



12 May 2021

OC210396

Hon Chris Hipkins
Minister for COVID-19 Response

Hon Michael Wood
**Minister for Workplace Relations & Safety
& Minister of Transport**

Action required by:

Friday, 14 May 2021

COVID-19 Vaccination Requirements at the Border (Tranche 2 Advice)

Purpose

- 1 This paper provides advice from the Border Executive Board (BEB). It seeks decisions about expanding mandatory vaccination requirements to cover private and public sector workers who perform specified work at the border and are not already covered by the COVID-19 Public Health Response (Vaccinations) Order 2021 (the Vaccinations Order).

Executive Summary

- 2 The Government has prioritised vaccinations of the border workforce as, alongside Managed Isolation and Quarantine Facilities (MIQFs), the border setting carries the greatest risk of exposure to, and subsequent transmission of, COVID-19.

Vaccinations Order

- 3 In addition to all work at MIQFs, the Vaccinations Order currently applies to officials of core government agencies, who perform specified work at affected airports, ports and ships. The Vaccinations Order is consistent with public health advice, but Ministers' decision to apply it to government officials first also took account of the leadership value and administrative simplicity of doing so. Decisions are now sought about the potential expansion of the Vaccinations Order to include specified work performed by a wider group of government workers (e.g. Aviation Security Service) and private sector workers at the border.
- 4 Vaccination uptake amongst the wider group of public sector border workers has been strong, therefore requiring these workers to be vaccinated to perform specified work is unlikely to significantly alter the public health risk, but equally is unlikely to present a significant implementation challenge.
- 5 Vaccination uptake amongst private sector border workers, while generally good, is comparably lower overall thus far. There are some specific groups, such as stevedores, where this is especially the case. There are a range of reasons for this, including greater levels of vaccine hesitancy amongst these workforces. Some private

sector PCBUs have provided feedback highlighting factors they consider have contributed to rates of vaccine uptake, including barriers to accessing vaccination.

Options to maximise uptake of vaccinations among other border workers

- 6 There are targeted measures now underway under the 'Educate, Expect, Support' approach to increase vaccine uptake rates amongst the aviation and maritime border workforces. This includes implementing a targeted engagement strategy throughout May 2021, to respond to the drivers of vaccine hesitancy amongst maritime port workers. The Ministry of Health (MoH) and District Health Boards (DHBs) have taken steps to ensure good access to vaccinations and will work with the Ministry of Transport (MoT) and PCBUs to ensure the approach is fit for purpose. Additionally, from 13 May 2021, all PCBUs using the Border Worker Testing Register (BWTR) will have access to comprehensive information about the vaccination status of employees. This will assist them to identify and have individual discussions with unvaccinated workers.
- 7 In light of the work underway, Ministers may wish to consider delaying decisions to widen the coverage of the Vaccinations Order for a short time, to allow for the results of this work to be seen (Option 1 in this paper). If agreed, officials propose a report back after one month, at which point the need for amendments to the Vaccinations Order would be reassessed. In the report back, officials will be able to provide a more accurate assessment of the risks and mitigations of different regulatory options, taking account of improving data. **Officials recommend this option at this time.**
- 8 If Ministers choose to expand the coverage of the Vaccinations Order, primary consideration must be given to the public health risks this would address. Ministers must be satisfied that any additional workers that may be required to be vaccinated to perform their role, present an unacceptable risk to others if the worker is not vaccinated (personal health benefits of vaccination are irrelevant to this decision).
- 9 Officials have developed a number of options for Ministers to consider, summarised in Table 1. The options are cumulative, with each bringing more workers under the Vaccinations Order, based on the relative public health risk being addressed. The options have been informed by both the current Vaccinations Order and the Required Testing Order (RTO), as proxies for public health risk. It is important to note that the RTO covers work subject to a range of risk and is retrospective in its effect. This means that an exact match between the RTO and the Vaccinations Order may not provide a fit-for-purpose approach.
- 10 If Ministers choose to expand coverage of the Vaccinations Order now, officials consider Option 2 is preferable (extending the Vaccination Order to include a wider group of government workers undertaking specified work at affected airports, ports or ships and NZ domiciled aircrew involved in operating international flights (with an option around those only flying QFT routes). This is because these duties are considered higher risk and may result in a person contracting and transmitting COVID-19.
- 11 There are a number of policy considerations that officials' recommend Ministers take account of when making decisions, particularly with respect to private sector border workers. These primarily arise in relation to Options 3 and 4 (these options extend coverage to include groups of workers currently required to be tested either every 7 or every 14 days under the Required Testing Order). These are:

- Private sector PCBUs include a wide variety of border workers, performing diverse and often specialised work. Certain roles individually, and certainly collectively, are critical to the operation of New Zealand's supply chain. Feedback from the sector suggests there are some critical roles, such as ship pilots, that it would be difficult to replace in the short-medium term should workers choose or be unable to be vaccinated. This risks disruption to New Zealand's supply chain, which is already under considerable strain.
 - Private sector PCBUs have indicated they have very little ability to redeploy unvaccinated staff. Ministers should expect higher rates of job losses amongst private sector PCBUs than seen in government workforces. The scale of job losses will increase the wider the coverage of the Vaccination Order and the shorter the lead times for when any requirement may come into force.
- 12 Officials consider the scale of these risks to be significantly higher than those observed with respect to government workers already covered by the Vaccinations Order.
- 13 In light of these risks, if Ministers choose to widen the coverage of the Vaccinations Order, officials recommend Ministers also agree to a new exception to address situations where it is clear that an individual's specific role does not involve any form of interaction with, or close to, international travellers or crew.
- 14 Officials also recommend a tightly defined exemption regime that would allow for consideration to be given to exempting, on a time limited basis, individuals from a vaccination requirement, where this would be necessary to avoid significant negative economic impacts arising from the disruption to the supply chain. This will require trade-offs to be made with public health interests, but very few individuals are expected to qualify for an exemption under this approach, and such exemptions would be subject to any conditions necessary to mitigate the potential public health impacts. It would be imperative other public health measures are strictly adhered to.

The recommended approach

- 15 Officials recommended approach is Option 1 – maintenance of the 'Educate, Expect, Support' approach for workers not covered by the Vaccinations Order until 13 June 2021. The MoH is working alongside employers, unions and workers to maximise vaccination uptake and has developed a targeted communications programme designed to address identified concerns. Collaborative planning across the DHBs, PCBUs, MoT and MoH will be required to ensure that workers are supported to easily access vaccinations.
- 16 This proposal allows for four weeks of enhanced status quo, and provides for comprehensive vaccination data to be made available to PCBUs through the Border Worker Testing Register. A report back, with updated advice, would be provided by officials' by 21 June 2021, with endorsement from BEB.

