

EMPLOYER BULLETIN

31 March 2025
A Weekly News Digest for Employers

EMPLOYER NEWS

Minimum wage increase

From 1 April 2025, the adult minimum wage rate will increase from \$23.15 to \$23.50 per hour. The starting-out and training minimum wage rates will also increase from \$18.52 to \$18.80 per hour (80 per cent of the adult rate).

Further details on the minimum wage increase can be found on the [Employment New Zealand website](#).

New planning laws to end the culture of 'no'

The government's new planning legislation to replace the Resource Management Act will make it easier to get things done while protecting the environment, say Minister Responsible for RMA Reform Chris Bishop and Under-Secretary Simon Court.

"The RMA makes it too hard to build the infrastructure and houses New Zealand desperately needs, too hard to use our abundant natural resources, and hasn't resulted in better management of our natural environment," Mr Bishop says.

"Replacing the RMA with new legislation premised on property rights is critical to the government's mission of growing the economy and lifting living standards for New Zealanders.

"We repealed Labour's RMA reforms, made targeted amendments for our primary sector and passed the Fast-track Approvals Act.

"Last year, the Government set 10 principles for the new RMA system. Cabinet has decided a range of new features for the system.

"The Blueprint's proposals are estimated to deliver a 45% improvement in administrative and compliance costs compared to the current system. The last Government's RMA replacement was estimated to deliver only a 7% reduction in process costs."

"We intend to begin work immediately, introducing two new Acts into the House before the end of this year."

To read further, please [click here](#).

Tax legislation passed to support growth

The House has passed legislation that contributes to the government's focus on driving growth and providing the environment, which allows businesses to thrive, Revenue Minister Simon Watts says.

"The Taxation (Annual Rates 24-25, Emergency Response, and Remedial Measures) Bill, which passed third reading, will support businesses setting up or looking to grow who need access to capital and need a pool of talented people.

"Start-ups often have challenges with cashflow, which can make it hard to attract and keep talent, especially when competing with larger, better resourced companies. One way to address this challenge is through employee share schemes. Under this new legislation, we have improved the tax rules by raising the thresholds for exempt employee share schemes, to recognise the effect of past inflation and to provide a buffer against future inflation.

"A better performing employee share scheme means New Zealand companies can be more competitive.

"Another key feature of the legislation streamlines the way tax relief is applied for future emergency events."

The government also has replaced the first-year fees-free scheme with one that waives fees for their final year instead.

"It's important we incentivise students to complete their study so we can have a more skilled workforce," Mr Watts says.

[To read further, please click here.](#)

Regional gross domestic product: Year ended March 2024

Stats NZ has released its figures for regional gross domestic product (GDP). This is a geographic breakdown of national-level GDP, which is New Zealand's official measure of economic activity. Figures are expressed in nominal terms (not adjusted for price effects).

[To read further, please click here.](#)

Targeted support when relocating for work

Minister for Social Development and Employment Louise Upston says there will be targeted help if people need to relocate for a job.

The Relocate for Work Support payment will be available from 31 March for people on a benefit who can't find a job where they currently live and need support to move to another location where they have found a job.

"We want to remove barriers for job seekers who have a suitable job offer and need to move to take it up. The need to move shouldn't be a reason not to take a job," Louise Upston says.

"Relocate for Work means we may be able to help with the travel costs for a private vehicle, airfare, bus, or ferry tickets to relocate. There's also support to shift possessions."

[To read further, please click here.](#)

Unlocking data to increase competition and choice

Easier data sharing will lead to greater competition and better choice for consumers in key markets such as banking and electricity, thanks to the passing of the Customer and Product Data Bill, says Commerce and Consumer Affairs Minister Scott Simpson.

“The days of manually searching the internet for the best electricity plan, or painstakingly going line by line through months of bank statements when applying for a mortgage, could soon be over,” says Mr Simpson.

“This is a monumental step for Kiwi consumers. It sets up the framework to give them greater ownership of their data, and more power and ease when it comes to shopping around for the best deal on utilities and other essential services.

