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**
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 and resolve relationship problems between employers and employees.

- Employer and employee 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

Starting employment

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- Starting employment
Unions & bargaining
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- Unions and bargaining
- Unions
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  - Collective agreements
  - Collective bargaining
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    - Preparing for bargaining
    - Preparing your team
    - Negotiating the agreement
    - After the negotiations
    - Good faith
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      - Good faith
      - Code of good faith in collective bargaining
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- Strikes and lockouts
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  - Calculating, allocating and taking ERE leave
  - ERE-approved courses
  - Applying for ERE course approval
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    - Applying for ERE course approval
    - Criteria used to assess ERE course approval
    - Critical success factors for ERE initiatives
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  - Rights and responsibilities
  - Minimum rights of employees
  - Employment responsibilities
  - Working more than one job
  - Protecting employees who work alone
  - Young employees
- Right to work in New Zealand
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  - Hours and wages
  - Pay and wages
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Pay and wages

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Minimum wage

Back

Minimum wage

Types

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Disability exemptions

Agricultural industry

Foreign fishing crews

Pay day

Deductions

Back

Deductions

Taxes

How much to pay

Benefits and allowances

Pay equity

Back

Pay equity

Gender pay gap

Pay review process

Pay review analysis

Equitable job evaluation

Gender job evaluation standard

Spotlight skills recognition tool

Payslip

Rests and breaks

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Rests and breaks

Rest and meal breaks

Breastfeeding at work

Hours of work

Back

Hours of work

Rostering

Keeping accurate records

Leave and holidays

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Leave and holidays

Minimum leave and holidays entitlements

Public holidays

Back

Public holidays

Public holidays and anniversary dates

Back

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
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  - Restricted shop trading days
  - Restricted shop trading tool
  - Local council Easter Sunday shop trading policies
- Annual holidays
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  - Pay-as-you-go
  - 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
    - Back
    - Parental leave eligibility – who can take it
    - Eligibility table
  - Types of leave
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    - Types of parental leave
    - Keeping in touch days
    - Protecting your job
  - Taking leave
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    - How to take parental leave
    - Leave forms and letters
  - Leave scenarios
Employer's response
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  Who can get parental leave payments
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  Payment period
  Applying for payments
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  Returning to work
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    Other types of leave
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    Calculating payments for holidays and leave
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    Paying via payroll system
      Back
      Paying via payroll system
      Pay for leave and holidays guidance
    Public holidays payments
    Sick & bereavement leave payments
    Leave & holidays in final pay
    Relevant & average daily pay
    Time and a half & penal rates
    Otherwise working day
    Changes to tax legislation applying to employee share schemes (ESS)
    Holiday and leave entitlement and payment ‘must-knows’
    Gross earnings
  Jury service

Workplace policies
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  Workplace policies
  What are workplace policies?
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  - Employee performance
  - Growing performance
    - Back
    - Growing performance
    - Setting expectations
    - Good communication
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      - Good communication
      - Catch-ups
      - Performance reviews
      - Giving and getting feedback
      - Positive conversations and reaching agreement
  - Managing performance issues
    - Back
    - Managing performance issues
    - Why manage performance issues
      - Back
      - Why manage performance issues
      - Possible causes
    - Questions managers should ask themselves
    - How to manage performance issues
      - Back
      - How to manage performance issues
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    - When performance improves
  - On-the-job training
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    - On-the-job training
      - Training, development and coaching
      - Education and training for trades
- Health and safety at work
- Productive workplaces
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  - Productive workplaces
    - Work-life balance
    - Flexible working arrangements
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      - Flexible work
      - Benefits, rights and responsibilities
      - How to apply
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        - How to apply
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- Considering a request
  - **Responding to a request checklist**
    - **Approving a request**
    - **Declining a request**
    - **Unresolved requests**
  - **High Performance Work Initiative (HPWI)**
  - **Employee privacy**
    - **Protected disclosures**
    - **Workplace change**
      - Back
      - Workplace change
        - **Overview of workplace change**
        - **Workplace change process outline**
        - **Assessing the impact of structure change on jobs**
        - **Selection process**
        - **Restructuring when a business is sold or transferred**
    - **Restraint of trade**
    - **Work equipment and clothing**
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      - Work equipment and clothing
        - **Tools of trade**
        - **Vehicles**
        - **Uniforms and dress codes**
    - **Tests and checks**
      - Back
      - Tests and checks
        - **Criminal record checks**
        - **Drugs, alcohol and work**
        - **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**
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  - **Resolving problems**
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    - Resolving problems
      - **Employer and employee must do’s**
        - Back
        - Employer and employee must do’s
Good faith
- Back
- Good faith
- Not misleading or deceptive
- Be responsive and communicative
- Decisions which might cause job loss
- Good communication

Good reason
- Fair process

Types of problems
- Back
- Types of problems
- Misconduct and serious misconduct
  - Back
  - Misconduct and serious misconduct
  - Employee actions outside of work
- Bullying, harassment and discrimination
  - Back
  - Bullying, harassment and discrimination
  - General process
  - Bullying
  - Harassment
  - Discrimination
  - Transgender people discrimination
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Incompatibility
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- Steps to resolve
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- Personal grievances
- What is a personal grievance?
- The personal grievance process
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- Mediation
  - What is mediation
  - Requesting mediation
  - Preparing for mediation
  - Reaching an outcome in mediation
  - Representation at mediation
  - Mediation in collective bargaining

