

Minimum rights of employees

The minimum rights of an employee are the responsibility of the employer, these protect employees at work.

All employees, full-time, part-time, permanent, fixed-term or casual, are entitled to a copy of their (individual or collective) employment agreement in writing. The employment agreement must have terms and conditions which are at least as good as the minimum rights in the law.

Minimum rights and responsibilities set out in law apply to all employees, even if:

- they're not in your employment agreement, or
- your employment agreement tries to trade some off against each other, or
- your employment agreement tries to make you get less than these minimums, or
- you don't have an employment agreement (although your employer is required to give you one).

The law protects an employee at work by:

- setting the minimum rights of an employee
- making sure that all employees are safe at work and not unlawfully discriminated against, bullied or harassed
- making sure that the employer acts in good faith, (the employee has to as well).

Our [Minimum rights and responsibilities publication \[PDF, 408 KB\]](#) [/assets/Uploads/tools-and-resources/publications/minimum-rights-booklet.pdf] has more on minimum employment rights. This publication is also available in [14 other languages.](#) [/starting-employment/rights-and-responsibilities/minimum-rights-of-employees/downloadpdf#languages]

[Contact us](#) [/about/contact-us/] for help if you believe you may not have received your minimum employment rights, or would like to learn more about your rights.

Minimum rights vs negotiable terms and conditions

The following table has some of the minimum entitlements, and lists some examples of where employers and employees have negotiated better terms and conditions in their employment agreements.

Minimum rights	Examples of negotiated rights
Four weeks' paid annual holiday per year	Extra annual holidays above four weeks eg five weeks
Eleven public holidays per year	Extra holidays eg company holidays, Dominion day
Payment of time and a half for working on public holidays	Higher rates for working on public holidays eg double time
Five days' paid sick leave per annum after first 6 months, and 15 days can be carried over to a maximum of 20 days	More than five days' paid sick leave, no need to wait for six months, more than 15 days' carry over
Three days' paid bereavement leave for certain family members, one day for other people	More than three days' paid bereavement leave
Up to 52 weeks' parental leave	Comprehensive parental leave entitlements which are more generous
Rest and meal breaks must be provided - Rest break must be paid	More frequent or longer rest breaks, meal break is also paid
Relevant minimum wage must be paid	Wages and salary rates above the minimum wage
Overtime paid at minimum wage per hour	Overtime at more than minimum wage
Payment of wages to be made in cash	Frequency of paydays and how payment is made

