***INSTRUCTION PAGE i***

****

**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**) and you are requesting further information and their risk analysis.

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.

|  |
| --- |
| Disclaimer: It is a strict condition of reading and/or using this letter in any way you irrevocably agree that you are bound by the terms and conditions of this disclaimer. If you do not agree with the terms and conditions of this disclaimer, you are prohibited for reading and/or using this letter. Notwithstanding anything in this letter, the information set out in this letter is for general information only, and should not be construed as legal advice and/or health advice. No client-solicitor relationship is created whatsoever. Before taking any action based on this letter, you should consider your personal situation and seek professional legal advice. You acknowledge and agree that you were advised to take legal advice prior to using any information in this letter. If you use this letter and/or any information in the letter you acknowledge and agree that you have relied on your own judgement and initiative and not in reliance of anything else. The reader and/or user of this letter agrees to protect, indemnify, defend, and save harmless the author absolutely from and against any and all damages, claims, losses, demands, liabilities (including vicarious liability), injuries, suits, actions, judgements, costs, and expenses of any kind whatsoever (including reasonable legal fees) arising out of or in any way connected with this letter and the information contained within. Any person and/or persons that shares this letter without this disclaimer accepts full liability for any damage whatsoever caused.If you are sharing this document with others, you acknowledge and agree that you are prohibited from removing this disclaimer. The disclaimer may only be removed once the letter is ready to be sent by the person sending it. You are also prohibited from amending the letter other than the sections identified for you to add to and you acknowledge and agree to this. If, however, you would like to use parts of this letter in a letter that you draft yourself then you are permitted to do so. . |

***INSTRUCTION PAGE ii***

****

**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 is 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 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. 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?
7. 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.
8. Please outline the consultation you had with staff relevant to my Role when considering the Vaccination Order?
9. 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?
10. 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?

I look forward to hearing from you.

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)