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- Records of settlement
  - How to submit a record of settlement

Labour Inspectorate
- Back
- Labour Inspectorate
  - Addressing Holidays Act non-compliance
  - Employers who have breached minimum employment standards

- Preventing relationship problems
  - Back
  - Preventing relationship problems
    - Stop issues before they start
    - Recognise an issue early
    - Follow the agreed process

- Escalating unresolved issues
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  - Escalating unresolved issues
    - Employment Relations Authority
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    - Human Rights Review Tribunal

Ending employment
- Back
- Ending employment
  - Resignation
  - Abandonment of employment
  - Constructive dismissal
  - Retirement
  - Dismissal
  - Redundancy
  - Giving and accepting notice
    - Back
    - Giving and accepting notice
      - During the notice period
      - On and after last day of employment
  - Final pay

Paying via payroll system
How employers and payroll teams can check that their payroll system complies with minimum leave entitlements and payments in the Holidays Act 2003.

Leave and holidays

- Minimum leave and holidays entitlements
- Public holidays
- Annual holidays
- Sick leave
- Bereavement leave
- Parental leave
- Other types of leave
- Calculating payments for holidays & leave
  - Annual holiday payment rates
  - Paying via payroll system
    - Pay for leave and holidays guidance
  - Public holidays payments
  - Sick & bereavement leave payments
  - Leave & holidays in final pay
  - Relevant & average daily pay
  - Time and a half & penal rates
  - Otherwise working day
  - Changes to tax legislation applying to employee share schemes (ESS)
  - Holiday and leave entitlement and payment ‘must-knows’
  - Gross earnings
- Jury service

The Holidays Act 2003 provides specific minimum leave entitlements and payments that must be met by New Zealand employers.

All payroll systems must be able to make all the calculations in the Holidays Act 2003. A payroll system must consider these every time leave or holidays are taken, and must:

- be able to respond to how the business operates
- record all relevant time worked and pay paid
- have accurate information.

If there is complexity or any change in employee work patterns, this needs to be reflected in the system. In many cases, some employee’s working patterns and pay are unique to their colleagues.

Calculating annual holiday payments has examples on how to calculate leave payments.

For more information on checking if your system is in line with legislation and that it provides employees with at least the minimum leave entitlement and minimum pay for this leave, view the checklist for assessing your payroll system. It includes the following checklist:
Holidays Act entitlements

Check the payroll system is providing the correct entitlements to:

- annual holidays
- alternative holidays
- on-call employees
- sick and bereavement leave
- casual employees.

Formulas and definitions

Check the payroll system is using correct formulas and definitions of:

- ordinary weekly pay
- otherwise working days
- relevant payments for gross earnings
- all regular additional contractual payments
- using relevant daily pay or average daily pay
- annual gross earnings
- the greater of average weekly earnings and ordinary weekly pay.

Recording employee’s work patterns and remuneration

Check the payroll system is accurately recording each employee’s work pattern:

- record of actual hours worked each day
- record of actual days worked and/or paid
- inclusion of additional payments
- inclusion of overtime hours and payments.

Check the payroll system is calculating remuneration correctly:

- interpretation of employment agreements
- paid leave post parental leave.

Check the payroll system can carry out the necessary functions:

- appropriate formulas
- paying entitlements on termination
- closedown periods
- record of cashed up payments.

What the Labour Inspectorate looks for

The Labour Inspectorate uses the following questions as a starting point for employer audits, that are checking for Holidays Act compliance.

General
a. Were accurate and complete wages and time, and holiday and leave, records kept and used in calculations?
b. Was the correct Gross Earnings figure used?

Annual Holidays

a. Did employees receive what appropriately constituted 4 weeks holiday entitlement for each year of work?
b. Was the deduction of time from the entitlement for the holiday taken appropriately calculated based on the time taken and what appropriately constitutes a week for the employee?
c. Was Average Weekly Earnings (AWE) vs Ordinary Weekly Pay (OWP) used for the holiday pay calculation? Was the calculation correct? Was the greater rate applied?
d. Was Pay As You Go – PAYG (8%) used? Was the calculation correct?
e. Were national public holidays accounted for on termination?
f. Was the 8% accounted for on termination?

Bereavement leave, alternative holidays, public holidays and sick leave (BAPS)

a. Was Relevant Daily Pay (RDP) paid if appropriate?
b. Was Relevant Daily Pay/Average Daily Pay (ADP) used for unworked Public Holidays, Sick Leave, Bereavement Leave and Alternate Holidays? Was the calculation correct?

Tools and Resources

Assessing your payroll system - PDF 482KB

Checklist for paying employees for holidays and leave.

Leave and holidays guide - PDF 3.1MB

A guide to employees’ minimum leave and holiday entitlements.
Checklist for paying employees for holidays and leave.

**Leave and holidays guide - PDF 3.1MB**

A guide to employees’ minimum leave and holiday entitlements.

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