Table 1: Options Summary

Options	Rationale	Risks and disadvantages
<p>Option One (Officials' Recommended Option)</p> <p>Continue the 'Educate, Expect, Support' approach for one month, deferring a decision on extending the coverage of the Vaccinations Order to mid-June 2021. With:</p> <ul style="list-style-type: none"> operational enhancements to ensure any system barriers to vaccination for this workforce are minimised through a targeted communication approach and minimising accessibility barriers (e.g. targeted testing site locations) a report back after this period, with updated advice. 	<p>This would support a push on vaccination for this sector, before regulation is relied on, through:</p> <ul style="list-style-type: none"> providing time for comprehensive vaccination data to be made available to PCBUs through the enhanced BWTR) allowing PCBUs time to have targeted discussions with workers, with vaccination data to support these ensuring system barriers to vaccination are minimised. <p>This approach does not preclude regulation then being recommended through the report back. It also allows time for officials to advise with more specificity on risks and mitigations for different issues.</p> <p>This approach responds to the feedback received from some of the sector about barriers to vaccination, and also recognises the unique complexities in regulating vaccination for this sector vis a vis the MIQ environment.</p>	<ul style="list-style-type: none"> There may be implications on the national vaccination roll out strategy, as a result of time and focus being spent on increasing vaccination levels through operational enhancements. At the end of four weeks, regulation may still be required. There may be a perception that MIQ and core government agency workers have been unreasonably the subject of regulation without the same opportunity to overcome barriers and increase vaccination rates before regulatory options are pursued.
<p>Option Two (could be in addition to Option One)</p> <p>Extend coverage of the Order to include wider group of <u>government workers undertaking specified work</u> at affected airports, ports or ships (i.e. the Aviation Security Service, Maritime New Zealand, New Zealand Defence Force, New Zealand Police and health workers)</p> <p>Further decisions are required in relation to aircrew</p> <p>Officials recommend also applying the requirement to NZ domiciled aircrew involved in operating international flights. An additional decision is required whether this should:</p> <p>(a) exclude persons involved in quarantine free travel</p> <p>OR</p> <p>(b) include persons involved in quarantine-free travel.</p>	<p>Government workers</p> <ul style="list-style-type: none"> Consistent approach to all government workers undertaking work of similar risk in affected environments. Recognises that the wider public sector workforce is likely to have wider options for redeployment, should that be required. <p>Aircrew</p> <ul style="list-style-type: none"> <i>(For non-QFT)</i> Consistent with public health advice re relatively high-risk related to close proximity to people who may have (or have been exposed to) COVID-19, length of time of exposure, and enclosed nature of the workspace. <i>(For all aircrew)</i> Airline crew interact with each other, and the airline preference is for crew to continue to be available for both international and QFT duties. 	<p>Government workers</p> <ul style="list-style-type: none"> May be some operational impact for AVSEC, resulting in reduced service levels at airports of a period. Maintains a distinction between public and private sector employees, which may be perceived as unfair. Additionally this may undermine the risk assessment justifying the vaccination of government border workers. <p>Aircrew</p> <ul style="list-style-type: none"> Limited opportunities for redeployment for some aircrew who opt not to/cannot be vaccinated. Air NZ have requested a lead time of three months – this could be viewed as undermining the stated public health rationale.
<p>Option Three (could be in addition to Option One and would include Option Two)</p> <p>Extend coverage to include <u>groups of workers required to be tested every 7 days</u> under the Required Testing Order</p> <p>This includes:</p> <ul style="list-style-type: none"> people who spend more than 15 minutes in an enclosed space on board affected aircraft or ships (e.g. on-board aircraft cleaner, some stevedores) 	<ul style="list-style-type: none"> Consistent with public health advice re relatively high-risk related to close proximity to people who may have (or have been exposed to) COVID-19, length of time of exposure, and enclosed nature of the workspace. 	<ul style="list-style-type: none"> There can significant variation in the risk of exposure across roles, meaning that some discretion is advisable. The specialised nature of some of the affected workforces (e.g. stevedores and maritime pilots) means that it will be difficult to replace workers, if workers choose not to be / cannot be vaccinated. This may have significant flow-on economic impacts resulted from disrupted supply chains. Limited redeployment options for many roles, increasing the likelihood of job losses

Options	Rationale	Risks and disadvantages
<ul style="list-style-type: none"> • pilots carrying out work on or around affected ships. • all other workers who transport crew to or from affected ships. 		<ul style="list-style-type: none"> • This Option means that a different group of public sector workers will be required to be vaccinated than private sector workers. The inconsistent approach may undermine the risk assessments justifying vaccination for both groups.
<p>Option Four(could be in addition to Option One and would include options two and three)</p> <p>Extend coverage to include <u>groups of workers required to be tested every 14 days</u> under the Required Testing Order</p> <p>This includes:</p> <ul style="list-style-type: none"> • border workers who are casual contacts of a person subject to managed isolation requirements, and international (Non-QFT) airline crew, if not subject to managed isolation requirements (e.g. airside cleaners, airside food, beverage and retail workers); • border workers who are in contact with items handled by an overseas person or a person subject to the managed isolation requirements and are subject to the Required Testing Order (i.e. a baggage handler and trolley handlers who need to be tested (regardless of time limits or contacts), and persons who interact with affect items subject to the 24/72 hour time limit and who have contact with people who are subject to Parts 1 to 5 of Schedule 2 of the Required Testing Order) <p>Further decisions with regard workers who handle affected items</p> <ul style="list-style-type: none"> • You may also wish to extend vaccination requirements beyond the requirements of testing for certain groups, although officials do not recommend this • You could extend the Order to workers who “handle affected items” (beyond what is in the Required Testing Order) with a specified period from their removal from an affected aircraft, ship or MIQF (removing the existing condition to “have contact” with other workers who are subject to testing requirements). This is not recommended by officials due to the nature of the public health risk and the potential to inadvertently capture unintended members of the public (e.g. dry cleaners etc). 	<ul style="list-style-type: none"> • People working in these roles are exposed to some risk of COVID-19, as reflected in the requirement to be tested every 14 days. • Ensures consistency between public and private sector workforces. • You have indicated that you would like to see vaccination required for all workers that regularly handle affect items. 	<ul style="list-style-type: none"> • Not entirely consistent with public health rationale that emphasises that major risk is ‘having contact’ with people who may have been exposed to COVID-19, rather than ‘handling affected items’. • All other risks as per Option 3 above, but the scale is greater due to the additional numbers of workers involved • If you choose to extend the requirement beyond groups required to be tested, this is likely to draw scrutiny • An inconsistent approach to testing and vaccination could risk undermining the coherency and effectiveness of these measures and the wider health response.

