

**TEU****TERTIARY EDUCATION UNION  
TE HAUTŪ KAHURANGI**

## COVID-19 (Omicron) Q&A

8/2/2022

This question and answer resource is intended to provide basic answers to frequently asked questions on employment rights and obligations throughout the tertiary education sector during the current COVID-19 rules and requirements by the Aotearoa New Zealand Government in place at the date of publication.

If this document does not answer your specific question, your best and most reliable source of information at any time is your local TEU organiser. [Click here to find their contact details.](#)

Following public health advice remains the best thing you can do:

- Get vaccinated
- Get your booster
- Physical distance
- Wear a mask
- Wash your hands
- Stay in well ventilated spaces wherever possible
- If you're sick, go home, see your doctor and get tested

## Health and Safety

### ***Should our employer provide masks?***

Yes, employers are obligated to eliminate/minimize the risk (of exposure to Covid) to workers under the Health, Safety at Work Act.

### ***Do the masks need to be medical grade or N95?***

N95 masks are preferable but not required by the current government guidance unless you are working in health, hospitality, hairdressing or beauty.

### ***Who will be responsible for monitoring vaccine passes?***

Your employer should ensure that there is an agreed process (in consultation with TEU) on how to monitor vaccine passes. It should not be left to individual workers to check a student's vaccination status unless it is their role.

### ***What process do I need to follow to activate health and safety protocol?***

In the first instance, all workers should use your institution's health and safety reporting systems to log hazards and identify risks. This should be done in conjunction with Health and Safety Representatives, Branch Presidents and Organisers. If the problem not rectified – work your local Health and Safety Representatives in the first instance.

There is a comprehensive “checklist for preparedness” on page 40 of the Ministry of Education’s [“public health toolkit for tertiary providers”](#) which outlines all steps tertiary employers should be taking.

***Does our organisation need a plan on what to do if COVID-19, in particular Omicron, is transmitted on campus?***

Yes, workers need to be involved in the creation of plans for all traffic light levels, this includes detailed work on the three health levels; and transitions between them. TEU expects involvement in these processes. The plans must (amongst other things) signal what will trigger a move online entirely or whether a campus will stay open.

***What are the social distancing and ventilation requirements for students attending classes on campus?***

You should stand two meters away from others if you take your mask off to teach.

The Ministry of Education’s [public health toolkit](#) says tertiary providers should “consider how ventilation can be used to reduce risk in their teaching and learning environments” and options for ensuring spaces are kept well ventilated” rather than prescribing hard and fast rules. If you are concerned that your teaching spaces are not well ventilated enough, you should raise this with your health and safety representative and branch.

## **Workloads**

***What will happen if a team member is sick, and work can’t be done?***

Managers must make arrangements for work to be covered or prioritise what gets done and what is left. This is not the responsibility of a sick worker.

There must be recognition from leaders and managers that during a pandemic some work may not be able to be carried out.

General workload approaches and principles still apply – workloads should be safe, fair, equitable, reasonable and transparent.

***Will campuses be closed at any point?***

Campuses are unlikely to completely close but much of the provision and support may move online if there is significant transmission on campus. Each institution must plan for when a move online is triggered – in liaison with DHBs.

***If some classes can’t be taught online, what will happen?***

They may not be able to proceed. We are seeking meetings with institutions to ensure recognition of the impact of disruptions to teaching, learning, assessment, research and student support.

***What if self-isolation is required and staff cannot complete all or part of their work as a result?***

What can and can't be done during self-isolation should be discussed with your manager. We recommend framing the discussion in terms of what is "reasonably practicable". If you have difficulty reaching agreement, contact your organiser.

If you do not have the equipment, space, or environment which allows working from home while in isolation, speak to your manager and keep your organiser in the loop.

***Will I continue to be paid while in isolation?***

Yes.

***When required to self-isolate do I have to take sick or annual leave?***

No, you are available for work so you should not use sick or annual leave. If you are pressured to do so please contact your organiser.

***If I'm made to travel for work and need to self-isolate, does the employer have to foot the bill?***

Yes.

***If required to prepare dual delivery, what does this mean for workloads?***

This should be treated the same way as other workload issues – list all tasks/duties associated with dual delivery along with all other tasks/duties with other teaching, research and supervision responsibilities, then frame a conversation with your manager in terms of "I can do only x number of things. If agreeing to dual delivery, then I have to drop off y number of items to ensure a fair and reasonable workload."

It's important to remember that all staff are at full capacity at the start of any move to do their jobs from home.

The dual delivery for many courses is being driven by the pandemic – so courses that were designed to be on-campus but are moving online should not have to be redesigned as fully online courses – they will be emergency remote teaching courses.

## **Your Rights**

***Can my employer require me to go onto campus?***

Under Red in the Covid Protection Framework, only vaccinated staff and students are allowed on campus. However, to minimize the transmission, TEU is recommending that staff who can work offsite are supported to do so during red.

***Can I be required to work in person with unvaccinated colleagues and students?***

Unvaccinated staff and/or students should not be on campus under red settings:

- If their work is covered under one of the Public Health Order mandates such as health, early childhood education, primary and secondary teacher training, or education staff working in a Corrections facility.

- All staff are covered under individual institution vaccination policy requirements, all TEI's have stated that staff must be vaccinated to be on campus.
- All tertiary students are also required to be vaccinated for on campus learning in a similar fashion to the above.

However, secondary students studying a tertiary course can enter a campus regardless of their vaccination status. TEU is advocating for a change to this policy under Red. We also argue that all events like open days should be suspended under Red. In the meantime, these students must be required to wear masks at all times.

***Students have a right to access learning. What does that mean regarding the health and safety of staff and other students?***

Students' right to access education should not impinge on a staff member's right to be safe and healthy at work; or increase staff workloads to an unsafe level.

***What happens if I contract COVID and run out of sick leave?***

We are asking all institutions to apply discretion and ensure those who are cases (sick with covid) do not have to use sick leave – this is provided for in many institutions already. Contact your organiser if there is an issue.

***What does pandemic leave cover? What if I have multiple periods of self-isolation?***

This typically refers to 'disregarded' sick leave (primarily in Institutes of Technology or Polytechnics) – sick leave taken due to a pandemic or leave taken for an infectious disease as notified by the Public Health Authority, is not deducted from your total sick leave accrual.

TEIs are not eligible for any of the wage subsidies because they have already been given public funding. Our ongoing expectation is that the money is there to pay wages even if there are temporary or sustained interruptions to teaching, learning, research, and support.

**Summary**

***My question isn't here! What do I do?***

Follow public health advice, check the [Ministry of Education's latest guidance](#) and/or [contact your TEU organiser](#).