“We are on track to have open banking operational by the end of the year. The next cab off the rank will be the electricity sector, to enable open electricity, and the legislation opens up possibilities in other sectors in future.

“A Commerce Commission study found that nearly a third of mobile and broadband users have not switched providers because it was simply too hard.

“Meanwhile in the electricity sector, comparison website Powerswitch says that because not all retailers are playing ball and sharing information, it is difficult to support people wanting to switch.”

To read further, please [click here](#).

Government unlocks export growth opportunities for New Zealand dairy businesses

The government’s commitment to growing the value of New Zealand’s dairy exports has taken a major step forward with the passing of a key Bill in Parliament, Agriculture Minister Todd McClay says.

“The Dairy Industry Restructuring (Export Licences Allocation) Amendment Bill modernises New Zealand’s dairy export quota system, creating new opportunities for growth and boosting farmgate returns.

“New Zealand’s dairy farmers and processors produce world-class products, but outdated rules have restricted export growth.”

New Zealand currently administers dairy export quotas for the Dominican Republic, the European Union, Japan, the United Kingdom, and the United States.

“The Bill introduces vital changes to better support businesses of all sizes,” Mr McClay says.

“It also reserves portions of quotas for exporters who are currently ineligible -- ensuring fairer access across the industry. And importantly, it now includes quota for sheep, goat, and deer milk processors.”

The commencement date for the Bill is 1 May 2025.

To read further, please [click here](#).

Social worker legislation strengthens professional oversight

New legislation passed in Parliament highlights the influential role social workers play in communities around New Zealand, supporting some of the most under-served and vulnerable members of our society.

“Through this legislation we are tightening up a number of significant matters, including the process where social workers accused of wrongdoing may now be stood down before a formal investigation or criminal proceeding has started, reducing risk to vulnerable members of the public,” Minister for Social Development and Employment Louise Upston says.

“Overall, the six policy changes and 10 technical amendments included in the legislation will improve the efficiency and effectiveness of the wider Act.

“They also build on wider changes to the way social workers are governed, professionalising the workforce across the board.

“For example, social workers all now need to formally register with the Social Workers Registration Board, and hold a practicing certificate, which must be renewed each year.

“In this way, we increase transparency within the profession and put its important status alongside similar professions in health, teaching and law, which all have mandatory registration.”

To read further, please [click here](#).

Fraudulent asbestos removals catch up with industry veteran

Solid ethics and legal compliance must underpin the asbestos industry, WorkSafe New Zealand says, after an unlicensed asbestos remover was sentenced for pocketing more than \$20,000 by misrepresenting his employer.

Between December 2021 and June 2022, the tradesman used his employer’s name and letterhead to invoice three customers who paid into his personal bank account for work totalling \$21,938. As the employer was not involved in the work, it cannot give any assurance that the asbestos removal was done by regulation. It also remains unclear exactly where the removed asbestos was disposed.

“Not only is this dangerous work for an unlicensed person to do, but someone who had worked in the industry for over 25 years should have known far better,” says WorkSafe’s Head of Authorisations and Advisory, Kate Morrison.

Most asbestos removals need to be carried out by a licensed asbestos remover, and the work must be notified to WorkSafe under the Health and Safety at Work (Asbestos) Regulations 2016.

“An estimated 220 people die each year from preventable asbestos-related diseases in New Zealand. A system with trained and qualified people to remove this dangerous material is critical to better safety for workers and all New Zealanders,” says Kate Morrison.

Asbestos fibres can be blown a long way from a poorly managed removal site. The airborne fibres are so small they’re invisible to the naked eye, and can cause harm when breathed in. There are no safe levels of exposure, so asbestos must be managed safely.

To read further, please [click here](#).

Regional Tourism Boosts drive international growth

Autumn and winter international visitor numbers are being boosted by six new regional initiatives, taking tourists beyond traditional hot spots to see more of New Zealand.