PROACTIVELY RELEASED
 THE MINISTRY OF TRANSPORT

Recommendations

The Border Executive Board recommends that you:

Overview

- | | | |
|---|--|---|
| 1 | indicate if you wish to discuss this advice with officials | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2 | agree to proactively publish this paper, with appropriate redactions, once decisions are made and announced | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3 | note the public health advice provided by the Ministry of Health (Annex One)
[REDACTED]
[REDACTED] Legally privileged | Noted |
| 4 | note the Ministry of Health advises that approximately 75 percent of airline, airport and port border workers have received at least their first vaccination | Noted |
| 5 | note some PCBUs have reported difficulties accessing the Immunisation Programme (Annex Three) and the Ministry of Health and DHBs have been working with the sector to address these concerns | Noted |
| 6 | note the Ministry of Health and DHBs have taken steps to ensure that PCBUs can have an accurate understanding of which members of their workforce have and haven't been vaccinated and that PCBUs and workers have easy access to vaccination appointments and supporting information | Noted |

Policy options to maximise uptake of vaccinations amongst border workers not currently covered by the Vaccinations Order

EITHER

Option 1: Continue Educate, Expect, Support approach for a limited period (Officials Recommend)

- | | | |
|---|--|---|
| 7 | agree to maintain the 'Educate, Expect, Support' approach for workers not covered by the Vaccinations Order until 13 June 2021 (four weeks from when comprehensive vaccination data that resolves all known data issues is expected to be made available to PCBUs through the enhanced Border Worker Testing Register); | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 8 | note that the key to the success of this option will be an enhanced and targeted communication campaign and a focus on overcoming accessibility barriers for this section; and | Noted |
| 9 | direct officials to report back by 21 June 2021 on progress under Recommendations 7 and 8, and if appropriate recommended amendments to the Vaccinations Order, taking into account any feedback Ministers provide on this paper | Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> |

AND/OR

[Ministers can select Options 2, 3 or 4 in addition to, or as an alternative of, Option 1]

Option 2: bring specified workgroups to the Vaccinations Order

10 **agree** to amend the Vaccinations Order to:

- extend vaccination requirements to other government border workers undertaking specified work at affected airports, ports or ships (as set out in the Vaccination Order); **and** Yes No
- add New Zealand domiciled aircrew involved in operating international flights Yes No

11 **indicate**, with respect to New Zealand domiciled aircrew that are involved in operating international flights, whether the mandatory vaccination requirement should:

- *include* persons involved in quarantine-free travel (preference of airlines, but inconsistent with public health advice); **or** Yes No
- *exclude* persons involved in quarantine-free travel (consistent with definition of aircrew under Required Testing Order) Yes No

AND

Option 3: add all other border workers covered by 7 day testing requirements

12 **agree**, in addition to Option 2, to bring all other persons that are part of a group that is subject to required testing every seven days (under the Required Testing Order), under the Vaccinations Order Yes No

AND

Option 4: add all other border workers covered by the Required Testing Order

13 **agree**, in addition to Options 2 and 3, to bring all other persons that are part of a group that is subject to 14 day testing (under the Required Testing Order) under the Vaccinations Order Yes No

14 **note** if the Vaccination Order is extended to apply to persons that handle affected items that are not subject to testing under the Required Testing Order it could risk undermining the coherency and effectiveness of the required testing and vaccination measures, and the wider health response Noted

15 **indicate** with respect to persons that handle affected items removed from managed isolation or quarantine facilities (within 72 hours of removal from that facility), or removed from an affected aircraft (within 24 hours of removal from that aircraft), or removed from an affected ship (within 72 hours of removal from that facility), whether the requirement should apply:

- only to persons specified in Part 6 of Schedule 2 to the Required Testing Order (ie retain the condition to “have contact” with other workers who are subject to testing requirements) (**recommended**); **or** Yes No
- to all persons who handle those items, regardless of whether they are subject to required testing under the Required Testing Order (ie remove requirement to “have contact”). Yes No

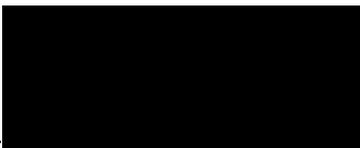
In force dates, exceptions and exemptions

- 16 **note** that officials are confident that broader public sector workers can receive their first vaccination by early June 2021 Noted
- 17 **note** that airlines have indicated a three-month lead time would be necessary in order to avoid significant disruption Noted
- 18 **note** that if Ministers agree to expand the coverage of the Vaccinations Order, a final Amendment Order will be provided for signature in mid-June 2021 (to provide sufficient time for Ministerial and stakeholder consultation) Noted
- 19 **agree** with respect to in-force dates:
- to a two-week delayed commencement for all groups once an Order is signed to provide sufficient time for PCBUs to understand and adapt to the rules and establish the systems and processes required for them to comply; **or** Yes / No
 - to a two-week delayed commencement for government workers and agree three month delayed commencement for aircrew, any persons brought under the Vaccinations Order that handle affected items, and other persons that are part of a group that is subject to required testing, **or** Yes / No
 - **agree** to an immediate commencement for all groups covered Yes / No
- 20 **agree** to extend the exceptions process set out in clause 9 of the Vaccinations Order (providing for emergency or essential immediate work) to apply to any additional groups required to be vaccinated Yes / No
- 21 **agree** that for employees of private sector workers, the relevant Chief Executive should be:
- the Director of CAA (or their approved Delegate), for work carried out at, or in relation to, affected airports or airplanes; **and**
 - the Director of MNZ (or their approved Delegate), for work carried out at, or in relation to, affected ports or ships Yes / No
- 22 **agree** to an exception for public health grounds to address situations where it is clear that an individual's specific role does not involve any form of interaction with, or close to, international travellers or crew Yes / No
- 23 **agree** to insert an exemptions power into the Vaccinations Order, that provides that the Minister for COVID-19 Response may issue an exemption if satisfied that it is necessary in order to avoid significant negative economic impacts arising from the disruption to the supply chain, subject to any conditions necessary to mitigate the potential public health impacts, including time-limiting the exemption Yes / No

Development of a COVID-19 Public Health Response (Vaccinations) Amendment Order

- 24 **note** that if Ministers decide to progress any of Options 2–4 now, the Ministry of Health and Ministry of Transport will work with the Parliamentary Counsel Office so that a draft Vaccinations Amendment Order is available for Ministerial consultation on 24 May 2021 Noted

- 25 **note** the Minister for COVID-19 Response must be satisfied that the approach to the Order recommended in this briefing does not limit or is a justified limit on the rights and freedoms in the New Zealand Bill of Rights Act 1990, as part of issuing an Order Noted
- 26 **note** that, once Ministerial consultation on the Amendment Order is complete (as required by the Act), the Ministry of Health will provide a paper enabling the issuing of the Amendment Order, including advice from the Director-General of Health on public health matters Noted
- 27 **note** that the Minister for COVID-19 Response must consult with the Prime Minister, Minister of Justice and Minister of Health prior to making any Order Noted
- 28 **agree** to refer this briefing to COVID-19 Vaccine Ministers, Border Ministers, the Attorney-General and Ministers of Social Development and Employment, and Justice. Yes No



