***INSTRUCTION PAGE i***

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**Following is a template letter** that can be used in the situation where you are raising a personal grievance with your employer.

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.

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***INSTRUCTION PAGE ii***

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**HOW TO USE THIS LETTER?**

1. Read the personal grievance letter carefully so that you understand what you are sending – this letter is your letter. You will need to specify the concern you have and then expand on it by providing further information. An outline of a chronology has been included at Schedule B – complete this before you start as it helps with writing your complaint and provides examples of your complaint.
2. It is important to note that you will have **90 days** from the date your concern(s) arose to raise a personal grievance with your employer. This deadline should be explained in more detail within your individual employment agreement.
3. 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.
4. Consider what the remedies are you would like to resolve the dispute with your employer.
5. If you are not able to meet to discuss the concerns with your employer and you require help then you can request mediation with MBIE/Mediation Services (under <https://voicesforfreedom.co.nz/resources> / Employment). If your employer refuses to attend mediation, or mediation does not resolve your concerns, then you can make an application to the Employment Relations Authority (**Authority**) (see application form <https://voicesforfreedom.co.nz/resources>). There is a filing fee of $71.56 to file an application with the Employment Relations Authority. However, there is no filing fee for a request for mediation. If you make an application to the Authority before requesting/attending mediation, the Authority will most likely require you and your employer to attend mediation before it will consider your application.
6. Do not forget to include your email in the letter so that your employer knows where best to respond to you in writing.
7. Sign off the letter.
8. Print or email the letter – make sure you keep a copy. DO NOT include these first three pages of instructions with your letter.

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.

You should have a support person with you at the mediation such as an advocate or a lawyer.

**Employees header name/ contact details**

**[Employer's Name of place**

**Address**

**Address]**

[Date]

FOR: [The Manager | Executive Board]

**PERSONAL GRIEVANCE**

**It may help to set out a chronology of events. Schedule B of this letter sets out a template structure that might help.**

**Introduction**

1. I am a dedicated employee of [no. years].
2. I write to advise you of various complaints I have regarding your request that I be vaccinated against Covid-19 and subsequent mismanagement of that process/and subsequent termination of my employment [select the one which is relevant to you or both].
3. I refer to my employment agreement of [date] and note that there is no express provision within that employment agreement that I must undergo a medical procedure in order to carry out my role.
4. The COVID-19 Public Health Response (Vaccinations) Order 2021 specifies certain roles and occupations that are required to receive the vaccine against Covid-19. The Vaccination Order does not specify that people employed in the activity in which your business is involved are required to be vaccinated and therefore, any such request by you is a unilateral request made of your own volition.
5. I accept we have mutual obligations to act in good faith[[1]](#footnote-0) and to not mislead or deceive one another[[2]](#footnote-1). 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-2).
6. 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 the decision is made[[4]](#footnote-3).
7. I confirm my commitment to act in good faith and to be honest, open and clear with you.
8. 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.
9. Furthermore, you have a responsibility to assess the potential risks and benefits of any health and safety measures you propose to implement.

**CONCERNS**

1. The purpose of my letter is to outline to you various and significant concerns that I have in respect of your dealings with me, namely:
	1. List your concerns they could be:
	2. I have received a request from you to take the novel Pfizer mRNA medical procedure (**the Injection**) but at no time have you provided any information that suggests you have conducted a full and proper risk assessment of the health and safety risks and requirements of the Injection for a person in my role. [If you are needing information on the vaccine, and references to any concerns refer to the Long letters under the <https://voicesforfreedom.co.nz/resources>]
	3. I have a medical condition exempting me from receiving the Injection. You have been informed of this and at no time has it been acknowledged or respected.
	4. I am not in a position to give informed consent to be Injected at this time, particularly given my medical condition and have set out for you the reasons for that.
	5. I have had my personal and private medical information shared publicly.
	6. Your dealings with me have been in a manner that is designed to coerce or bully me into receiving the Injection.
	7. You did not consult with me during the health and safety risk assessment.
	8. You did not consider all points raised with you in the course of my consultation.
	9. You did not actively consider my proposals to work safely without terminating my employment or discuss my proposals with my fellow employees.
	10. You terminated my employment when it would have been possible to maintain my employment.

