***INSTRUCTION PAGE i***

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**Following is a template letter** that can be used in the situation where your employer directs you to be vaccinated pursuant to the Covid-19 Public Health Response (Vaccinations) Order 2021 (**Vaccination** **Order**).

If you have been forwarded this letter by a friend, family member or colleague then please go to <https://voicesforfreedom.co.nz/resources> to see the outline of the employment process, to get access to the other letter/s, and to get access to the employment webinars hosted by Voices For Freedom. There is also an alternative letter specifically for ECE, teachers.

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***INSTRUCTION PAGE ii***

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**HOW TO USE THIS LETTER?**

1. Read the letter carefully so that you understand what you are sending – this letter is **your letter**.
2. The points you need to complete or closely consider for your situation are highlighted yellow. Keep this information factual and do not hesitate to get it checked by a friend, colleague or family member.
3. This letter is only to be used in the situation where your employer directs you to be vaccinated pursuant to the government's Vaccination Order. The latest vaccination order/s are available at <https://covid19.govt.nz/alert-levels-and-updates/legislation-and-key-documents>
4. If your employer has requested you be vaccinated against Covid-19 but there is no Vaccination Order then please refer to the other template letter go to <https://voicesforfreedom.co.nz/resources>
5. Do not forget to include your email in the letter so that your employer knows where best to respond to you in writing.
6. Sign off the letter.
7. Print or email the letter – make sure you keep a copy. DO NOT include these first two pages of instructions.

Your employer will likely respond to this letter and if they do, then you will need to consider their response and may need to obtain advice specific to your situation.

**Employees header name/ contact details**

**[Employer's Name of place**

**Address**

**Address]**

[Date]

FOR: [The Manager | Executive Board]

**COVID-19 – ORDER TO BE VACCINATED AGAINST COVID-19**

1. I refer to my employment agreement of [date] and [check your employment agreement and confirm the following] note that there is no express provision within that employment agreement that I must be vaccinated in order to carry out my role as [state your title/position] (**Role**).
2. On [date] you advised that I was required to be vaccinated as my employment position was specified in Covid-19 Public Health Response (Vaccinations) Order 2021 (the **Vaccination Order**), Schedule 2.
3. Mandatory vaccinations should only be considered when it is necessary for public health and safety and no other alternatives are available.

**Introduction**

1. I accept we have mutual obligations to act in good faith[[1]](#footnote-1) and to not mislead or deceive one another[[2]](#footnote-2). I also understand that we have to be active and constructive in maintaining a productive employment relationship which includes being responsive and communicative[[3]](#footnote-3).
2. Finally, in the situation where you are proposing to make a decision that will, or is likely to, adversely affect my ongoing employment then you are required to provide me with access to relevant information about the decision as well as an opportunity to comment on the information before you make the decision[[4]](#footnote-4).
3. I confirm my commitment to act in good faith and to be honest, open and clear with you.
4. I also acknowledge your health and safety obligations under the Health and Safety at Work Act 2015 (**HSWA**): to:
	1. eliminate risks to health and safety, so far as reasonably practicable; and
	2. if it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks so far as is reasonably practicable.
5. Furthermore, you have a responsibility to assess the potential risks and benefits of any health and safety measures you propose to implement including those mandated by the Order.
6. The purpose of my letter is to set out for you the grounds as to why I am not able to take the novel Pfizer mRNA medical procedure (**the Injection**) at this time, namely:
	1. Real concerns around the Covid-19 injection/s including:
	2. Questionable efficacy of the Injection;
	3. The Injection has only been granted provisional consent;
	4. There are significant adverse effects being reported both globally and locally;
	5. Side effects are not known;
	6. In the circumstances, informed consent is not possible; and
	7. The management of risks and alternative treatment.

