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Released by: Dom Kalasih

To	Directors, Presidents and Area Executives
From	Dom Kalasih, Manager Policy and Safety

COVID-19 VACCINATION UPDATE

Purpose

The purpose of this Advisory is to bring you up-to-date with industry vaccination coverage, as well as the direction the Government is headed on vaccination, including mandatory vaccination and the law.

We are aware there are more questions than answers for employers on the matter of Covid-19 vaccination for employees and we will continue to up date you as more information comes to hand.

The Government has announced it will be bringing in law to give clarity around vaccination in the workplace and all that entails, and Transporting New Zealand will get involved in that process, as we normally do for law affecting our industry. It is likely this will be a rapid process completed in November.

Findings from our survey on Covid-19 vaccination and testing

Transporting New Zealand has conducted two industry surveys since the most recent lockdown began. The most recent survey closed last Thursday, and there were responses from 309 members representing about 10,000 of their staff. The information included categorisation by respective District Health Board (DHB) and responses include representation of approximately 1100 staff in Auckland and 1200 staff in Waikato. We do not believe there is any better information available on vaccination rates in the road freight sector.

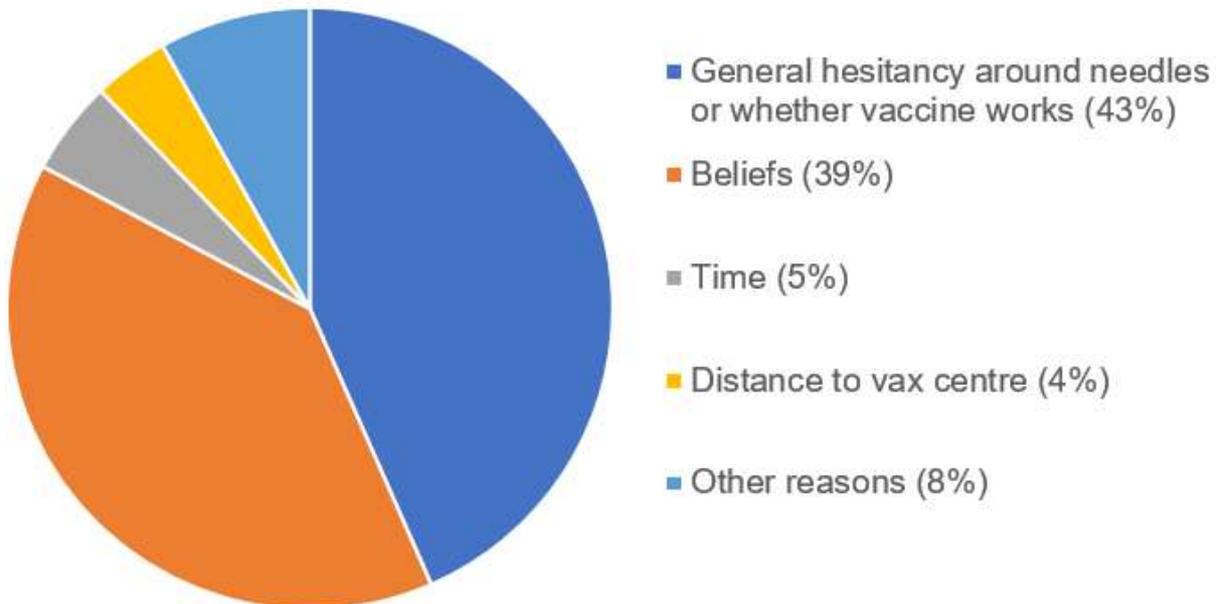
The findings are:

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- almost 70 percent (67.25%) of respondents had “actively encouraged or arranged vaccination for your staff”
- the vaccination rate in our industry for Auckland is about 77% and for Waikato 71%. These are low when compared to DHB vaccination rates of the national (NZ) population which has percentage rates of close to 90 and 85 percent for Auckland and Waikato respectively
- employers who actively encouraged and/or arranged for staff to be vaccinated only resulted in a small increase of vaccination rates among their staff (2% points increase to 78%)
- companies who had their customers request that front facing staff be vaccinated did not result in an increase in vaccinations rates among staff (no change at 76%)
- 52% of the businesses surveyed are already keeping vaccination status on their records
- we asked operators how they would manage if the Government made vaccinations mandatory for drivers crossing Covid-19 borders with different levels - 72% of businesses could continue to provide the similar level of service to customers, and 28% would have the level of service effected to some degree.

