

13 April 2022

[REDACTED]

Request for Official Information responded to under the Local Government and Official Information and Meetings Act 1987 (LGOIMA) (the Act) – reference: OIR 2122-234

I refer to your information request we received on 6 April 2022 for the following:

1. Further to your email and my email to you of 23rd March [relevant section reproduced below] long side today's article in Stuff, I am dismayed with the current situation regarding staff mandates for KCDC employees as at 5th April 2022. I am seeking an immediate review of the risk assessment for staff under the Covid-19 policy.

Summary of other council positions:

- **Wellington City Council has removed vaccine pass requirements and thus staff can enter their workplace following today's announcement.**
- **Hutt City Council does not require staff to be vaccinated. Staff who were terminated may apply for any vacant roles going forward.**
- **Upper Hutt City Council has suspended its staff vaccination policy whilst a risk assessment is carried out.**
- **Porirua City Council is consulting staff this month on lifting the vaccine mandate.**

Greater Wellington Regional Council has avoided any terminations and is reviewing its risk assessment and would make a recommendation once that was complete.

Government guidance [<https://www.employment.govt.nz/leave-and-holidays/other-types-of-leave/coronavirus-workplace/covid-19-vaccination-and-employment/#controls>] now states that employers can only collect vaccination status information if there is a lawful purpose. It goes on to state "Where an employment process is underway because an employee is not vaccinated, it is recommended that the employer take a cautious approach and pause that process (including redeployment, leave or termination of the employment of unvaccinated workers). Public health advice on when a business could reasonably require vaccination to perform work has been updated. Employers should undertake an updated work health and safety risk assessment before making any decisions. The law says before giving a termination notice, the employer must ensure that all other reasonable alternatives that would not lead to termination of the employee's employment agreement have been exhausted."

Given the latest government advice, please confirm KCDC are following this guidance in respect of:

- 1. Employment processes underway because an employee is not vaccinated have been paused.**

Until the review of the Council's Covid-19 Vaccination Policy, the requirements currently in place will remain until further notice.

- 2. Updated Public health advice on when a business can reasonably require vaccination to perform work has been used since March 29 to review work health and safety risk assessments.**

The Council's Covid-19 Vaccination Policy will be reviewed, and this will include a review of the Risk Assessment. As to when the review will be carried out and by whom will be a decision made by the Chief Executive and any review will take into account the context of the workplace and the community.

- 3. For staff being terminated all other reasonable alternatives that would not lead to termination have been exhausted.**

The Council is currently working through processes with its employees and will not comment publicly on employment matters.

- 4. If the above three actions have not been completed/followed please advise why such actions have not been taken.**

The Council does not comment publicly on employment matters.

Yours sincerely



Dianne Andrew
Organisational Development Manager
Te Kaihautū mo te Hunga Mahi