**Real concerns around the novel Pfizer mRNA Injection**

1. I have significant and serious concerns regarding the safety and efficacy of the Injection. The Injection is a novel mRNA vaccine presently undergoing phase 3 human trials, which are not due to complete until May 2023[[5]](#footnote-5) (at this stage), with data being made available a further 24 months thereafter (May 2025 at this stage)[[6]](#footnote-6). As such, the Injection only has provisional consent for use in New Zealand[[7]](#footnote-7). Given that the Injection is still in trial, no medium or long term adverse health impacts are known and it is therefore not possible for individuals to give fully informed consent – a fundamental right codified in New Zealand's core and constitutional legislation.
2. Further, it has not yet been demonstrated that the Injection will either prevent infection or transmission of SARS-COV-2. Indeed, evidence from outside of New Zealand confirms that the Injection does not have a long lasting effect on preventing infection or transmission (eg United States[[8]](#footnote-8), Israel[[9]](#footnote-9), United Kingdom[[10]](#footnote-10), Singapore[[11]](#footnote-11), Massachusetts[[12]](#footnote-12)).
3. Of great concern is the significant adverse events being reported globally[[13]](#footnote-13) and locally[[14]](#footnote-14) following vaccinations with the Pfizer Injection. These include death, anaphylaxis, blood clots and related complications, leaky blood vessels and related complications, heart problems (myocarditis and pericarditis), neurological disorders, autoimmune disorders, other chronic and inflammatory conditions, blindness and deafness, infertility, foetal damage, miscarriage and stillbirth, and Covid-19. Pfizer itself has identified risks in its Risk Management Plan[[15]](#footnote-15).

**Questionable Efficacy**

1. When assessing the viability of the Injection as a Health and Safety measure you should have taken into account whether it makes any quantifiable difference in addressing any risks arising out of Covid-19.
2. It appears that vaccinated individuals are still be able to spread the virus to others. The government's own information on the efficacy of the vaccine includes:
	1. *“…****we don’t yet know if it will stop you from catching and passing on the virus****”*[[16]](#footnote-16)
	2. *"At this stage,* ***we do not know if vaccination prevents or reduces transmission of COVID-1****9.”[[17]](#footnote-17)*
	3. *"****You can still get COVID-19 of you're vaccinated*** *but the symptoms are likely to be very mild, or you may not have symptoms at all. This means that* ***if you are vaccinated and get COVID-19, you may not realise and spread it to others****".[[18]](#footnote-18)*

(emphasis added)

1. The government has claimed *“up to 95% effectiveness”* of the Injection. However, this was based on evidence of effectiveness in preventing mild symptoms. Outcomes of concern, such as severe disease, hospitalisation and death have not been assessed in the trials.
2. It appears that the Injection does not *“prevent and/or limit the outbreak or spread of COVID-19”.* It is at best questionable that the Injection is of any assistance to address risk of infection or transmission of Covid-19.

**Provisional Consent**

1. On 3 February 2021, Medsafe gave conditional provisional approval for the Pfizer Injection for 9 months until November 2021. On 28 October 2021, Medsafe renewed the conditional provisional approval status for another 2 years[[19]](#footnote-19) – there are still eight conditions under review, including the request for reports on the duration of efficacy, asymptomatic infection in the vaccinated group, vaccine failure, immunogenicity and efficiency in population subgroups and results from post-marketing studies within five working days of these being produced.[[20]](#footnote-20)
2. Full clinical trials, including safety data, are not due to be completed until February 2023, with Pfizer being under no obligation to provide the results for a further 24 months thereafter (at present May 2025)[[21]](#footnote-21). It is therefore unknown whether there will be serious late onset side effects resulting from the injections – for example: cancer, autoimmune disease, infertility, neurological disease etc. These conditions can take months or years to become apparent.
3. Despite provisional approval, the medium and long-term effects of this novel Injection are not known and the Injection once taken is irreversible.

**Informed consent & freedom from discrimination**

1. The New Zealand Bill of Rights Act 1990 affords individuals the right to refuse medical treatment (which includes being injected or vaccinated) and the right not to be subjected to medical or scientific experimentation. Also under this Act any medical treatment requires ‘informed consent’.
2. The Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996, establishes the rights of consumers and the obligations and duties of providers to comply with this Code.
3. Rights included are the right to be fully informed, the right to make an informed choice and to give informed consent without coercion.
4. Even at this stage of the rollout of the Injection to the New Zealand public, there is a distinct lack of robust safety data particularly as we await confirmation of the review of the information provided to Medsafe’s original 58 conditions. As such, individuals lack the full set of risk-benefit data and information required to make an informed decision.

