccination against the rights of workers to work in a safe environment, and for others to engage with EECA safely.
- 10.3 We will support you in considering your options while also respecting your individual choice.

11 Compliance

- 11.1 Failure to comply with this policy without reasonable cause may constitute a breach of the EECA Code of Conduct, and a breach of terms and conditions of employment or a contract for services. It may also pose a risk to the health and safety of you and/or other workers and may put you and EECA in breach of the Health and Safety at Work Act 2015.
- 11.2 A breach of this policy may result in:
- disciplinary action for employees; or
 - contracts being terminated for suppliers or contractors.

12 Key Accountabilities and Responsibilities

Role	Description of responsibility
Chief Executive	<ul style="list-style-type: none"> • Ensuring EECA meets its obligations under the policy • Grant exemptions (where appropriate) • Manage complaints and disputes
Leadership Group	<ul style="list-style-type: none"> • Reviewing and endorsing this policy and associated procedures or recommending changes to the policy • Eliminate the risks associated with COVID-19 in the workplace, so far as is reasonably practicable. Where elimination is not possible, minimise the

	<p>risk so far as is reasonably practicable</p> <ul style="list-style-type: none"> • An implementation approach which respects individuals while acknowledging the need to take actions to maintain the health and safety of workers and others influenced by our work (what we will do)
Managers	<ul style="list-style-type: none"> • Eliminate the risks associated with COVID-19 in the workplace, so far as is reasonably practicable. Where elimination is not possible, minimise the risk so far as is reasonably practicable • Be familiar with and educate our people on this policy and where to get information and support
People & Capability and Commercial & Property Teams	<ul style="list-style-type: none"> • Ensuring EECA has suitable infection control measures and protocols at EECA worksites
All workers	<ul style="list-style-type: none"> • Comply with this and all other relevant EECA policies • Follow any and all reasonable instructions given to them by EECA, including those intended to eliminate or minimise the risk of infection to themselves and/or others at work, including the mandatory use of personal protective equipment when and where required • Follow any public health directions • Actively participate in the development and review of this policy • Actively participate in the development and review of EECA's administrative requirements designed to eliminate or minimise the risk of infection of COVID-19 and transmission at work • Immediately inform management when they become aware of any potential or actual risks or hazards related to COVID- 19 • Do not undertake any activity, action or inaction that may knowingly place themselves or others at work at risk of exposure to an infection of COVID-19 • Stay home if they are sick or feeling unwell • If they have cold, flu or COVID-19 symptoms³ upon arrival at work or become ill during the day, they should promptly separate themselves from other workers and go home
Other persons at EECA worksites (including suppliers and visitors)	<ul style="list-style-type: none"> • Take reasonable care to keep themselves safe and not to harm others in the workplace • Comply with this and all other relevant EECA policies

	<ul style="list-style-type: none"> • Follow any and all reasonable instructions given to them by EECA designed to eliminate or minimise the risk of infection to themselves or others at work, including the mandatory use of personal protective equipment when and where required • Immediately inform management when they become aware of any potential or actual risks or hazards related to COVID- 19 • Do not undertake any activity, action or inaction that may knowingly place themselves or others at work at risk of exposure to an infection • Stay home if they are sick or feeling unwell • If they have cold, flu or COVID-19 symptoms⁴ upon arrival at an EECA worksite or become ill during the day, they should promptly separate themselves from other workers and go home
People & Capability, and Commercial & Property	<ul style="list-style-type: none"> • Ensuring the policy is working effectively through regular monitoring and reporting of compliance on the policy • Conducting regular health and safety risk assessments to ensure assessments are fit for purpose • Eliminate the risks associated with COVID-19 in the workplace, so far as is reasonably practicable. Where elimination is not possible, they must minimise the risk so far as is reasonably practicable
People & Capability	<ul style="list-style-type: none"> • Monitor changes in the measures and controls that can be used to eliminate or mitigate the risks associated with COVID- 19, where elimination is not possible • Keep up to date with public health advice regarding the management of COVID-19 • Conducting regular health and safety risk assessments to ensure assessments are fit for purpose

13 Continued Adherence to COVID-19 Prevention Measures

13.1 Vaccination does not replace the need for strict adherence to:

- COVID-19 public health measures;

³ Common symptoms may include: new or worsening cough, sneezing and runny nose, fever, temporary loss of smell or altered sense of taste, sore throat, shortness of breath. Less common symptoms may include diarrhoea, headache, muscle aches, nausea, vomiting, malaise, chest pain, abdominal pain, joint pain or confusion/ irritability. These almost always occur with one or more of the common symptoms.

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- EECA's infection prevention control measures;
 - EECA policies and processes concerning health and safety.

14 Disputes and Complaints

- 14.1 EECA encourages the prompt and informal resolution of all complaints and disputes as they arise.
- 14.2 EECA workers (employees and contractors), suppliers and contractors should raise any concerns with EECA about the application of this policy in accordance with the dispute resolution provisions of their contracts.
- 14.3 For visitors and other third parties where there is no written contract governing the relationship:
- a. EECA encourages informal resolution in the first instance. For informal resolution you should take any concerns you have to the Manager People and Capability
 - b. If the matter is not resolved satisfactorily at an informal level, or you don't feel informal resolution is appropriate, you may approach the Chief Executive in writing.

15 Related EECA policies

- 15.1. The following policies and documents are relevant:
- Code of Conduct
 - Health and Safety at EECA Policy
 - Personal Information Policy

16 Relevant legislation

- 16.1 The following legislation is relevant to this policy:
- COVID-19 Public Health Response Act 2020 and orders made under that Act, including the COVID-19 Public Health Response (Vaccinations) Order 2021 and the COVID-19 Public Health Response (Protection Framework) Order 2021
 - Employment Relations Act 2000
 - Health and Safety at Work Act 2015

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- Human Rights Act 1993
 - New Zealand Bill of Rights Act 1990
 - Privacy Act 2020

17 Support & further information

- 17.1 For the latest public health information and advice about COVID-19 vaccination, go to the Ministry of Health's website: [COVID-19 vaccines | Ministry of Health NZ](#).
- 17.2 More information about the risk assessment process that EECA has undertaken can be found on the WorkSafe website: [How to decide what work requires a vaccinated employee | WorkSafe](#)
- 17.3 For more information about My Vaccine Pass, see Unite Against COVID-19: [My Vaccine Pass | Unite against COVID-19 \(covid19.govt.nz\)](#)
- 17.4 If you have further questions, you can speak with your Manager or the People and Capability Team.

18 Review

- 18.1 EECA acknowledges that the risks posed by and associated with COVID-19, and that the measures and controls that can be taken to eliminate or mitigate those risks, may change over time and in response to changing circumstances. Changes could include new controls becoming available or current controls being removed. EECA will regularly review this policy to ensure its effectiveness.
- 18.2 This policy will be reviewed quarterly. The first review date will be on or before 16 May 2022.
- 18.3 The first review will include a review of the Compliance section of this policy which will be developed further following implementation.
- 18.4 EECA reserves the right to vary, amend, or terminate this policy at any time, following consultation with you.