Tourism and Hospitality Minister Louise Upston says the successful regional tourism organisations will receive a total of \$3 million for short, sharp campaigns across regional New Zealand.

"I'm pleased to announce support for six successful initiatives, ranging from the top of the North to the bottom of the South Island. There's again a strong focus on the Australian market, with one setting its sights on North America," Louise Upston says.

"I'm thrilled to see tourism businesses working together with councils and communities to get in behind this. We want tourists travelling across New Zealand, so they're aware of everything New Zealand has to offer.

"Every café selling a coffee, every motel getting a booking and every attraction that's visited will feel the benefit from increased visitor numbers."

The Regional Tourism Boost is a part of Tourism Boost, developed by the Government in partnership with industry to support an immediate growth in visitor numbers.

"This regional activity, alongside our previously announced Australia campaign and funding to encourage more business events, will continue to boost tourism and drive economic growth.

"This is a year of opportunity for tourism. The numbers are already tracking up and 2025 is our chance to further reinforce its value to a humming, vibrant country, where we welcome anyone, from anywhere, anytime," Louise Upston says.

To read further, please [click here](#).

EMPLOYMENT RELATIONS AUTHORITY: FIVE CASES

Employer must correct its miscalculated final pay

Mr Hariri was employed by Adeva Home Solutions (Adeva), an Australian security company. Mr Hariri applied to the Employment Relations Authority (the Authority) to claim wage arrears that Adeva owed to him. He also claimed Adeva should receive a penalty for its breach of employment standards.

Adeva took on security work in New Zealand, which resulted in Mr Hariri's hire. Mr Hariri entered the employment relationship on 1 May 2023, which provided for a four-week notice period.

Around the end of September 2023, Mr Hariri noticed that the rate of work was slowing and any work that came through was often outside of Auckland. On 22 November 2023, he received a letter regarding a proposed company restructure. On 29 November 2023, his position was disestablished and he was made redundant.

Mr Hariri received pay for three days' work before being made redundant and one week of his notice period. Mr Hariri asked Adeva for an explanation as to why it withheld his final pay, as he had returned the tools and car that were company property. As a result of returning the property, he received two more weeks of pay. Mr Hariri continued to question the remaining outstanding amount.

Adeva's coordinator told Mr Hariri that he had not returned the box in which the drill and impactor were stored. Mr Hariri had thrown the box away and obtained a replacement box. The coordinator confirmed Adeva would now pay his full final pay, but it still did not end up being the amount Mr Hariri expected.

Mr Hariri stressed his final pay was still incorrect, quoting the amount he thought he was still owed. The parties could not agree on the outstanding amount. Mr Hariri sought legal advice from Community Law, which concluded Mr Hariri was owed \$1,443.31 in wage arrears and \$115.39 in holiday pay.

The Authority supported Mr Hariri's version of events and what he was owed. It deemed Adeva in breach of not paying all wages owing to an employee and therefore imposed a penalty to Adeva Home Solutions of \$4,000, of which \$2,000 would be paid to Mr Hariri. Adeva was also ordered to pay Mr Hariri the Authority filling fee of \$71.56.

Hariri v Adeva Home Solutions PTY Ltd [[2024] NZERA 724; 05/12/24; E Robinson]

Employer held accountable for some mistakes in process

AKW was employed by Triquestra New Zealand Ltd (Triquestra) from 2016 to 2022. AKW applied to the Employment Relations Authority (the Authority) claiming that Triquestra's conduct unjustifiably disadvantaged them. AKW also claimed they had been unjustifiably dismissed, and that Triquestra had breached its duty of good faith and their employment agreement with AKW.

In June and July 2022, AKW's manager, DXH, raised concerns about AKW's performance. Unhappy with this, AKW escalated the issue to the next manager, XOC. On 5 August 2022, AKW attended a meeting with both managers. They both disagreed with AKW's account of events and subsequently implemented a formal performance improvement plan (PIP). AKW had not been informed in advance that the meeting would involve such a PIP.