**Management of risks & alternative treatment**

1. For people under the age of 70 with no underlying health issues, the likelihood of dying from Covid-19 is nil to negligible[[22]](#footnote-22) with the average age of deaths being above 80 years[[23]](#footnote-23).
2. Consider addressing here which (if any) ‘vulnerable groups’ your Role interacts with. Expand, what is the risk (if any) of your interactions with them. Expand on what wider public health practices/health and safety procedures can be used to minimise the risk of transmission to the ‘vulnerable groups’ you interact in in your Role.
3. I confirm that should I show any symptoms of Covid 19, I will self-isolate and obtain a Covid-19 test. Should I test positive then I will remain in self isolation for 14 days (as is the accepted isolation period) and work remotely where possible. I will obtain a further Covid-19 test on day 12 of my isolation to confirm that any infection is no longer active before returning to work.
4. As persons who have received the Injection are still able to spread the disease (called breakthrough cases), I understand that testing and isolation **must** be a policy applicable for all staff (whether they have received the Injection or not).

**Questions to be answered**

1. Based on the above, please confirm that you will revoke the direction that I undergo a medical procedure as per the Vaccination Order.
2. If you do not revoke that direction, then please confirm you respect my right to informed consent and to refuse to undergo any medical treatment?
3. I do not consider that my Role is one that necessarily falls within the definition of the Vaccination Order. Please confirm your interpretation by reference to the relevant sections of the Vaccination Order?
4. Please outline how my Role is one where a medical procedure is necessary for public health and safety and whether you have considered any alternatives to injections? In my view, my Role is not one that has ever required vaccination, nor should now require the Injection, when there are reasonable alternatives and those that are vaccinated are still able to contract and spread Covid-19.
5. Please outline the consultation you had with staff relevant to my Role when considering the Vaccination Order?
6. Please outline the risk assessment that you carried out specific to my Role and all relevant documents relating to this assessment, including the formal risk assessment?
7. Please provide the particular studies and evidence you relied on in relation to determining the safety and efficacy of the Injection being administered to me?
8. Please advise of any roles in the business that you have assessed do not require the Injection?
9. If you consider the Injection is absolutely necessary, please advise why the steps I have set out above under the heading *Management of risks & alternative treatment* in this letter are not acceptable to manage the spread of Covid-19 for my particular Role?
10. In circumstances where I succumb to pressure to take the Injection and I suffer an adverse effect, whether short, medium or long term, please confirm that as my employer you will record this as a work related accident and report and lodge claims with Worksafe (or other relevant authority), the Accident Compensation Corporation and/or any associated insurance policies. In addition, please confirm that you will provide to me all further and necessary support that I will require in managing and coping with any adverse consequences.

**Conclusion**

1. At this point in time, and in the circumstances, I am not able to give my full consent to undergo a medical procedure. In respect of the Injection itself:
	1. **still too little is known about the effectiveness and efficacy of the Injection** – in fact, the evidence from countries such as the United States and Israel is that those who have received the Injection are still contracting, spreading and dying of Covid 19;
	2. **the possibility of short term adverse effects** of taking the Injection appear to be very real;
	3. **there is no knowledge or information of the medium and long term effects** of the provisionally consented to Injection;
	4. **the absence of any real risk of serious health issues arising from Covid-19** both in my age group and the age groups of my colleagues – ie the risk is negligible to nil;
	5. **the health and safety concerns surrounding the Injection**, which outweigh the risks of Covid 19 at this stage.
2. Further, there is **no evidence that you have undertaken an objective analysis and followed a due or proper process in considering the above before issuing me the direction to receive the Injection as per the Vaccination Order**.
3. In all of the circumstances, it is not unreasonable for me to exercise my rights to not to receive the Injection at this stage.
4. Should my choice not be respected, and you elect to disadvantage my employment by linking my employment with participating in a trial for an experimental treatment that does not guarantee the prevention of transmission of COVID-19, then I may exercise my right to file a personal grievance.
5. I trust that you will take into consideration the important information outlined in this letter for the sake of the safety and wellbeing of your employees.
6. I confirm that I am willing ready and able to carry out and perform my role of employment.