**Heading of first concern**

1. Summarise first concern.
2. Expand by reference to facts and/or documents.

**Heading of second concern**

1. Summarise first concern.
2. Expand by reference to facts and/or documents.

**Example of setting out a concern: I am not able to give Informed Consent to receive the Injection at this time**

1. At present I am not able to take the Injection especially with regard to my medical exemption. However, generally my reasons include but are not limited to:
	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.
2. I have set out further information with respect to these concerns in **[choose one]** [**Schedule A** to this letter/ in a previous letter to you].

**Example: Breach of your privacy obligations in sharing my personal medical information**

1. My Injection Status is my personal and private information pursuant to the Privacy Act 2020, and is personal information that should remain private, unless I choose to advise my colleagues.
2. However, my vaccination status has been shared as:
	1. Set out examples
3. The above specific situations indicate that my Injection Status has been disclosed by the management of the business where doing do was not necessary and was in breach of my personal information. It is reasonable to conclude that the only purpose for doing so is an attempt by the business to bully or coerce me into altering my Injection Status. Disclosing my private information in this way is a breach of the Privacy Act 2020 and the Employment Relations Act 2000.
4. As my employer, it is your responsibility to set an example of what is acceptable in the workplace by creating a workplace culture where all people are respected. Likewise, you must ensure the health and safety of your workers in the workplace as far as is reasonably practicable. As employees, we too must take reasonable care for our own health and safety and make sure that our acts or omissions do not have a negative impact on other people’s health and safety.

**Further example: Breach of your health and safety obligations**

1. At no time have you provided me with any information that indicates a full and proper assessment has been undertaken to confirm that my Role is one where a medical procedure is necessary for public health and safety, or whether you have considered any alternatives to the Injection.
2. 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. Furthermore my role is largely not patient or staff facing, it is coordination, and I have been made to outline in three meetings how this role can be performed without any patient contact.
3. Regarding your full and proper assessment of Covid-19 and my role, namely you have not:
	1. provided all relevant documents that show your have consulted with staff relevant to my Role when considering the Vaccination Request.
	2. advised and provided the risk assessment that you carried out specific to my role and all relevant documents relating to this assessment, including the formal risk assessment.
	3. provided the particular studies and evidence you relied on in relation to determining the safety and efficacy of the Injection being administered to me?

**Further example: Failure to consider redeployment**

1. As stated above, the Employment Relations Act 2000 requires that we have to be active and constructive in maintaining a productive employment relationship which includes being responsive and communicative[[5]](#footnote-4).
2. Accordingly, where you are proposing that I must be vaccinated to remain in my current role, and I decline to receive the Injection, you are obligated to consider reasonable opportunities to re-deploy me into another role before considering dismissal.
3. I do not believe you have adequately considered reasonable re-deployment opportunities which would enable me to remain employed despite my decision not to receive the Injection. In failing to do so, I believe you have breached your duty of good faith under the Employment Relations Act 2000.

**The remedies I seek**

1. Examples of remedies you can seek: I seek the following remedies:
	1. reinstated to my Role;
	2. have an appropriate person independently investigate the workplace bullying;
	3. provide the documents I have requested;
	4. desist from the mandatory enforcement of the experimental medical procedure, Pfizer mRNA Comirnaty, or in the alternative, that I be placed in the control group that is not subjected to this experimental medical procedure.
	5. payment for hurt and humiliation in accordance with the Employment Relations Act s123 (1) (c)(i) and loss of benefit s123 (i) (c) (ii);
	6. payment for lost income as a result of being unjustifiably dismissed from my employment.

**Conclusion**

1. As these matters are of great concern, I raise a personal grievance by way of this notice.
2. I request that all information sought within this letter is provided within twenty working days of the date of this letter and hope that we can resolve matters amicably. If I do not receive a response within 5 working days of the date of this letter, I will refer this matter to the Employment Relations Authority.
3. In the meantime, I confirm that I am willing and able to carry out and perform my role of employment, but due to the effects of this extremely stressful situation I have been advised to remain on stress leave at this time [insert if still employed].

Sincerely,

Sign off

1. S4(1)(a) Employment Relations Act 2000. [↑](#footnote-ref-0)
2. S4(1)(b) Employment Relations Act 2000. [↑](#footnote-ref-1)
3. S4(1A)(b) Employment Relations Act 2000. [↑](#footnote-ref-2)
4. S4(1A)(c) Employment Relations Act 2000. [↑](#footnote-ref-3)
5. S4(1A)(b) Employment Relations Act 2000. [↑](#footnote-ref-4)