Privacy

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12 / 5 / 21

 Hon Chris Hipkins
Minister for COVID-19 Response

17 / 05 / 21

 Peter Mersi
Chief Executive
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Minister's office to complete:

- Approved Declined
- Seen by Minister Not seen by Minister
- Overtaken by events

Comments

Contacts

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Peter Mersi, Chief Executive, Ministry of Transport	██████████	

Privacy

COVID-19 VACCINATION REQUIREMENTS AT THE BORDER (TRANCHE 2 ADVICE)

Background

- 1 On 13 April 2021, you met with Border Executive Board Chief Executives to discuss your preferred approach to requiring that specified work at the Border be performed only by workers who have been vaccinated. You indicated that:
 - a. priority should be given to preparing a COVID-19 Public Health Order (s11 Order) covering specified work performed at Managed Isolation and Quarantine Facilities (MIQFs) and affected airports, ports or ships;
 - b. further advice should be provided on options for additional support mechanisms for workers who are not vaccinated;
 - c. further advice should be provided on preparing a s11 Order that covers specified work performed at the remainder of the Border.
- 2 Following officials' advice [MBIE 2021-3276 refers], including the relevant public health rationale, your decisions in relation to (a) were implemented through the COVID-19 Public Health Response (Vaccinations) Order 2021 (the Vaccinations Order), that came into force at 11.59 pm on 30 April 2021.
- 3 The Ministry of Business, Innovation and Employment (MBIE) has provided the offices of Ministers Hipkins and Wood with further information in relation to (b). Following that advice, officials have been directed to progress work on the following options, with a decision paper to be provided to Ministers this week:
 - Require no redundancy of public service direct employees
 - MSD support to help find unvaccinated workers new employment and provide income support where required
 - Facilitate opportunities for employment within the broader public sector
 - Facilitate transfer for private sector workers to other work in the private sector
 - Ex-gratia payments to private sector employees in lieu of redundancy compensation
 - Redundancy compensation entitlements
- 4 This paper deals with outstanding matters in relation to Paragraph 1(c). As agreed following feedback on the earlier MBIE briefing, this includes advice on including workers that regularly handle items removed from a MIQF, aircraft or ship.
- 5 The advice has been endorsed by Border Executive Board (BEB). It was prepared in conjunction with BEB agencies, Ministry of Justice (MoJ), Ministry of Social Development (MSD), Crown Law and Parliamentary Counsel Office (PCO).

Limitations to this advice

- 6 There are a number of limitations to this advice that Ministers should be aware of:
- Data availability and quality. At the time of writing, officials have limited data about uptake of vaccinations amongst the non-government border workforce. Improved data is expected to be progressively available over the next couple of weeks as PCBUs come onto the now-mandatory Border Working Testing Register (BWTR) and system changes are delivered on 13 May 2021.
 - Sector engagement. In addition to ongoing engagement with the sector, the MoT held two online sessions with some aviation and maritime sector PCBUs to discuss, at a high-level, the potential impacts of requiring border workers to be vaccinated. Feedback has been incorporated into the advice in this paper, while substantive submissions received have also been provided to your offices.
- 7 The data limitations and high-level feedback from the sector mean officials are unable to provide more detailed assessment of the impacts and risks of options presented in this paper, and mitigations to respond to these.

Part 1: Context**Public Health rationale**

- 8 MoH has previously advised that there is a public health rationale for requiring that specified high-risk work only be undertaken by vaccinated people in response to the current pandemic. This is because there is a risk that these individuals may be exposed to, and infected by, COVID-19 in the course of their work and may transmit the disease to others.
- 9 It is important to note that not all border work carries the same level of public health risk. Factors that have a role in increasing the risk of being exposed to COVID-19 include the following:
- the number of international travellers (potentially infected people) the border worker may come in contact with (the more travellers, the higher the risk)
 - the ability of the border worker to maintain physical distancing from international travellers (the less physical distancing, the higher the risk)
 - the length of interactions the border worker may have with international travellers (the longer the interaction, the higher the risk)
 - whether the interaction is inside or outside (inside is higher risk).
- 10 MIQF workers are likely to be higher-risk when assessed against the above criteria. However, a port worker who does not interact with people needing to quarantine will not be exposed to the same level of risk.

- 11 Requiring vaccination for specified work is considered an appropriate response at this time to the current pandemic, but it may not be required indefinitely into the future, as information about disease transmission and population immunity may change.
- 12 The risk of exposure for border workers is recognised in the RTO. The RTO focusses on high-risk workers at the border and, even within this group, not all workers are tested to the same frequency. Some border workers are not required to be tested at all because of the low-risk nature of their work.
- 13 The MoH's full advice is attached as **Annex One**.

[REDACTED]

[REDACTED]

[REDACTED] Legally privileged

Workforces undertaking work that may be brought under the Vaccinations Order and current rates of vaccination

Other public service workers

- 16 In addition to MIQFs, the Vaccinations Order currently applies to government officials performing specified work at an affected airport, port or ship. This includes:
 - airside government officials,
 - government officials who interact with international arriving and transiting passengers; and
 - government officials who board affected ships, and who work at affected ports and interact with passengers required to be in isolation or quarantine.
- 17 Further decisions are needed in relation to wider public sector workers performing specified work at these locations. This includes: New Zealand Police, New Zealand Defence Force (NZDF), healthcare workers,¹ Maritime New Zealand, Civil Aviation Authority (CAA) and Aviation Security Service (AVSEC).
- 18 NZ Police advise 100 percent of staff working at the border are vaccinated. This has been achieved through strong uptake of vaccinations and the ability to return unvaccinated MIQF staff to home workgroups. A very small number of officers at airport locations have been redeployed.
- 19 NZDF advise that first vaccination of uniformed staff working in MIQF is 100 percent complete and it is expected that the second vaccination will be complete by 31 May 2021. The wider NZDF uniformed workforce, not specifically employed at the border,

¹ As defined under the Required Testing Order

is following a similar trajectory. It is important to note that this information relates specifically to NZDF uniformed staff and not civilian employees or contractors who may be impacted under a broader application of the order. Specifically, ships' maintenance workers and civilian base staff at international border locations such as Devonport Naval Base, Whenuapai Air Base and Ohakea Air Base potentially have several staff that may be impacted by the changes suggested herein, though the extent of those impacts is not able to be estimated until greater specificity on the requirement is achieved.

- 20 MoH advises that 100 percent of District Health Board (DHB) border workers have already received their first dose, and they expect to be able to administer all second doses by mid-May 2021.
- 21 Maritime New Zealand advise that it has 63 frontline workers that require vaccination. 53 of these workers have had at least their first vaccination. Of those not yet vaccinated, three have appointments booked in May (having experienced difficulties getting bookings throughout April), one will make a booking on return from leave, and three people are unable to be vaccinated at present due to medical reasons but intend to be vaccinated once they are able. Two people do not want to be vaccinated and one person is undecided at present.
- 22 CAA advises that if the current order were to be applied to the wider government sector, a small number of CAA regulatory staff and all operational AVSEC staff would be affected. As at 7 May 2021, AVSEC has 30 workers that have declined vaccination for non-medical reasons and who are unable to be redeployed. This will not affect AVSECs ability to carry out its regulatory functions, but may significantly affect service delivery, including queue times at airports.

Private sector workers

- 23 Decisions are also required in relation to private sector PCBUs operating at affected airports, ports and ships. The BWTR currently records 465 private sector PCBUs, spanning airlines, airports (incl. baggage handlers, retailers etc.) and ports (port companies, port logistics and stevedores).
- 24 Officials previously estimated there were 7,000–10,000 private sector workers at the border who are subject to the Required Testing Order. However, it remains difficult to establish a clear baseline given the changeable nature of the workforce and recent extensions to the scope of work covered by the Required Testing Order.
- 25 MoH has provided the following information about vaccine uptake amongst the border workforce.

Table 2: Uptake of vaccinations amongst border workforce (as at Friday 30 April 2021)

	# of workers	1 st vaccination	2 nd vaccination	No vaccination
Aircrew	3,048	2,326 (76%)	1,708 (56%)	722 (24%)
Airports	4,961	4,129 (83%)	3,372 (68%)	832 (17%)
Ports	3,845	2,425 (63%)	2,128 (55%)	1,420 (37%)
Total	11,854	8,880 (75%)	7,208 (61%)	2,974 (25%)

26 The MoH advises:

- the above figures do not include border workers outside of those three categories or border workers who have presented for vaccination without a booking (“walk-ins”) and therefore do not have a direct link to information about their employer. Including these groups, of the 26,324 people currently active on the BWTR or have received a vaccination and self identified as a border workers, 22,656 are recorded as vaccinated;
- the data does not distinguish Government and non-Government workers;
- the data is limited to those employees who are currently loaded to the BWTR by their employer.

27 Many PCBUs have provided feedback on reasons for current vaccination uptake rates. This is summarised in **Annex Three**.

28 Feedback from PCBUs highlights that due to the specialist nature of their roles, they have little ability to redeploy staff who remain unvaccinated. It follows that Ministers should expect a higher level of turnover and job losses amongst this workforce than has occurred with MIQFs and core public service agencies – the wider the coverage of the Vaccinations Order, the more significant the likely impact. In the absence of Government intervention, the protections and financial support available to employees in these situations is likely to be variable across PCBU's.

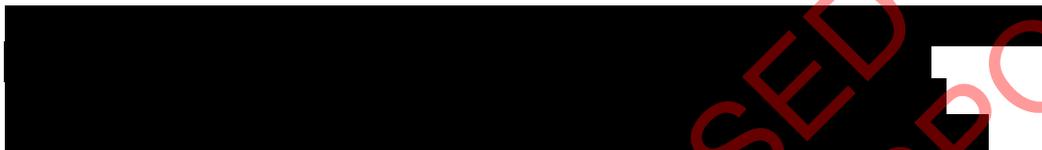
29 PCBUs have also highlighted that a range of roles require specific skills and qualifications. Consequently, there is a risk that if workers are unvaccinated and unable to perform their roles, they will be difficult to replace in the short term.

30 Maritime sector PCBUs advise that this would have a disproportionate impact on port operations, with flow-on effects for the national supply chain (which is already under significant pressure). In lieu of detailed vaccination status data, we are unable to provide an accurate assessment of the likelihood and scale of this risk at this time. However, the sector has highlighted two groups of workers that are a particular risk due to current vaccination rates and the specialised nature of their roles.

30.1 **Stevedores:** Officials estimate that New Zealand has around 1,500 stevedores operating at maritime ports, with data showing low rates of uptake to date [REDACTED]. The main stevedoring **Commercially sensitive** companies have submitted that they assess their risk profile as low and a mandatory vaccination requirement to be unnecessary. They also indicate a significant number of stevedores are unlikely to be vaccinated irrespective of a mandatory requirement to do so. This will impact within port operations.

30.2 Ship Pilots. New Zealand has around 65 ship pilots, with only 1 or 2 in some locations. Based feedback from MNZ, at least 10 pilots are unlikely to be vaccinated. At one port, we understand two out of four pilots will decline to be vaccinated (knowing this may impact their ability to perform their role).

If these workers are unable to continue to perform their role, they will be unable to be replaced in the short term. This is because ship pilots are in short supply, and take approximately 3 years to train. Even a trained ship pilot, if available from overseas, must be rated to operate at a specific location (local knowledge and experience is essential to the role) and this takes a number of months.



Commercially sensitive

Part 2: Options to maximise vaccination uptake

Option 1: Enhanced status quo - continuing the Educate, Expect, Support approach for a limited time (Official's recommended option)

- 31 Reflecting vaccination uptake to date, and feedback from the sector about real or perceived barriers to uptake, Ministers may wish to consider continuing with the Educate, Expect, and Support approach for a limited time. This is the recommended option.
- 32 This is not a “wait and see” approach, but rather a period to support increased vaccination rates through :
- providing time for comprehensive vaccination data to be made available to PCBUs through the enhanced BWTR)
 - enabling PCBU employers to have discussions with workers, following receipt of that data
 - ensuring system barriers to vaccination are minimised, through enhanced and targeted communications and minimising accessibility barriers.
- 33 The additional period will allow officials to gather further information to inform the balancing of social, economic and health factors and to advise Ministers as to the extent to which requiring vaccination may be a justified limitation on section 11 of NZBORA.
- 34 As part of this option, there would be a report back by 21 June 2021 on the need for amendments to the Vaccinations Order, taking into account updated data.

Minimising system barriers

- 35 The MoH has been proactively engaged with border employers, unions and workers to maximise vaccination uptake. Renewed efforts are planned over the next four weeks, reflecting the differing characteristics of the remaining unvaccinated workers in the maritime and air border environments. Key challenges to be addressed include

ongoing concerns about the safety of vaccines and potential side-effects, some of which has been influenced by misinformation from external sources. A targeted engagement strategy will be rolled out, utilising key influencers and public health experts to address safety concerns.