Sincerely

**Your Name**

**Your contact details**

1. S4(1)(a) Employment Relations Act 2000. [↑](#footnote-ref-1)
2. S4(1)(b) Employment Relations Act 2000. [↑](#footnote-ref-2)
3. S4(1A)(b) Employment Relations Act 2000. [↑](#footnote-ref-3)
4. S4(1A)(c) Employment Relations Act 2000. [↑](#footnote-ref-4)
5. <https://www.pfizer.com/science/coronavirus/vaccine/about-our-landmark-trial> [↑](#footnote-ref-5)
6. Being 24 months from the "primary study completion date" <https://www.pfizer.com/science/clinical-trials/trial-data-and-results/data-requests> [↑](#footnote-ref-6)
7. <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-vaccines/covid-19-assessing-and-approving-vaccines> [↑](#footnote-ref-7)
8. [Vaccine Breakthrough Infections: The Possibility of Getting COVID-19 after Getting Vaccinated (cdc.gov)](https://www.cdc.gov/coronavirus/2019-ncov/vaccines/effectiveness/why-measure-effectiveness/breakthrough-cases.html); https://link.springer.com/article/10.1007/s10654-021-00808-7 [↑](#footnote-ref-8)
9. <https://www.medrxiv.org/content/10.1101/2021.08.24.21262415v1>;

<https://www.eurosurveillance.org/content/10.2807/1560-7917.ES.2021.26.39.2100822> [↑](#footnote-ref-9)
10. [SARS-CoV-2 variants of concern and variants under investigation (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1018547/Technical_Briefing_23_21_09_16.pdf) [↑](#footnote-ref-10)
11. https://www.moh.gov.sg/news-highlights/details/updates-to-healthcare-protocols-and-implementation-of-vaccine-booster-strategy\_10Sep2021 [↑](#footnote-ref-11)
12. <https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm> [↑](#footnote-ref-12)
13. United Kingdom: [Coronavirus (COVID-19) vaccine adverse reactions - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/coronavirus-covid-19-vaccine-adverse-reactions);

Europe: [European database of suspected adverse drug reaction reports (adrreports.eu)](https://www.adrreports.eu/en/index.html);

<https://dap.ema.europa.eu/analytics/saw.dll?PortalPages&PortalPath=%2Fshared%2FPHV%20DAP%2F_portal%2FDAP&Action=Navigate&P0=1&P1=eq&P2=%22Line%20Listing%20Objects%22.%22Substance%20High%20Level%20Code%22&P3=1+42325700>

United States: [Welcome (openvaers.com)](https://openvaers.com/index.php) [↑](#footnote-ref-13)
14. <https://www.medsafe.govt.nz/COVID-19/vaccine-report-overview.asp> [↑](#footnote-ref-14)
15. <https://www.medsafe.govt.nz/COVID-19/Comirnaty-RMP.pdf> [↑](#footnote-ref-15)
16. Information sheets produced by the Ministry of Health 26 February 2021

[https://web.archive.org/web/20210226160157/https:/www.health.govt.nz/system/files/documents/pages/covid-19-vaccine-what-to-expect-v2.pdf](https://web.archive.org/web/20210226160157/https%3A/www.health.govt.nz/system/files/documents/pages/covid-19-vaccine-what-to-expect-v2.pdf) [↑](#footnote-ref-16)
17. Medsafe's position as at June 2021 [https://web.archive.org/web/20210630014403/https://www.medsafe.govt.nz/COVID-19/q-and-a.asp](https://web.archive.org/web/20210630014403/https%3A//www.medsafe.govt.nz/COVID-19/q-and-a.asp) [↑](#footnote-ref-17)
18. Updated 8 November 2021 <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-health-advice-public/assessment-and-testing-covid-19/covid-19-saliva-testing> [↑](#footnote-ref-18)
19. <https://www.medsafe.govt.nz/COVID-19/status-of-applications.asp> pursuant to section 23(4) of the Medicines Act, with conditions on 28 October 2021 being valid [↑](#footnote-ref-19)
20. https://www.medsafe.govt.nz/COVID-19/Comirnaty-Gazette-Oct-2021.pdf [↑](#footnote-ref-20)
21. See footnotes 5 and 6. [↑](#footnote-ref-21)
22. <https://ourworldindata.org/mortality-risk-covid> [↑](#footnote-ref-22)
23. <https://swprs.org/studies-on-covid-19-lethality/#age> [↑](#footnote-ref-23)