On 23 August 2022, a second performance review meeting revealed that AKW's performance had slipped. During a heated follow-up meeting the next day, XOC advised AKW that they would be receiving a formal warning and advised them to go home for a couple of days to consider matters. Two days later, XOC wrote to AKW, stating that it now considered the warning unfair. It wished to retract it and amend the plan to focus more on productivity rather than behavioural issues.

On 9 September 2022, a follow-up review meeting was held. AKW received a formal warning for not meeting the performance expectations. On 16 September 2022, AKW attended another review meeting with their advocate. Following this, they proceeded to be off work on a mix of annual leave, sick leave, and leave without pay.

Triquestra ultimately terminated AKW's employment by reason of medical incapacity on 30 November 2022. After twice allowing time extensions, AKW did not provide a medical report to Triquestra. AKW's advocate said a police matter was causing delays but did not provide further information. Triquestra also sought to raise concerns about social media posts, which AKW did not respond to.

The Authority considered it was reasonable for Triquestra to raise performance concerns with AKW. However, the way it carried that out amounted to an unjustified disadvantage. It was not fair for Triquestra to use the 5 August 2022 meeting, originally intended as an opportunity to address the concerns AKW had raised at the time, as a means to introduce a performance improvement plan. AKW had not been advised of this prior to the meeting, nor had they been advised they could bring along a support person or representative. It also failed to meet Triquestra's policy on giving notice for performance improvement plans. Triquestra's meeting on 24 August 2022 was also called with too little notice. The Authority found those actions disadvantaged AKW.

The Authority did not consider that Triquestra's actions amounted to bullying or harassment or created an unsafe work environment. Rather, Triquestra had attempted to commence a performance improvement plan process when it had reasonable grounds to do. Outside of the above, it also generally followed a reasonable process.

The Authority assessed the claim of unjustified dismissal. Triquestra's employment agreement allowed it to consider terminating employment where an employee was absent for more than twenty days. The Authority found Triquestra met both the procedural requirements of justified actions under the Employment Relations Act 2000, and its contractual obligations when invoking the termination clause. Triquestra had sought information to help it make a decision, but in the end, that information was not provided. The Authority found that Triquestra's actions were not unreasonable, and it justifiably dismissed AKW.

For the disadvantages AKW experienced, Triquestra was ordered to pay compensation of \$15,000. Costs were reserved.

AKW v Triquestra New Zealand Ltd [[2025] NZERA 735; 12/12/24; S Kinley]

Employee using phone while driving fails to receive interim reinstatement

Hall's Refrigerated Transport Ltd (Hall's Refrigerated) employed Mr Raina as a driver. He began working on 7 March 2024 until his dismissal on 4 September 2024. Mr Raina applied to the Employment Relations Authority (the Authority) alleging that he was unjustifiably disadvantaged by Hall's Refrigerated, which breached its good faith obligations by implementing an unreasonable disciplinary process. He also alleged that he was unjustifiably dismissed and sought interim reinstatement to the company.

On 2 August 2024, Mr Raina was spoken to twice about his mobile phone usage whilst driving. Hall's Refrigerated did not take formal action. A similar issue arose on 27 August 2024. Mr Raina attended a discipline meeting and was dismissed the following day.

The Authority applied a three-pronged test for whether it would order interim reinstatement. The first test was whether there was a serious case to be tried, as opposed to Mr Raina having brought a frivolous or vexatious claim.

Mr Raina's claim for an arguable case included that the invitation to the disciplinary meeting breached Hall's Refrigerated's own policy, which established that he could bring a representative or support person. Hall's Refrigerated did not hold an investigation prior to the meeting. Mr Raina also felt that the censure was harsh and, if Hall's Refrigerated had health and safety concerns, it would not have let him continue to drive for the days in between the discipline meeting and his dismissal. The Authority accepted that Mr Raina had an arguable case that Hall's Refrigerated did not act as a fair and reasonable employer, based on the disciplinary process it undertook.

