

**TEU****TERTIARY EDUCATION UNION**
TE HAUTŪ KAHURANGI

COVID-19 Vaccination Health and Safety

TEU Position Paper endorsed by Council 14 September 2021

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1. Whare – COVID-19 Vaccination Health & Safety

The *whare* houses our aspirations – this section indicates **what** we envisage the tertiary education sector to be like in relation to a specific policy issue once we have achieved our goals.

1.1. Purpose

The purpose of this policy is to:

1. Set out principles for the safe roll-out and use of vaccines and other health and safety practices relating to COVID-19 in the workplace; and
2. Provide general information for TEU members regarding legal principles pertaining to the vaccination roll-out and workers' rights.

1.2. Vaccination principles

Following current health advice, Te Hautū Kahurangi | Tertiary Education Union (TEU) supports the nationwide vaccination roll out and other relevant health and safety practices to combat COVID-19.

To ensure the health and safety of employees throughout the tertiary education sector in relation to COVID-19, all tertiary education organisations (TEOs) must:

1. Engage with employees and TEU during the planning, roll-out, and follow-up of vaccinations, including how the roll-out will impact on education delivery;
2. Be clear and consistent regarding how the vaccine roll-out applies to employees, following the most up-to-date advice from the Ministry of Health and Ministry of Education;
3. Ensure that the vaccine roll-out is based on a high trust model, meaning that TEOs should be supportive and encourage employees to follow public health messaging and advice;
4. Be consistent with the relevant legislation (specifically, the Employment Relations Act; Health and Safety at Work Act; Privacy Act; and the Human Rights Act), and ensure:
 - a. That the obligations of good faith (ERA) are met by the employer; and
 - b. That the rights, and expectations, to receive fair treatment from employers is maintained.

1.3. Employee support

1. TEOs should support all staff wishing to be vaccinated with paid time to attend vaccination appointments, inclusive of time to travel to and from the vaccination provider;
2. TEOs should also support all staff who have dependent family members requiring assistance and/or support to attend vaccination appointments, inclusive of travel time to and from appointments by the use of paid time, sick leave, or paid special leave;
3. TEOs must be mindful of individual staff having a choice of vaccine provider, including their own doctor;
4. when considering whether to vaccinate or not, time must be allowed for individual staff to ask questions in order to make informed decisions – i.e. vaccine information should be clear, concise, and accessible to all;

5. where dependents have an adverse reaction to the vaccine, employers should provide for paid sick leave; if an inadequate amount of sick leave is available for an individual employee, then some form of paid special or discretionary leave should be used.

1.4. Risk assessment

1. Employers, in conjunction with employees and TEU, must carry out a Risk Assessment prior to determining if any given work duties can only be carried out safely by a vaccinated employee;
2. Risk Assessment processes must consider the following factors:
 - a. The nature of the work being undertaken by the employee or category of employees;
 - b. Any risk of exposure (to and from the employee) using the latest advice from the Ministry of Health and Ministry of Education;
 - c. Whether reasonable adjustments can be made to accommodate the employee;
 - d. Once all appropriate controls have been applied, it must be demonstrated that an employee does, in fact, require a vaccination to carry out their duties safely.
3. If work duties cannot be carried out safely (either partially or in full), then the employer must engage and consult with the employee and their union regarding appropriate alternative work arrangements – such alternatives could include:
 - a. Continuing to work remotely;
 - b. Redeployment to suitable alternative duties; and/or
 - c. Paid special leave for a reasonable period of time.
4. If an employee has a dependent family member with compromised health status and is unable to be vaccinated, then a similar Risk Assessment process should be conducted.

1.5. Vaccine status

1. An employee does not have to disclose their vaccine status.
2. If an employee chooses not to disclose their vaccination status, then it is reasonable for the employer or TEO to assume and treat that employee as unvaccinated.

1.6. Health and safety must remain a key focus

Vaccination is an effective control measure in the workplace. However, there are additional health and safety practices which must be upheld in conjunction with vaccinations – for example:

1. The use of up-to-date infection prevention and control measures such as personal protective equipment (PPE), masks, and sanitiser;
2. Compliance with all Public Health orders and guidance, including physical distancing procedures and consistent use of the NZ COVID-19 Tracer app (to accommodate for employees without smart phones, TEOs must also provide hard copy tracing forms);
3. Identification of hazards, risk assessments, and elimination and control measures as is reasonably practicable;
4. Ongoing engagement with employees and TEU regarding all health and safety matters; and
5. Ongoing support for all mental health needs.

1.7. Privacy

Regarding employee privacy:

1. Vaccination information is collected and held on the National Immunisation Register, therefore privacy rights and obligations apply;
2. The personal information being collected by employers regarding individual vaccination status, general health status, or the health status of dependent family members must be held securely and only accessed as appropriate.

2. Pou – The need for standardisation

The *pou*, or hitching posts, symbolise the specific goals we are working toward – this section establishes **why** a policy is needed in relation to the current context of any given policy issue.

2.1. The need for standardisation across the sector

Currently, there is no standardisation across the tertiary education sector regarding vaccinations and other health and safety measures pertaining to COVID-19.

A standardised approach across the tertiary education sector would result in clear information and consistent practices, thereby increasing the health and safety of employees.

3. Waka – Lobbying for standardisation

The *waka* encompasses the roles, responsibilities, and pragmatic steps we need to take in order to hitch our *waka* to the *pou* and reach our *whare* – this section outlines **how** we undertake the journey toward achieving our goals and realising our aspirations in relation to a specific issue, including **who** operationalises these actions and **when**.

3.1. Lobbying for standardisation

TEU will continue to lobby for a standardised approach to vaccinations and health and safety pertaining to COVID-19. As a first step, TEU will lobby Te Pūkenga to develop a standardised approach which will apply to the new network of vocational education.

4. Policy sign-off and ownership details

POLICY SIGN-OFF AND OWNERSHIP DETAILS	
Document name	COVID-19 Vaccination Health and Safety
Classification	Industrial
Version number	v1.0
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Policy Owner	Education and Campaigns Officer
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Document location	
Related policies, procedures, and documents	
Equity assessment and policy whakapapa	
<i>This policy was developed during 30 August-10 September 2021 by TEU staff in conjunction with TEU Branch Presidents.</i>	

5. Revision history

REVISION HISTORY			
Version	Date	Revision description	Owner
v1.0			
v1.1			