

## Holidays and Leave – Policy

### Annual Leave

- At the end of each 12 months of employment, employees are entitled to be paid annual leave as stated in Part 1 of employment agreements, usually 4 weeks.
- Annual Leave is calculated in accordance with the Holidays Act 2003
- Annual leave must be taken:
  1. Within the 12 months of entitlement having accrued and may not be accumulated; and
  2. On a date agreed by both the employee and the company. If a date is unable to be agreed upon the annual leave will be taken on a date determined by the company and the leave is then taken by the employee subject to 14 days' notice of that date being given.
- The usual pay schedule will continue unaffected when annual leave is taken.

### Public Holidays

- When one of the following public holiday's falls on one of an employee's normal working days they are entitled to a day's paid holiday.
  - Public Holidays:  
New Years Day and the following day, Waitangi Day, Good Friday, Easter Monday, Anzac Day, local anniversary day, Queen's birthday, Labour Day, Christmas Day and Boxing Day.
- Employees may be required to work on any of the above days if requested to do so. Employees that do are paid either one and a half times their relevant daily pay in accordance with the Holidays Act 2003 for work carried out on that day, or the company may agree to transfer the public holiday to another day.
- Where an employee works on a public holiday in circumstances where the company hasn't agreed to transfer it to another day, and that day would otherwise be a working day for the employee, then the employee can take one day alternate holiday on a date agreed with the employer.
- Where 12 months have passed since the statutory holiday occurred, the one day alternate holiday will be taken on a date determined by the company, providing 14 days' notice of the date is given to the employee.
- Employees may not work on public holidays unless requested to do so, or have obtained prior consent.

### Closedown Periods

- The company may elect to close down all or part of the business for a period of time.

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- During a close down period the company may require employees to take any remaining entitlement to annual leave during that period.
- If at the start of a closedown period an employee does not have any entitlement to annual holidays, or the entitlement to annual holidays does not extend for the duration of the closedown period, the company may require the employee to either:
  1. take annual holidays in advance of their entitlement; or
  2. discontinue work for the part of the closedown period where there is no annual holiday entitlement.
- Where the company requires an employee to discontinue work, 8% of gross earnings accrued since the date of last entitlement to annual holiday or the commencement of their employment, whichever is the later, will be paid. If this occurs, the next entitlement to annual holiday will occur 12 months from the start of the closedown period or on a date reasonably close to that date, determined by the company.

## **Sick Leave**

### **Eligibility**

- After 6 months continuous service (or at least an average of 10 hours per week over 6 months and no less than 1 hour a week or 40 hours per month over 6 months) employees are entitled to take up to a maximum of five days paid sick leave in the following 12 months, and up to 5 days in each subsequent year.
- Employees may accumulate unused sick leave up to a maximum of 20 days.

### **Entitlement**

- Sick leave may be taken when:
  1. An employee sick or injured; or
  2. An employee's spouse (including de facto partner) is sick or injured; or
  3. A person who depends on the employee for care is sick or injured.
- Employees may request sick leave in excess of their permitted entitlement which, if approved, is unpaid.

### **Notification**

- When an employee intends to take sick leave they must notify the company before they are due to start work on that day or if that is not practicable, as soon as possible afterwards.
- Where an employee's sickness lasts for 3 or more continuous days (irrespective of whether they are working days) or where the company reasonably suspects an employee may not be sick, the company may require proof of sickness. If this is not provided the company may withhold an employee's pay for those days absent when proof is required.

### **Payment**

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- The company pays sick leave on the basis of the hours an employee would have worked on the day of absence.
- The benefits in this clause are not paid to employees on termination of employment and are inclusive of, and not in addition to, the entitlements contained in the Holidays Act 2003.
- Paid sick leave does not apply to any absence for which an employee is receiving payment for lost wages pursuant to ACC legislation.

## Bereavement Leave

### Eligibility

- After 6 months continuous service employees are entitled to take up to a maximum of three days paid bereavement leave for each bereavement.

### Entitlement

- Employees are entitled to bereavement leave on the death of a spouse (or de facto partner), parent, child, brother or sister, grandparent, grandchild, or spouse's parent.
- If a person dies who is close to an employee, but who is not a person listed above, the company may allow the employee 1 day bereavement leave subject to the company's discretion exercised in accordance with the Holidays Act 2003.
- Employees may take bereavement leave in advance of entitlement subject to the company's discretion.
- An employee may request bereavement leave in excess of the permitted entitlement which, if approved, is unpaid.

### Notification

If an employee intends to take bereavement leave they must notify the company before they start work on that day or if that is not practicable, as soon as possible afterwards.

### Payment

The company pays bereavement leave on the basis of the hours an employee would have worked on the day of absence.

### Parental Leave

Employees are entitled to parental leave in accordance with the Parental Leave and Employment Protection Act and its amendments.

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### **Court Leave**

- Paid leave is granted for the period of absence when an employee is required to be on jury service, a subpoenaed witness, or to attend any Court on matters connected with their employment, provided that
  1. any fees (excluding reimbursing payments) paid to the employee are passed onto the company; and
  2. the employee returns to work immediately on any day they are not actually required by the Court.
- Where the period of absence may extend beyond 5 days the employee should apply to be excused from jury duty.

### **Other Leave**

All other forms of unpaid leave, such as study leave or compassionate leave, requested by an employee will be considered by the company but, if approved, is unpaid. Employees may first be required to take any unused or accumulated annual leave before any other leave requested is considered.