Mr Raina also had to establish that he would be reinstated if successful in his claims. Hall's Refrigerated asserted that it had lost trust and confidence in Mr Raina and questioned his commitment to health and safety. It had dismissed other drivers in the past for mobile phone use. The Authority thought that there was a weakly arguable case for permanent reinstatement.

The second prong of the test was the question of balance of convenience. The Authority assessed the impact on each party if interim reinstatement was or was not granted. Mr Raina wished to return to work and claimed he would suffer financial hardship if he was not reinstated. It was also noted that Hall's Refrigerated had lost trust and confidence in Mr Raina and would be unlikely to allow him behind the wheel of its trucks again.

The Authority observed that while the intervening period might place financial pressure on Mr Raina, that pressure could be adequately addressed by awards of lost wages and compensation if his substantive claim was successful. Moreover, if he was permanently reinstated, there was nothing to suggest Hall's Refrigerated would not have a driver's role or a similar one to appoint him to. The Authority found that the balance of convenience weighed in favour of Hall's Refrigerated and against the granting of interim reinstatement.

Finally, the Authority weighed the overall justice of the application and found an order for interim reinstatement was not in the interests of justice. The merits of Mr Raina's case were not strong enough to clearly establish his prospects for permanent reinstatement. Trust and confidence were critical in Hall's Refrigerated day-to-day operations. Its health and safety obligations were non-negotiable since its work concerned the public. Hall's Refrigerated was not confident that Mr Raina would take his responsibilities and obligations seriously should he be reinstated.

In all, due to the balance of convenience and overall interests of justice both favouring Hall's Refrigerated, the Authority declined Mr Raina's application for interim reinstatement.

Raina v Hall's Refrigerated Transport Ltd [[2024] NZERA 751; 17/12/24; A Gane]

Employer jumped ahead too soon in its medical incapacity process

Mr Wyeth was employed by Hansen Products (NZ) Ltd (Hansen) as a toolmaker/CNC operator from August 2022 until he was terminated in October 2023 for medical incapacity. Mr Wyeth claimed in the Employment Relations Authority (the Authority) that he was unjustifiably dismissed and sought reinstatement to his original role, as well as a penalty for Hansen's breach of good faith.

On 5 February 2023, Mr Wyeth was involved in a motorcycle accident. He took his first week off work as sick leave and went on ACC leave for a further two weeks. In the weeks following, he took several days off to attend medical appointments.

On 3 April 2023, Mr Wyeth incorrectly started machinery on two occasions, sparking health and safety concerns. Hansen's safety risk and training manager, Mr Harris, spoke to Mr Wyeth about the incidents. Mr Wyeth mentioned that he was struggling with his concentration and focus. Mr Harris found his statements "alarming" due to the dangerous equipment Mr Wyeth worked with. Mr Harris advised that before Mr Wyeth could return to the tool room, he needed to provide some medical clearance. He was sent home and suggested he could claim ACC for his time off work.

Following a neuropsychological screening, Mr Wyeth was referred to Ms Lucas, an occupational health physiotherapist, to help create a return-to-work plan. He started a 15-week partial-work plan on 5 June 2023.

Upon his return, Mr Wyeth was involved in two further machinery incidents. When Mr Moss, the engineering department manager, spoke to Mr Wyeth following the second incident, Mr Wyeth insisted that it was not a health and safety issue and tried to prove his claim. Hansen believed his conduct created a health and safety risk and commenced a disciplinary process.

The parties met on 1 August 2023 and Mr Wyeth continued to insist that there were no health and safety issues. Hansen faced ongoing concerns about Mr Wyeth's fitness for work and stopped the disciplinary procedure, instead treating it as a medical issue. Concerns about Mr Wyeth's head injury were highlighted and he was advised to get a further assessment and remain off work until medical clearance was provided.