We asked operators what they considered to be the biggest barrier to their staff being vaccinated and the findings are:

Biggest barrier to vaccination



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Recent Government advice

The traffic light system

Last Friday, Government announced the New Zealand COVID-19 Protection Framework which is colloquially being referred to as the traffic light system. The full advice is [here](#).

In our view the key part of this announcement is the 90 percent vaccination rate threshold – across each of the DHBs - required to enable Government to make any substantial change to the Alert Level framework.

Law changes to provide for mandatory vaccination

On Tuesday this week, Workplace Relations and Safety Minister Michael Wood announced Government is introducing a range of measures to help protect workplaces and workers from Covid-19. The key points are:

- Vaccination will be required for all workers at businesses where customers need to show Covid-19 Vaccination Certificates, such as hospitality and close-contact businesses.
- New law to introduce a clearer and simplified risk assessment process for employers to follow when deciding whether they can require vaccination for different types of work.
- Non-vaccinated workers in roles requiring vaccination will be given a new four-week notice period to get vaccinated before employment can be terminated.
- Employers to be required to provide paid time off for workers to get vaccinated and will need to keep records about workers' vaccination status.
- A WorkSafe will create a Covid-19 Inspectorate.

The Hon. Michael Wood's press release is [here](#). Please note, the [Vaccination Certificates referenced above don't currently exist across the board](#).

Advice from the Director General of Health

Also on Tuesday, in responding to a question during a press conference the Director General of Health, Dr Ashley Bloomfield said: "Our advice is very clear from the start around testing and hence the surveillance testing for those who are crossing the border regularly and the requirement for effectively a pre-departure test for those who are crossing out of Auckland or coming out of Auckland on a single occasion. In terms of vaccination our focus has been on making vaccination very easily available for those essential workers including providing vaccination in their workplaces and that happened from very early on and really trying to get that vaccination rate up across those workforces. So that has been the focus there and the focus now of course, with these latest changes, is building on the health and disability and the

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education workforces is to be vaccinating workers who are going to be in contact with the public and in settings where there is a high likelihood of transmission. **There is a low likelihood of transmission from someone who might be driving a truck out of Auckland and coming back, especially if they are on a regular testing regime.”**

For emphasis, I have bolded the last sentence above.

Summary

In summary, apart from the 90 percent vaccination threshold and talk of legislative changes to clarify how risk is managed workplace, in our view the Government advice is lacking clear direction and there are mixed messages.

Our advice for business operators managing employees

Regardless of what Government may do, as an employer under the Health and Safety at Work Act (HSWA) you have a current obligation to assess the risk to health and safety Covid-19 represents in your workplace.

If you haven't already, we recommend you complete a risk assessment which considers how your workplace and workers are exposed to the threat of Covid-19 and how you are managing that risk. The level of risk will depend on the exposure to Covid-19 and may vary across your employees depending on their roles, and it also applies to people visiting your site. The risk controls you choose to apply, such as but not limited to physical distancing, PPE, vaccination and testing, should be underpinned and driven by the risk assessment.

Indications from Government are that the changes to the HSWA legislation, which are anticipated to come into force at the end of November, will not be applied retrospectively. However, we would contend those changes will set important precedents therefore, we recommend you schedule time to review your policies and procedures at that time.

We are seeing increasing queries and demands from users of transport services in regard to the vaccination status of drivers therefore, this needs to be factored in to how you decide to manage the risk.

If your risk assessment shows vaccination is required and staff refuse to be vaccinated and cannot be redeployed to an activity where the risk to their wellbeing can be managed appropriately, then the future of that worker's continued employment will be at risk. The new law will allow employees to be fired, with four weeks' paid notice.

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It is clear to us, that more people being vaccinated will help reduce the current restrictions, which is necessary for our businesses to thrive and enable us to best do our part driving the economy.

We are undertaking more analysis into the qualitative responses from our survey so we can better understand how we can help promote vaccination rates however, in the meantime, given our survey indicated the largest barrier to vaccination was: *General hesitancy around needles or whether the vaccine works*, below are some suggestions that may help with getting people vaccinated:

- Respect peoples' wishes and beliefs.
- Make sure people understand that there are people who are subject to the mandatory testing order that don't necessarily want to work with people who aren't vaccinated, so there is risk of a divided workforce.
- If possible, use respected workers to help champion the cause. Sometimes a member of their peers standing up saying I've been vaccinated and I'm fine can help.
- Provide your staff with independent sources of information:
 - [World Health Organization: Embrace the facts about vaccination](#)
 - [Ministry of Health Covid-19 vaccines](#)
 - [COVID-19 Vaccines: Myth Versus Fact | Johns Hopkins Medicine](#)

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