- 36 Some groups have reported difficulties accessing vaccinations, in part reflecting the mobile nature of some workforces and lack of employer support to facilitate vaccination (e.g. time off work, travel). The Ministry of Health is actively working with DHB Operational Leads on the urgent need to support vaccination of port workers. Collaborative planning with DHBs, PCBUs, MoT and the MoH is essential to ensure accessible and effective options for vaccination of port workforce can be implemented. Options for accessing the vaccine could include establishment of pop up of mobile sites, or transporting staff to nearby community facilities depending on the need at a local level. Should these approaches be adopted, they will necessarily divert resources and momentum away from the wider rollout of the COVID-19 Immunisation Programme.
- 37 As part of this option, there would be a report back by 21 June 2021 on the need for amendments to the Vaccinations Order, taking into account updated data.

Expanding the coverage of the Vaccinations Order

- 38 Officials have developed four options for Ministers to consider in respect of expanding the Vaccinations Order. The options are cumulative, with each bringing additional groups of workers performing specified work at the border, under the Vaccinations Order.
- 39 An Options Summary is included as part of the Executive Summary to this paper. This section primarily discusses risk and issues with different options, and potential mitigations.

Option 2: Bring 'other Government workers' and aircrew under the Vaccinations Order

- 40 Bringing wider government workers under the Order is designed to ensure all government workers at the border who are exposed to a similar risk are treated the same, irrespective of whether they are part of the core public service or wider public service (e.g. Crown Entities).
- 41 The key implementation risk to be aware of relates to AVSEC airport workers. As at 7 May 2021, 30 workers have declined to be vaccinated. The majority of these are located in Auckland Airport. Options for redeploying staff are limited as many staff work in specialised or technical roles, and the likelihood of deploying additional resources into Auckland is low due to vacancies in other locations. This is likely to impact on service levels in the short term, while vacancies are filled.
- 42 The option to bring international aircrew domiciled in New Zealand under the Order reflects public health advice that this group of workers is a higher-risk category of workers who have close contact with potentially infectious persons. This is due to the length of time they may be exposed, close proximity and the enclosed nature of the workplace.

- 43 Under option two, the vaccination requirements for public service and private sector workers performing the same work will be different. As for option one, continuing to distinguish between the different workforces could undermine the risk assessment underpinning the first Vaccines Order and expose the first Vaccines order to challenge.

A specific decision is sought regarding aircrew operating on QFT

- 44 A specific decision is sought from Ministers whether to include aircrew involved only in quarantine-free travel (QFT).
- 45 The Vaccinations Order currently excludes government officials and air crew who interact only with QFT passengers. This reflects public health advice that QFT is lower risk than other international travel. However, airlines have indicated a preference that, should a requirement be made that aircrew are vaccinated, this be applied to all international aircrew.
- 46 Airlines note that aircrew rostering is not clearly split based on QFT/non-QFT (in the case of Air New Zealand, there is no distinction). QFT aircrew interact with non-QFT aircrew and there are concerns about risks of creating inequitable access to duties (and potential for challenges through the Employment Court as a result).
- 47 While including all international aircrew is likely more practicable for airlines, particular consideration needs to be given the assessed public health risk, and the extent Ministers consider it to be a justified limitation on section 11 of NZBORA to require QFT aircrew to be vaccinated in order to perform that role. It may also prompt questions about whether other workers that only interact with QFT passengers and crew should or shouldn't be covered by a vaccination requirement. Officials do not recommend the inclusion of QFT aircrew under the Vaccinations Order.

Option 3: Vaccination of frontline border workers that are part of a group required to be tested every 7 days under the Required Testing Order

- 48 In addition to workers covered by Option 2, this would bring border workers who would be generally regarded as a **close contact** of a person subject to the managed isolation requirements, or of an international (non-QFT) airline crew that are not subject to the managed isolation requirements, under the Vaccinations Order.
- 49 Examples of workers this would include are: on-board aircraft cleaners, maritime ship pilots and some stevedores.
- 50 From a public health perspective, the seven day testing frequency is a proxy for public health risk. It is important to note that, within this group, the risk for particular work can still vary significantly. Public health advice is that some persons within this group are at higher risk than others. For example, a person who has sustained proximity within an enclosed space to an aircrew member for more than 15 minutes versus an aircraft cleaner that is simply in an enclosed space for more than 15 minutes but does not have sustained proximity.
- 51 Under Option Three, the vaccination requirements for public service and private sector workers will be different. The groups of public service border workers that are covered by the existing Vaccination Order will not be the same as the groups of private sector border workers. It will be necessary to clearly identify the public health

rationale and risk factors that justify this approach. The risk could be mitigated by extending the current Vaccinations Order to all workers carrying out specified work, regardless of the nature of their employer.

Option 4: Vaccination of frontline border workers that are part of a group required to be tested every 14 days under the Required Testing Order

52 This option would see all border workers covered by the Required Testing Order required to be vaccinated to perform their role. This would bring under the Vaccinations Order:

- border workers who would generally be regarded as a **casual contact** of a person subject to the managed isolation requirements, or of an international (non-QFT) airline crew member that is not subject to the managed isolation requirements. This would include airport airside retail, food and beverage workers;
- border workers who, while airside, handle baggage and baggage trolleys which have been handled by an overseas person or a person subject to the managed isolation requirements and similar roles at ports such as stevedores;
- border workers (and MIQ workers) who are **handle affected items** that are removed from affected locations such as ships, aircraft and managed isolation or quarantine facilities. This would include some drycleaners, caterers and waste disposal workers.

53 There is a further decision to be made relating to the latter of these groups.

A further decision is sought regarding workers who handle affected items that are removed from affected locations (henceforth "workers who handle affected items")

54 Officials previously recommended that workers who handle affected items and are subject to the Required Testing Order should not be required to be vaccinated to perform that work [MBIE 2021-3276 refers]. However, the Prime Minister has indicated through feedback on the briefing that she wishes to include workers where they regularly handle items removed from an MIQF, aircraft or ship.

55 The Required Testing Order was recently amended so that, from 11.59pm on Wednesday 21 April 2021, workers who handle affected items are required to be tested if:

- the handling occurs within 72 hours of their removal from managed isolation and quarantine facilities and ships, or 24 hours of their removal from affected aircraft; and
- the workers have had contact (defined as face-to-face contact, or being in a confined space, both within 2 metres of each other for 15 minutes or more) with members of specified other groups that require testing, while both are working.

56 In practice, this means that the trigger for the testing requirement is "having contact", not the duration or frequency of "handling affected items". If applied to vaccination, this requirement would mean that the difference between what vaccinated and

unvaccinated workers are permitted to do, could be several seconds of contact. The duration of their time spending handling affected items would not have an impact.