On 5 October 2023, a physician provided their assessment of Mr Wyeth to Ms Lucas, which established that he was fit to return to work immediately on a graduated basis. On 13 October, Ms Wright asked Ms Lucas for an update on Mr Wyeth's medical status, otherwise they would have to consider commencing a medical termination process. Ms Lucas advised that Mr Wyeth would be fully fit in one month. Three days later, Hansen wrote to Mr Wyeth terminating his employment. Following his initial accident, Mr Wyeth was off work for a total of 21 weeks and on an unsuccessful return-to-work plan for eight weeks.

Although Hansen may have been justified in its decision to terminate, the Authority observed that the process it adopted for termination was inadequate and lacking in transparency. Its concerns were not directly communicated to Mr Wyeth. Rather, communication happened with Ms Lucas, who was not his employment representative.

Hansen claimed it became concerned when it learned Mr Wyeth had travelled overseas and applied for alternative jobs during his ACC leave. These concerns were not put to Mr Wyeth. The manner of Mr Wyeth's dismissal was abrupt, and there was no practical opportunity for him to obtain representation or have any input into the process prior to the dismissal. These failures were more than minor and resulted in Mr Wyeth being treated unfairly. The Authority established that Mr Wyeth was unjustifiably dismissed.

Mr Wyeth did not have a valid claim for lost wages that would have been paid by Hansen, since he was still on ACC following his dismissal. Reinstatement was supposed to be the primary remedy, but Hansen argued that would not be practicable or reasonable, as there was no current vacancy and there were serious concerns around his health and safety breaches that would impact his ability to return to work. The Authority therefore declined to reinstate Mr Wyeth to his former position.

Following his dismissal, Mr Wyeth said he felt depressed and frustrated, having moved to New Zealand from the United Kingdom only to end up in a worse position. The Authority ordered Hansen to pay \$15,000 as compensation. Costs were reserved.

Employment agreement lacking personal grievance clause opens case against employer

Through an application lodged on 27 September 2024, Mr Abdelmeguid sought leave of the Employment Relations Authority (the Authority) to raise a personal grievance for unjustified disadvantage outside of the 90-day statutory timeframe. Mr Abdelmeguid already had a claim before the Authority against his previous employer, North Shore Islamic Trust (NSIT) for alleged unjustified dismissal. His disadvantage claims were that NSIT also failed to provide wage and time records or provide suitable accommodation.

Mr Abdelmeguid asked the Authority to use its discretion to grant leave for the grievance due to exceptional circumstances. His primary argument was that he fit the first criteria in the law. He claimed the issue that caused the grievance had affected or traumatised him to such an extent that he was unable to properly consider raising it within the default period.

Mr Abdelmeguid argued that issues caused by the accommodation caused him embarrassment and inconvenience, particularly as he was a vulnerable migrant worker who depended on his employer for accommodation. He also claimed that he did not raise the issue of the wage and time records due to a lack of understanding of the law, his inability to access legal advice whilst overseas, and the distress following his dismissal. However, the Authority concluded that these factors did not prevent him raising a personal grievance within the required timeframe, given he had successfully raised one for unjustified dismissal.

The other criterion for exceptional circumstances applies where an employee's employment agreement does not contain legally required information on the resolution of employment relationship problems or the 90-day time limit for raising personal grievances. That was indeed the case with NSIT's agreement.

NSIT submitted that taking everything into account, the Authority should not exercise its discretion to grant leave because it would not be just to do so. It argued that Mr Abdelmeguid and his associates were significantly involved in and primarily responsible for the preparations of the various employment agreements signed by the parties from 2019. NSIT itself had minimal input into the documents due to its lack of experience, Mr Abdelmeguid being its first and only employee. It felt, given that, there was no reasonable way NSIT knew of the compulsory requirement and deliberately excluded it. Instead, it was self-evident both parties overlooked that particular provision due to their relevant and equal inexperience of such matters.

The Authority was not convinced by NSIT's argument. It did accept NSIT had limited experience in drafting employment agreements and that the failure was not intentional. However, the Authority referred to the ready availability of free employment agreement builders and compared that with NSIT's ability to engage with the relatively complex parallel process of sponsoring Mr Abdelmeguid's visa. Ultimately, the obligation fell on NSIT to offer a compliant written employment agreement, and it failed to do so.

