

## WelTec/Whitireia Careers Series

# Work Rights in New Zealand

## What are your basic work rights?



When you start your job, some of the things your employer must do are:

- give you a written employment agreement
- give you paid annual holidays
- give you paid rest breaks and unpaid meal breaks
- provide a safe workplace
- not discriminate against you and treat you fairly and with respect

## What is the current minimum wage?

There are currently 3 types of minimum wage:

**Adult minimum wage:** Applies to all employees over the age of 16 years, who are not undertaking industry training. As of 1<sup>st</sup> of April 2020 is \$18.90 per hour.



**Starting-out minimum wage:** Applies to 16 to 19 year old employees whose employment agreement states they have to undertake industry training for at least 40 credits a year in order to become qualified in the area they are working in, \$15.12 per hour.

**Training minimum wage:** Applies to employees aged 20 years or over whose employment agreement states that they have to do at least 60 credits a year of an industry training programme to become qualified in the area they are working in, \$15.12 per hour.

## What are my leave entitlements?

**Annual Leave:** Entitled to 4 weeks paid holiday per year, after you have been employed for a period of 12 months.



**Bereavement Leave:** If you've worked in the same job for 6 months or more: 3 days paid leave if an immediate family member has died. 1 day for non-immediate family.

**Sick Leave:** If you've been employed in the same job for more than 6 months, you may get at least 5 days' paid sick leave a year.

**Public Holidays:** There are currently 11 public holidays per year in NZ. If they fall on a day you would normally work, you get a day off work on full pay. If you are required to work on these days you must be paid time and a half plus a day off in lieu (another day off), if this is a normal work day for you.

## Is there still a 90-day trial period?



Since the 6<sup>th</sup> of May 2019, only an employer with **19 or fewer** employees can use a trial period for up to 90 days (can be less), as long as this is agreed in the written employment agreement before the employee starts work. If the trial period isn't going well and the employer decides to dismiss the employee, they must give notice to the employee that they will be dismissed.

## What breaks am I entitled to?



During an 8-hour work day you are entitled to:

- 2 x 10-minute paid rest breaks
- 1 x 30-minute unpaid meal break

## Feeling safe at work



Your employer must:

- give you any protective equipment you may need to do your job
- make sure you're trained properly
- protect you from discrimination, harassment, or bullying

## Ending Employment



**Resignation:** An employee can resign at any time by notifying the employer that they will be leaving, and giving them the correct notice period. Most employment agreements state that notice has to be in writing.

**Dismissal:** An employer may end their employee's employment via a 'dismissal' eg for misconduct or redundancy, but a proper process must always be followed.

## Things your employer can't do:



- Make deductions from your pay if you don't agree to it, except for deductions set out in law, such as income tax.
- Ask you to pay them for giving you a job.
- Demand to keep your passport.
- Pay you less than minimum wage.

## Who can I contact if I have concerns about my employee rights?



You can call Employment New Zealand to get advice on 0800 20 90 20. There is lots of information on their website [www.employment.govt.nz](http://www.employment.govt.nz)

If you have concerns about your Health and Safety at work you can call Worksafe on 0800 030 040. There is lots of information on their website <https://worksafe.govt.nz/>