- 57 Public health advice is that contact or proximity to infectious people results in a higher risk of exposure to COVID-19 than contact with physical surfaces that may have been contaminated with the virus. Given that people who work at MIQFs, affected airports, affected ports, or affected ships will be vaccinated, the risk presented by coming into contact with a contaminated surface is relatively low, assuming that other public health measures (such as hand hygiene, appropriate PPE use) are also adhered to.
- 58 The decisions for required testing of workers who handle affected items and have contact were made very recently. To depart from this policy approach in respect of vaccination is likely to draw scrutiny. An inconsistent approach to testing and vaccination could risk undermining the coherency and effectiveness of these measures and the wider health response.
- 59 Government does not have a direct relationship with the workers that handle affected items or the businesses that employ them. They are subcontracted by private companies (which may operate MIQFs, airlines or other relevant businesses) and in many cases do not go through the same operational checks or records of activity that other workers subject to testing requirements do, as their work is largely performed away from affected border and MIQ sites. It will not be possible for government to provide assurance of compliance with the Order, whether or not the “having contact” condition is kept.

Part Three: Options to mitigate potential economic and social impacts

- 60 If Ministers decide to widen the Vaccinations Order per Options 2,3 or 4 above, officials recommend consideration is given to variable in-force dates, exceptions and exemptions to mitigate some of the risks discussed in part 2 of this paper.

In-force dates

- 61 If Ministers choose to progress with an amendment to the Vaccinations Order now, we propose that the Order is signed in mid-June with a delayed commencement of at least two-weeks. This would provide sufficient time for meaningful consultation with Ministers and stakeholders. This would also provide PCBUs sufficient time to understand the rules and establish the systems and processes that would need to be in place in order for them to comply.
- 62 Officials are confident relevant government workers can receive their first vaccination by early June.
- 63 Officials would recommend a longer timeframe for a vaccination requirement to be in-force for other workers that are brought under the Vaccinations Order. This reflects progress in vaccinations to date, capacity of the system to accommodate additional vaccinations in the short term, and potential economic and social impacts if large numbers of people are unvaccinated at the time the requirement comes into effect.
- 64 We also note that airlines have indicated a three month lead time would be necessary in order to avoid significant disruption.

Existing exceptions in the Vaccinations Order

- 65 The current Vaccinations Order provides a framework for exceptions in a limited number of circumstances². Officials recommend that these exceptions are applied to any workers who become subject to the Vaccinations Order as a result of decisions taken on this paper.
- 66 Under the Order, the authorisation for exceptions sit with the relevant Chief Executive. Currently, this is MBEs Chief Executive for work carried out at MIQFs, and otherwise the relevant Chief Executive for government officials working at the border.
- 67 In order to make these exceptions workable if private sector PCBUs are brought under the Vaccinations Order, a decision is needed on who the authorising Chief Executives will be. Officials recommend that for employees of private sector workers, the relevant Chief Executive should be:
- (a) the Director of CAA (or their approved Delegate), for work carried out at, or in relation to, affected airports or airplanes
 - (b) the Director of MNZ (or their approved Delegate), for work carried out at, or in relation to, affected ports or ships

Further decisions are sought in relation to potential new exceptions and/or exemptions

Proposed public health exception

- 68 Public health advice supports provision being made to exclude individuals covered by the proposed scope of the second Order, where it is clear that the individual's specific role does not involve any form of interaction with, or close to, international travellers or crew. This approach recognises that there may be some specific roles within the broad categories of affected workers that do not carry a risk of exposure to COVID-19.
- 69 There is no public health rationale to require the vaccination of workers whose role does not require them to have contact with potentially infected people, even though they sometimes work alongside other workers who are required to be vaccinated (due to their role bringing them in close proximity to potentially infectious people). However, all groups should continue to follow appropriate infection, prevention and control practice.
- 70 Officials consider that this assessment supports the potential use of an exception mechanism. It is proposed that an exception be made where a role does not involve any contact directly with, or in the physical proximity of international travellers or crew, regardless of the frequency or nature of contact.
- 71 For the avoidance of doubt, the effect of the exception would be that some individuals would not be required to be vaccinated to perform specified roles. An example would be people undertaking stevedore duties that do not bring them into contact with affected ships or international crew. These individuals may work alongside other stevedores who do work with internal vessels in the course of their duties, but who will be required to be vaccinated.

² Clause 9 of the Vaccination Order refers (relating to circumstances where emergency or essential immediate work is required)

Proposed exemptions regime

- 72 Ministers have to date decided against providing an exemptions regime in the Vaccinations Order, in order to avoid risks of undermining the public health objectives of the policy. However, in light of options canvassed in this paper, officials consider there would be a need to provide either further exceptions, or a tightly defined exemptions regime if the coverage of the Vaccinations Order is expanded, to mitigate serious supply chain risks.
- 73 Officials recommend an exemption regime that would provide the Minister for COVID-19 Response the power to issue an exemption if satisfied that it is necessary in order to avoid significant negative economic impacts arising from disruption to the supply chain, subject to any conditions necessary to mitigate the potential public health impacts (including time-limiting the exemption). Before exercising this power, the Minister for COVID-19 Response would be required to consider advice provided by the Director-General of Health, and the Secretary of Transport, and any other Minister or Official the Minister considers appropriate.
- 74 An exemption regime of this nature will require trade-offs to be made with public health interests. However, very few individuals are expected to qualify for an exemption under this approach, and such exemptions would be subject to any conditions necessary to mitigate the potential public health impacts. It would be imperative that other public health measures are strictly adhered to.

Financial support

- 75 MBIE is providing Ministers with further advice on options for additional support mechanisms for workers who are not vaccinated. This is due this week.
- 76 The Ministry of Social Development (MSD) advises that there are a range of existing MSD products that can be used to support workers who may be impacted (or are at risk of redundancy, termination of contract, or unable to be redeployed) as a result of extending the scope and application of the Vaccinations Order. This includes:
- employment support – such as job matching services, the suite of flexi-wage (wage subsidy) products, and Rapid Return to Work services;
 - income support – such as main benefits, supplementary assistance (including accommodation and childcare), and hardship assistance;
- 77 People applying for income support with MSD are unlikely to have an initial stand-down period as income stand-downs have been temporarily removed until 24 July 2021. Workers whose employment is terminated because they cannot or will not get vaccinated are also unlikely to have a non-entitlement period (due to voluntary unemployment provisions) under current settings. Standard eligibility criteria for MSD's employment and income support products will still apply.
- 78 Targeted support through MSD's Rapid Response Teams has been offered to MIQF employers/workers impacted by the initial vaccination order. [REDACTED]

Confidentiality

[REDACTED]

Confidentiality

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Legally privileged

PROACTIVELY RELEASED BY THE MINISTRY OF TRANSPORT

■ [REDACTED]

■ [REDACTED]

Legally privileged

Next steps

87 If Ministers decide to progress any of Options 2–4 now, the Ministry of Health and Ministry of Transport will work with the Parliamentary Counsel Office so that a draft Vaccinations Amendment Order is available for Ministerial consultation on 24 May 2021.

