



Holidays Act Review – Request for Written Submissions

A Ministerial Review is currently underway of the Holidays Act. We would welcome your comments, and if we could have your feedback for inclusion in the NZMEA's submission by Monday 17 August it would be appreciated. Please email your comments to trudydiggs@mea.org.nz or fax them to 03 353 2549.

You will not be identified in our submission, but if we need to clarify any of the points you make, could you please fill in your contact details. Thank you.

Name(s) _____

Company _____

Address _____

Phone _____ Fax _____ Email _____

The calculation of relevant daily pay (RDP)

Discuss any specific complexities and costs associated with calculating RDP.

Is there an alternative calculation that would be easier to make without returning to the ordinary pay calculation under the Holidays Act 1981?

Trading the fourth week of annual leave for cash at the employee's request

What are your views on an employee and employer agreeing to trade the employee's fourth week of annual leave (or some other part of the employee's minimum annual leave entitlement) for cash?

Are there any specific issues, for example, criteria or costs and benefits that the Group should take into consideration?

<p>If you think that an employer and employee should be able to trade the fourth week's leave for cash, what protections do you see would be necessary to ensure entitlements are not reduced and employees' choice to trade the fourth week is genuine?</p>
<p><i>Allowing all employers and employees to agree to transfer the observance of a public holiday in the Act to another day.</i></p>
<p>What are your views on employees being able to transfer public holidays to another day, for example, observing Ramadan instead of Good Friday?</p>
<p>If you have done this previously, have there been any issues with transferring?</p>
<p>What protections do you see would be necessary to ensure entitlements are not reduced and employees' choice to transfer the public holiday is genuine?</p>
<p><i>The accumulation of alternative holidays (days in lieu)</i></p>
<p>What are your views on employees accumulating a number of days in lieu (alternative holidays)?</p>
<p><i>The treatment and entitlements of casual employees in relation to holidays and leave.</i></p>
<p>Discuss your understanding of what casual employees are entitled to under the Act.</p>
<p>Discuss any complexities associated with calculating holiday and leave entitlements and payments for casual employees.</p>
<p>Do you have any examples of casual employees being advantaged or disadvantaged by the application of the Act?</p>

Treatment of Public Holidays

What are your views on the significance of the 11 public holidays listed in the Act? (These are: Christmas Day, Boxing Day, New Year's day, 2 January, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, