Starting employment

Starting a new job is an exciting and challenging time. It’s important for employers to use good hiring processes, and for everyone to follow minimum rights and responsibilities.

- Who is an employee
- Hiring
- Sample appointment letters
- Employment agreements
- Trial and probationary periods
- Unions & bargaining
- Rights and responsibilities
- Right to work in New Zealand

Hours and wages

All about pay, hours at work, record keeping and what breaks employees are entitled to.

- Pay and wages
- Rests and breaks
- Hours of work
- Keeping accurate records

Leave and holidays

Employees become entitled to annual holidays, public holidays, sick leave, bereavement leave, parental leave and other types of leave as long as they meet certain conditions.

- Minimum leave and holidays entitlements
- Public holidays
- Annual holidays
- Sick leave
- Bereavement leave
- Parental leave
- Other types of leave
- Calculating payments for holidays & leave
- Jury service
Workplace policies

Clear workplace policies and procedures support employment agreements and mean everyone knows how things are meant to be done. This section provides help in some key areas.

- What are workplace policies?
- Employee performance
- Health and safety at work
- Productive workplaces
- Protected disclosures
- Workplace change
- Restraint of trade
- Work equipment and clothing
- Tests and checks
- Employment for disabled people

Resolving problems

The best way to prevent employment relationship problems between an Employer and Employee.

- Employment relationship must do's
- Types of problems
- Steps to resolve
- Preventing relationship problems
- Escalating unresolved issues

Ending employment

There are several ways in which employment relationships may be ended, such as resignation, retirement, dismissal or redundancy.

- Resignation
- Abandonment of employment
- Constructive dismissal
- Retirement
- Dismissal
- Redundancy
- Giving and accepting notice
- Final pay
○ Trial and probationary periods
  ■ Back
  ■ Trial and probationary periods
    ■ Trial periods
    ■ Probationary periods
○ Unions & bargaining
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  ■ Unions and bargaining
    ■ Unions
    ■ Collective agreements
      ■ Back
      ■ Collective agreements
        ■ Collective bargaining
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          ■ Collective bargaining
            ■ Initiation of collective bargaining
            ■ Preparing for bargaining
            ■ Preparing your team
            ■ Negotiating the agreement
            ■ After the negotiations
            ■ Good faith
              ■ Back
              ■ Good faith
                ■ Code of good faith in collective bargaining
    ○ Passing on collective agreement terms
  ■ Unable to agree
  ■ Strikes and lockouts
  ■ Employment relations education leave
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    ■ Employment relations education leave
      ■ Calculating, allocating and taking ERE leave
      ■ ERE-approved courses
      ■ Applying for ERE course approval
        ■ Back
        ■ Applying for ERE course approval
          ■ Criteria used to assess ERE course approval
          ■ Critical success factors for ERE initiatives
        ■ Using pre-approved courses
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○ Rights and responsibilities
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    ■ Protecting employees who work alone
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      ▪ Disability exemptions
      ▪ Agricultural industry
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  ▪ How much to pay
  ▪ Benefits and allowances
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      ▪ Pay review process
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      ▪ Equitable job evaluation
      ▪ Gender job evaluation standard
      ▪ Spotlight skills recognition tool
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    ▪ Rests and breaks
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• Leave and holidays
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  ○ Leave and holidays
  ○ Minimum leave and holidays entitlements
  ○ Public holidays
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Public holidays

Public holidays and anniversary dates

Holidays and anniversary dates

iCalendar feeds

Public holiday and anniversary dates for previous years

Public holidays falling on a weekend

Back

Public holidays falling on a weekend

Entitlements when a public holiday falls on Saturday

Entitlements when a public holiday falls on Sunday

Falls within leave period

Employees working shifts or on call

Transferring by agreement

Alternative holidays

Restricted shop trading days

Back

Restricted shop trading days

Restricted shop trading tool

Local council Easter Sunday shop trading policies

Annual holidays

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Annual holidays

Entitlements

Casual, fixed-term or changing work patterns

Cashing-up annual holidays

Annual closedowns

Other information about annual holidays

Sick leave

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Sick leave

Sick leave entitlements

Requirement for medical examination

Sick leave and ACC payments

Bereavement leave

Parental leave

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Parental leave

Eligibility

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Parental leave eligibility – who can take it

Eligibility table

Types of leave

Back

Types of parental leave

Keeping in touch days

Protecting your job

Taking leave
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      - Managing performance issues
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          - Back
          - Why manage performance issues
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            - Questions managers should ask themselves
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                        - How to apply
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Consider a request
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  - Approving a request
  - Declining a request
  - Unresolved requests
    - High Performance Work Initiative (HPWI)
    - Employee privacy
  - Protected disclosures
  - Workplace change
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    - Workplace change
      - Overview of workplace change
      - Workplace change process outline
      - Assessing the impact of structure change on jobs
      - Selection process
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  - Restraint of trade
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      - Vehicles
      - Uniforms and dress codes
  - Tests and checks
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    - Tests and checks
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      - Credit checks
  - Employment for disabled people
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    - Employment for disabled people
      - Disability definitions and etiquette
      - The benefits of being a disability confident organisation
      - Plan to become a disability confident organisation
      - Reasonable accommodation (measures)
      - Communications support
      - Hiring disabled people
      - Keeping disabled employees
      - Financial help and wages
      - Disability information and resources for employers
      - Resources and government support for disabled employees and jobseekers
  - Resolving problems
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    - Resolving problems
    - Employment relationship must do's
Employment relationship must do's

- **Good faith**
  - Back
  - Good faith
    - Not misleading or deceptive
    - Be responsive and communicative
    - Decisions which might cause job loss
- **Good reason**
- **Fair process**

- **Types of problems**
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  - Types of problems
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      - Back
      - Misconduct and serious misconduct
      - Employee actions outside of work
    - Bullying, harassment and discrimination
      - Back
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      - General process
      - Bullying
      - Harassment
      - Discrimination
      - Transgender people discrimination
      - Exceptions to unlawful discrimination
  - Incompatibility
  - Medical incapacity

- **Steps to resolve**
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      - The personal grievance process
      - Unjustifiable dismissal
      - Unjustified disadvantage
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Final pay

When an employee is leaving employment, their employer must calculate their final pay.
An employer and employee can agree that the final pay will be made on the employee's last day of work. Employees should receive their final pay on the pay day for their final period of employment at the latest.

An employee’s final pay must include:

- payment for all the hours worked since the last pay until the end of employment.
- payment for annual holidays, public and alternative holidays owing.
- any additional lump sum or other payments owing. These may be included in the employment agreement or negotiated as part of a leaving package.

Any authorised deductions can be taken from the final pay.

If an employee does not receive all of the components of their final pay which are owing, they may have a claim for unpaid wages or holiday pay or other breach of their employment agreement.

**Notice component of the final pay**

**Employee gives required notice**

If the employee gives the required notice the employer must pay the employee to the end of their notice period. If the employer asks the employee not to work the full notice period then the employer must pay the employee instead of notice. Payment instead of notice can only be made if it’s in the employment agreement or is mutually agreed between the parties. If the employee asks the employer to waive all or some of their notice period then, if the employer agrees, they won’t need to pay the employee for this time.

**Employee doesn’t give the required notice**

If an employee gives less than the agreed amount of notice, the employer doesn’t have to pay the employee for time after the last day they actually worked.

The employer may also be able to deduct pay in lieu of notice from any amount already owed to the employee.
Termination pay flowchart

Other links you might find useful

- [Calculate leave and holidays in final pay](#)
- [Deductions](#)
- [Giving notice](#)

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