Based on the absence of the required information from NSIT's employment agreement, the Authority granted leave for Mr Abdelmeguid to raise his personal grievances for unjustified disadvantage outside the statutory timeframe. Costs were reserved.

Abdelmeguid v North Shore Islamic Trust [(2024) NZERA 770; 20/12/24; M Ulrich]

LEGISLATION

Note: Bills go through several stages before becoming an Act of Parliament: Introduction; First Reading; Referral to Select Committee; Select Committee Report, Consideration of Report; Committee Stage; Second Reading; Third Reading; and Royal Assent.

Bills open for submissions to select committee: Eight Bills

[Regulatory Systems \(Occupational Regulation\) Amendment Bill](#) (1 April 2025)

[Consumer Guarantees \(Right to Repair\) Amendment Bill](#) (3 April 2025)

[Regulatory Systems \(Courts\) Amendment Bill](#) (3 April 2025)

[Regulatory Systems \(Tribunals\) Amendment Bill](#) (3 April 2025)

[Auckland Council \(Auckland Future Fund\) Bill](#) (8 April 2025)

[Referendums Framework Bill](#) (17 April 2025)

[Term of Parliament \(Enabling 4-Year Term\) Legislation Amendment Bill](#) (17 April 2025)

[Land Transport Management \(Time of Use Charging\) Amendment Bill](#) (27 April 2025)

Overviews of bills-and advice on how to make a select committee submission-are available at:
<https://www.parliament.nz/en/pb/sc/make-a-submission/>

[CLICK HERE](#)

A GUIDE TO EASTER AND ANZAC DAY 2025



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A GUIDE TO SHOP TRADING RESTRICTIONS



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A QUICK GUIDE TO HOLIDAY PAY PRACTICES IN NEW ZEALAND



The purpose of the Employer Bulletin is to provide and to promote best practice in employment relations.

If you would like to provide feedback about the Employer Bulletin, contact: comms@businesscentral.org.nz or for further information, call the AdviceLine on 0800 800 362



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AdviceLine is your link to first-rate employment relations advice. Business Central understands the difficulties employers can have with managing employees, so supports you with dedicated employer advisors.



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Our training team provide you with practical training solutions across various employment topics to help upskill your staff, giving your business a competitive edge.



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Health and Safety and the well-being of your employees should be of paramount importance to any employer. To help you along the way, we have a friendly and knowledgeable Health and Safety Consultant.



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Employment Relations can be a difficult area to navigate. When you need close guidance on employment matters, you can rely upon our seasoned ER Consultants to be there to help.



LEGAL

When employees test the waters with a personal grievance, Business Central Legal are here to help. We offer representation in all employment law matters.

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AdviceLine is your link to first-rate employment relations advice. Business Central understands the difficulties employers can have with managing employees, so supports you with dedicated employer advisors.

This service is 100% inclusive of your membership. There is no time limit to your call, and the team is available 8am–8pm Monday to Thursday and 8am–6pm Friday.

Our Employer Advisors are well trained and comprise a mixture of legal and business backgrounds. They understand your issues and can help advise you on legal requirements and best practices. They are backed up by a large resource base they can call on to support with you with written resources, guides, and templates.

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Health and Safety and the well-being of your employees should be of paramount importance to any employer. To help you along the way, we have a friendly and knowledgeable Health and Safety Consultant.

Adrienne has extensive experience with helping companies navigate Health and Safety requirements. She understands companies need to see sound return on investment for their well-being initiatives. Adrienne offers full support with compliance issues such as induction training and hazard identification and management. Additionally she can help with preparation for ACC 'Workplace Safety Management Practices'.

EMPLOYMENT RELATIONS CONSULTANTS

Employment Relations can be a difficult area to navigate. When you need close guidance on employment matters, you can rely upon our seasoned ER Consultants to be there to help.

Having someone equipped to help you do the work can take the stress out of a tricky situation.