88 A key issue Ministers may wish to give early consideration to is your willingness to communicate decisions in advance of any Amendment Order being signed. We recommend this course of action to ensure DHBs and PCBUs have clarity over the scope of requirements and maximum lead time to achieve compliance. This will also afford the maximum time for employers to commence recruitment where this may be required.

Annex 1 – Public Health Rationale

- 1 The Ministry of Health has previously advised that there is a public health rationale for requiring that specified high-risk work only be undertaken by vaccinated people in response to the current pandemic. This is because there is a risk that these individuals may be exposed to, and infected by, COVID-19 in the course of their work and may potentially transmit the disease to others.
- 2 The key public health consideration is that vaccines offer a high degree of protection for individuals who are vaccinated, alongside a range of other public health measures designed to protect those vaccinated and others they have contact with. A worker who has been vaccinated will have a very high likelihood that they will be protected from serious illness or death. Evidence of the efficacy of vaccines in preventing person-to-person transmission is still evolving. However, it suggests that the vaccine is also likely to be effective in preventing wider transmission.
- 3 Real-world evidence suggests that people vaccinated with the Pfizer-BioNTech COVID-19 vaccine who develop COVID-19 have a four-fold lower viral load than unvaccinated people. This observation may indicate reduced transmissibility, as viral load and symptomatic infection have been identified as key drivers of transmission.
- 4 Vaccines offer a high degree of protection for individuals who are vaccinated, alongside a range of other public health measures. A worker who has been vaccinated will have a very high likelihood that they will be protected from serious illness or death and are more likely to be asymptomatic if infected.
- 5 Therefore, while vaccination does not prevent all possible episodes of transmission, vaccination has a clinically relevant impact on reducing the risk of transmission. The risk of COVID-19 infection in New Zealand is currently highest amongst those in high-risk roles at the border. Ensuring that such workers are vaccinated will therefore substantially protect the wider community.
- 6 It is important to note that Infection Prevention and Control practices (such as the use of personal protective equipment and safe distancing) provide another layer of protection. As a result, it is imperative that other public health measures remain in place presently.

What is the definition of high-risk work?

- 7 It is important to note that not all border work is high-risk. Factors that have a role at increasing the risk of being exposed to COVID-19 include the following:
 - (a) The number of international travellers (potentially infected people), the border worker may come in contact with (the more travellers, the higher the risk)
 - (b) The ability of the border worker to maintain physical distancing from international travellers (the less physical distancing, the higher the risk)
 - (c) The length of interactions the border worker may have with international travellers (the longer the interaction, the higher the risk)
 - (d) Whether the interaction is inside or outside (inside is higher risk).

- 8 MIQF workers are likely to be higher-risk when assessed against the above criteria. However, a port worker who does not interact with people may not be exposed to the same level of risk.
- 9 Requiring vaccination is considered an appropriate response at this time, but it may not be required indefinitely into the future, as information about disease transmission and population immunity may change.
- 10 There is no public health rationale to require the vaccination of workers whose role does not require them to have contact with potentially infected people, even though they sometimes work alongside other workers who are required to be vaccinated (due to their role bringing them in close proximity to potentially infectious people). However, all groups should continue to follow appropriate infection, prevention and control practice.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Annex Three – Feedback from some private sector PCBUs

- 1 Employers have been working to maximise uptake of vaccinations amongst staff, following the 'Educate, Expect, Support' approach. However, a number of factors have influenced progress to date.
- 2 We have received considerable feedback from the sector highlighting barriers to uptake, including the following:
 - Vaccination site locations have commenced progressively as part of the Government's rollout plan. Workers eligible for vaccination in Auckland had access to vaccination appointments since the end of February 2021. However, staff and their families based outside of Auckland have only been able to access vaccination as the COVID-19 Immunisation Programme has been rolled out across the country. Generally, locations came on-stream over March and April 2021, with Queenstown³ opening to airlines on 10 April 2021. Air New Zealand notes it continues to experience difficulties getting staff appointments at some locations.
 - A number of employers have provided feedback indicating their staff have experienced delays in getting bookings. This includes DHBs not contacting employers to obtain employee lists at the outset of the vaccination programme, staff being unable to get bookings or resolve booking issues through the 0800 helpline, and priority now being given to vaccinating Tier 2 workers over Tier 1 border workers at some locations.
 - Some PCBUs consider that vaccination sites at maritime port locations are being removed prematurely, when significant numbers of Tier 1A staff still require vaccination (while community locations are available, the logistical challenge of getting staff to these locations has been raised as a concern). The maritime sector has also highlighted inconsistent approaches by DHBs, with some now vaccinating non-Tier 1A port workers (i.e. workplace contacts, which is predominantly occurring at smaller ports) and others not. This is problematic for companies that work across multiple locations as staff are being treated differently.
- 3 The Ministry of Health advises that the COVID-19 Immunisation Programme has begun to shift its effort from its initial focus at the border (Group 1) to move to other at-risk frontline workers and people (Group 2) as per the rollout plan. This means that more community-based vaccination centres have been established, and the number of workplace vaccination sites at the border has been reducing. This could mean that some people, who have been slower to be vaccinated, are now finding that they have to be vaccinated away from their workplace.
- 4 A number of employers have also highlighted that barriers to accessing vaccination status information from Government, has hindered their ability to engage with unvaccinated staff.
- 5 There has been confusion about responsibilities. PCBUs were initially told they would be able to request vaccine status information from the Ministry of Health. The

³ Noting Queenstown airport workers were only eligible for vaccination once decisions regarding QFT were made

approach then changed to requesting they speak to staff individually to gain this information (or request authority to ask for the information from the Ministry of Health, despite consent already being given in many cases for vaccination status to be shared).

- 6 The Ministry of Transport requested PCBUs submit data about vaccine uptake rates (based on 1-1 conversations with staff). However, this was voluntary and many employers chose not to engage in this process (citing that without information from the Ministry of Health, they did not have a verifiable source of information; they also noted the scale of this task would take considerable time).
- 7 Steps have been taken to address these issues, both from technology and a privacy statement perspective. This issue is on track to be comprehensively resolved from 13 May 2021.
- 8 Changes to the BWTR to enable better access by officials and employers to information about vaccination status have begun, but are not yet completed. The Ministry of Health advises that it is working with a number of sources of information in the mean time that need to be manually reconciled which means comprehensive information is not yet available. Consequently, employers who have not been using the centralised BWTR until recently will not have consistent visibility of which of their workers have been vaccinated and when they should expect this information. Better information will progressively become available over the next few weeks.