

Briefing

AirNZ New Zealand-domiciled aircrew on long haul routes

Date due to MO: 11 June 2021 **Action required by:** 18 June 2021

Security level: IN CONFIDENCE **Health Report number:** 20211320

To: Hon Chris Hipkins, Minister for COVID-19 Response

Copy to: Hon Andrew Little, Minister of Health
Hon Kris Faafoi, Minister of Justice
Hon Michael Wood, Minister of Transport

Contact for telephone discussion

Name	Position	Telephone
Dr Ashley Bloomfield	Director-General of Health	s 9(2)(a)
Maree Roberts	Deputy Director-General, System Strategy and Policy	s 9(2)(a)

Minister's office to complete:

- Approved Decline Noted
 Needs change Seen Overtaken by events
 See Minister's Notes Withdrawn

Comment:

AirNZ New Zealand-domiciled aircrew on long haul routes

Security level: IN CONFIDENCE **Date:** 11 June 2021

To: Hon Chris Hipkins, Minister for COVID-19 Response

Purpose of report

1. This report:
 - a. provides the information you requested about the vaccination and testing of Air New Zealand's (AirNZ's) New Zealand-domiciled long-haul aircrew
 - b. recommends that AirNZ's New Zealand-domiciled air crew on regularly scheduled international air services are exempt from the higher risk routes self-isolation and testing regime but remain subject to regular surveillance testing.

Summary

2. On 24 May 2021, we briefed you on a range of matters associated with higher risk routes [HR 20211057 refers]. We recommended that AirNZ's New Zealand-domiciled aircrew on regularly scheduled international air services be exempt from the self-isolation and testing requirements associated with higher risk routes. Before agreeing to this recommendation, you requested advice on:
 - a. confirmation that all AirNZ international aircrew have been vaccinated
 - b. more regular saliva tests in lieu of self-isolation.
3. On 12 May 2021, you agreed to consider amendments to the COVID-19 Public Health Response (Vaccinations) Order 2021 (the Vaccinations Order) [OC210396 refers]. This included making vaccination mandatory for New Zealand-domiciled aircrew flying international routes (excluding those only flying quarantine free travel (QFT) flights). This decision has yet to be communicated to AirNZ, and an amendment to the Vaccination Order to give effect to this decision, has not yet been drafted.
4. AirNZ has advised, however, that there have been high levels of voluntary vaccination of its long-haul aircrew. As at 2 June 2021, vaccination rates for long-haul aircrew drawn are:¹

Workgroup	Staff Count	1st dose	2nd dose	1st dose %	2nd dose %
777 & 787 Pilots	392	347	343	89%	88%
787 Cabin Crew	316	238	235	75%	74%

¹ These rates may be an under-estimate as vaccinated aircrew may not have agreed to share their vaccination status.

5. On 18 May 2021, you were provided with advice on the Ministry's plans for the phased introduction of saliva PCR testing in conjunction with a nasopharyngeal PCR testing at the border [HR 20211161 refers]. A prototype will begin in mid-June, before transitioning to the full rollout to enable border workers who are currently on a seven-day testing cycle to choose between the three testing regimes detailed at paragraph 17.
6. We recommend the exemption from the higher risk routes self-isolation and testing regime for AirNZ's New Zealand-domiciled aircrew is made (HR 20211057 refers). From a New Zealand Bill of Rights Act 1990 perspective, the isolation and testing requirements currently impose obligations on the affected aircrew that are no longer proportionate from a public health perspective. Of note, we are also briefing you on the ability to release New Zealand-domiciled aircrew where they are directed to managed quarantine in HR 20211320 to support our public health approach to these aircrew members.

Recommendations

We recommend you:

- a) **Note** the information provided on Air New Zealand's long-haul aircrew's vaccination rates and on the planned rollout of a diversified testing regime **Noted**
- c) **Agree** the exemption from the higher risk route obligations for Air New Zealand's regularly scheduled international air services attached to HR 20211057 **Yes/No**
- d) **Note** that from New Zealand Bill of Rights Act 1990 perspective, the current isolation and testing requirements currently impose obligations on the affected aircrew that are no longer proportionate from a public health perspective. **Noted**



Dr Ashley Bloomfield
Director-General of Health

Date: 11/06/2021

Hon Chris Hipkins
Minister for COVID-19 Response

Date:

AirNZ New Zealand-domiciled aircrew on long haul routes

Background

7. On 24 May 2021, we briefed on you a range of matters associated with higher risk routes, and the self-isolation and testing obligations imposed on New Zealand-domiciled aircrew flying these routes [HR 20211057 refers]. We proposed making:
 - a. amendments to the Air Border Order to enable a better approach to be taken to designating higher risk routes and risk-assessing airlines flying these routes
 - b. all long haul (over six hours) international routes classified as higher risk routes, to address the risk of new airlines establishing routes, and that of charter and private flights.
8. We also recommended that AirNZ New Zealand-domiciled aircrew on regularly scheduled international air services be exempt from the isolation and testing requirements associated with higher risk routes. If agreed, they would remain subject to the Air Border Order and surveillance testing under the Required Testing Order. This means that they would continue to undergo a health check on return to New Zealand and be subject to isolation or quarantine if they present with COVID-19-like symptoms. They would also be subject to seven-day surveillance testing in New Zealand (in addition to any testing undertaken while overseas)².
9. We made the recommendation to exempt AirNZ's New Zealand-domiciled aircrew only (not other aircrew), as we have undertaken a comprehensive public health assessment of the airline's compliance with the Standards on all its long-haul international routes. A concern about the airline's ability to comply with the Standards on its San Francisco and Los Angeles route resulted in those routes being declared higher risk routes. AirNZ has addressed those concerns. It is fully compliant with the Standards across all long-haul international routes.
10. The Standards set out the safety protocols for aircrew in-flight, in airports, for their travel and accommodation while overseas. They are designed to mitigate the risk that crew contract COVID-19, and the risk that it is transmitted into the community upon their return to New Zealand. The Standards do not rely on the vaccination status or testing of aircrew, but on a range of measures that include the use of personal protective equipment, physical distancing, and isolation from other aircrew and passengers during lay-over while overseas.
11. Before agreeing our exemption recommendation, you requested advice on:
 - a. confirmation that all AirNZ international aircrew have been vaccinated
 - b. more regular saliva tests in lieu of self-isolation.

