



22 December 2021

Tēnā koe

On 29 November 2021, you emailed the Office of the Minister for Social Development, Hon Carmel Sepuloni, requesting under the Official Information Act 1982 (the Act) and Privacy Act 2020, the following information:

- *I am not an anti vaxs, but haven't had the covid 19 vaccine. I have been off a benefit for about 3 months nearly. I have two jobs. Due to the mandate imposed on businesses, I have till the end of 2nd of December 2021. I am aware that the employer can place me on unpaid leave, or paid leave if entitled for up to a month before exiting a persons employment.*
- *If I have or a person doesn't want the vax as everyone's choice to make this decision how could a person get support from winz as the employment is still valid on hold meaning no income for 4 weeks or if the person being the employee terminates their employment due to not getting vaccinated this would be in most cases 12 week stand down.?*
- *I'm also aware that if I got a food grant and had to self isolate whether a family member could sign and get the food for the person with their payment card and whether this has been considered?*
- *As many people loose their jobs and potentially become unemployed and won't be able to work whether job seeker will be changed as to receive this payment as you could only look for work but not get employed?*
- *The social harm will be great with suicide, dislodgement from support?*
- *How will this occur when children are not mandated for vaccine and will be around vaccinated parents and children with unvaccinated parents etc,?*
- *Under the health and safety act etc does this mandate also mean parents will loose their children to meet health and safety of a child and if not why and if so why? This relates to unvaccinated and vaccinated people between households when children go to school?*
- *What about the people that are exempt from being able to take the vaccine due to health implications?*
- *How many people have died from being vaccinated?*
- *How many people are currently in ICU hospital that are vaccinated with Delta?*
- *How many people are currently in hospital without a vaccine taken?*

- *How many people could become or will become unemployed due to the mandate and requiring support from work and income? Will jobseeker or receiving a benefit mean i or another person will be mandated to get a vaccine to meet criteria to receive payments? If so why and if not why?*
- *How are hospitals coping with the numbers on the rise? How many surgeries and other treatment at hospitals has been cancelled to patients requiring treatment or similar treatment care have been delayed, and why?*
- *Do we have enough hospital staff and beds to manage the care for all New Zealanders and if not why?*

On 25 November 2021, the following part of your request was transferred to the Ministry of Social Development (the Ministry) under the Act, as the information to which your request relates to is operational.

- *How many people could become or will become unemployed due to the mandate and requiring support from work and income? Will jobseeker or receiving a benefit mean i or another person will be mandated to get a vaccine to meet criteria to receive payments? If so why and if not, why?*

The Ministry has not estimated how many people will move onto or stay on a main benefit due to COVID-19 vaccination mandates. Therefore, your request for this information is refused under section 18(e) of the Act as this information does not exist.

When a person applies for income support because they have become unemployed, there are a number of criteria and obligations to consider when assessing entitlement and determining when support would start. As part of that assessment, the Ministry are also required to consider if there was a good and sufficient reason for a person to stop work. Examples of good and sufficient reasons include no longer being able to continue working due to having a health condition, illness or disability that affects their capacity to work, or a significant change in conditions of employment that meant the employment was no longer suitable.

A person who is applying for Jobseeker Support, who left their job without a good and sufficient reason may have to wait 13 weeks before they can access income support. If an unvaccinated person was in a role before the requirement to be vaccinated was introduced, the introduction of a vaccination requirement would be considered a significant change in conditions of their employment. This would be considered a good and sufficient reason for voluntary unemployment and would not affect their access to income support. An exception to this would be if a person subsequently found out that they were unable to get vaccinated and have an exemption from vaccination – then they would have a good and sufficient reason for voluntary unemployment.

However, if the unvaccinated person accepted a role knowing that there was a requirement to be vaccinated, and then lost their job because they chose not to get vaccinated, they may have to wait 13 weeks before they are entitled to income support.

People who are receiving jobseeker support have a general obligation to be available for work and be taking reasonable steps to obtain work. They are also obligated to accept any offer of suitable employment. If they do not meet those obligations without a good and sufficient reason, the Ministry may impose sanctions.

The Ministry considers a range of factors in identifying suitable employment opportunities for clients. An employment opportunity that requires someone to be vaccinated would generally not be considered suitable employment if that person advises us, they are not vaccinated. Declining an offer of employment because they do not meet the criteria would not generally be considered a breach of their obligations.

Financial assistance from the Ministry remains available for people regardless of their vaccination status. The Ministry will continue to focus on helping individuals, whanau and communities respond to the challenges posed by the pandemic. The overall Government approach on vaccinations is led by the Ministry of Health.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public. The Ministry will do this by publishing this letter on the Ministry's website. Your personal details will be deleted, and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with this response regarding vaccination mandates, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui



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Ministerial and Executive Services**