Our Consultants have a wide range of experience and are prepared to help. Whether you need to update your agreements or policies, or embark on performance management, they have the experience to make a difference. There are so many areas they can help; it may be union issues and managing a difficult relationship or it could be confirming a restructuring selection matrix.

LEGAL

When employees test the waters with a personal grievance, Business Central Legal are here to help. We offer representation in all employment law matters.

Business Central Legal provides you best return on investment for legal advice on employment law matters. Our team of lawyers are only available to members, and can help solve your tricky issues.

While you may think of lawyers as representing people in court, this is far from everything they do. Employers take advantage of the value of the Business Central Legal team to help in drafting documents such as tailored employment agreements and offers of employment. Additionally they can help with key guidance on difficult issues as restructuring processes and rock solid performance management plans.



A QUICK GUIDE TO HOLIDAY PAY PRACTICES IN NEW ZEALAND



NATIONAL PUBLIC HOLIDAYS 2025

New Year's Day - Wednesday, January 1
Day after New Year's Day - Thursday, January 2
Waitangi Day - Thursday, February 6
Good Friday - Friday, April 18
Easter Monday - Monday, April 21
ANZAC Day - Friday, April 25
King's Birthday - Monday, June 2
Matariki - Friday, June 20
Labour Day - Monday, 27 October
Christmas Day - Thursday, 25 December
Boxing Day - Friday, 26 December

PUBLIC HOLIDAYS

All employees for whom the day would otherwise be a working day and do not work on that day, will be entitled to a paid public holiday not worked.

All employees for whom the day would otherwise be a working day and do work on that day, will be entitled to at least time and a half for the hours worked on that day and an alternative holiday.

Employers therefore need to consider whether the day on which the public holiday falls is otherwise a working day for each employee in order to determine public holiday entitlements. The otherwise working day test applies to all employees regardless of whether they are permanent, fixed term or casual employees, or have just commenced employment.

OTHERWISE WORKING DAY

In most situations it will be clear whether the day on which the public holiday falls would otherwise be a working day for an employee.

However, if it is not clear an employer and employee should consider the following factors with a view to reaching an agreement on the matter.

- The employee's employment agreement;
- The employee's work patterns;
- Any other relevant factors, including:

- whether the employee works for the employer only when work is available;
- the employer's rosters or other similar systems;
- the reasonable expectations of the employer and the employee that the employee would work on the day concerned;
- Whether, but for the day being a public holiday, the employee would have worked on the day concerned.

CHRISTMAS/NEW YEAR CLOSEDOWN AND PUBLIC HOLIDAYS

If a public holiday falls during a closedown period, the factors listed above, in relation to what would otherwise be a working day, must be considered as if the closedown were not in effect. This means employees may be entitled to be paid public holidays during a closedown period.

ANNUAL HOLIDAYS, PUBLIC HOLIDAYS, TERMINATION OF EMPLOYMENT

A public holiday that occurs during an employee's annual holidays is treated as a public holiday and not an annual holiday.

An employee who has an entitlement to annual holidays at the time that their employment ends will be entitled to be paid for a public holiday if the holiday would have:

- Otherwise been a working day for the employee; and
- Occurred during the employee's annual holidays had they taken their remaining holidays entitlement immediately after the date on which their employment came to an end.

When applying the provision, you are only required to count the annual holidays entitlement an employee has when their employment ends (not accrued annual holidays). Employees become entitled to 4 weeks annual holidays at the end of each completed 12 months continuous employment.

PUBLIC HOLIDAY TRANSFER

The Holidays Act 2003 allows an employer and employee to agree in writing to transfer a public holiday to any 24-hour period.

This means, with agreement, a public holiday may be transferred:

- By a few hours to match shift arrangements; or
- To a completely different day

In the absence of a written agreement, a public holiday is observed midnight to midnight.

Please note that this guide is not comprehensive. It should not be used as a substitute for professional advice. For specific assistance and enquiries, please contact AdviceLine.