² For example, AirNZ aircrew travelling to China are tested on arrival in that country. This is in addition to the testing undertaken in New Zealand.

Information on vaccination and testing

Vaccination status of AirNZ's international aircrew

12. The COVID-19 Public Health Response (Vaccinations) Order 2021 (the Vaccinations Order) came into force on 1 May 2021. It requires specified work at the border only be performed by workers who have been vaccinated. The Vaccinations Order currently applies to:
 - a. all work undertaken in the context of Managed Isolation and Quarantine (MIQ) facilities (including transportation to and from MIQ facilities)
 - b. work undertaken by government officials in affected workplaces (airports and aircraft, ports and ships).
13. On 12 May 2021 the Minister for Workplace Relations and Safety, and Transport, and yourself, made decisions to extend the scope of the Vaccination Order [OC210396 refers]. These decisions included making vaccination mandatory for New Zealand-domiciled aircrew flying international routes (excluding those only flying QFT flights).
14. The effect of your decision will mean that AirNZ New Zealand-domiciled aircrew flying international routes other than QFT flights, will be required to have both Pfizer vaccinations by the date in the amended Vaccination Order (which has yet to be made), or be removed from their roles (and either redeployed or made redundant). This decision is yet to be communicated to AirNZ.
15. Officials are working with the Parliamentary Counsel Office (PCO) to draft an amendment to the Vaccination Order giving effect to your decision. At this stage, the date on which the new obligation will come into force for international aircrew has not been confirmed. For private sector Persons Conducting a Business or Undertaking (PCBUs), like AirNZ, we understand there will be a lead time, possibly of three months. This is to give PCBUs and workers ample opportunity to access and receive vaccinations before employment impacts occur for unvaccinated workers. Once the amended Order and implementation date is confirmed there will be work with the aviation and maritime sectors, including an engagement plan to get information out to PCBUs and workers which should further help drive up vaccination rates.
16. Until the amended Vaccination Order comes into effect, AirNZ is not able to compel all aircrew flying international routes to be vaccinated. Nor is there any requirement for aircrew to provide their vaccination status to the Ministry or to AirNZ. AirNZ has advised, however, that there have been high levels of voluntary vaccination notified and able to be shared. As at 2 June 2021, their vaccination rates for long haul aircrew drawn are:³

Workgroup	Staff Count	1st dose	2nd dose	1st dose %	2nd dose %
777 & 787 Pilots	392	347	343	89%	88%

³ These rates may be an under-estimate as vaccinated aircrew may not have notified through the BWTR and agreed to share their vaccination status.

Workgroup	Staff Count	1st dose	2nd dose	1st dose %	2nd dose %
787 Cabin Crew	316	238	235	75%	74%

More regular saliva tests in lieu of self-isolation

17. On 18 May 2021, you were provided with advice on the Ministry's plans for the phased introduction of saliva PCR testing in conjunction with a nasopharyngeal PCR testing at the border [HR 20211161 refers]. A prototype will begin in mid-June, before transitioning to a full rollout. The rollout will enable border workers who are currently on a seven-day testing cycle to choose between three testing regimes:
 - a. the existing nasopharyngeal swab every seven days
 - b. the existing dual oropharyngeal and anterior nares (throat and front of nose) swabs every seven days
 - c. a new option of one nasopharyngeal swab and four saliva samples over a 14-day period.
18. A prototype is necessary to fully confirm the testing options to ensure they work effectively given that it can take some time for an infection to present. Also, that it can work practically for a range of border workers, considering their roles, rosters and locations, and the systems and processes needed to enable the testing, information sharing, monitoring and compliance. For aircrew members, we need to consider how they may access any required tests while otherwise working or while overseas.
19. The Required Testing Order will need to be amended or groups of workers exempted from it so they can participate in the prototype, and then further again the new testing option is scaled up and rolled out more widely across border workers. As such, our advice is that there are legal, operational and technical system issues to be worked through before the new regime can be rolled out.

Next steps

20. This briefing, and the proposed exemption attached to HR 20211057 have been consulted with key government stakeholders including the Department of Prime Minister and Cabinet, and the Ministries of Justice and Transport, and the Ministry of Business, Innovation and Employment.
21. If you agree to the recommended exemption, we will notify AirNZ and publish the exemption in the New Zealand Gazette. The Ministry will continue to work towards the roll out of mandatory vaccination for all international crew and the new testing regime.

ENDS.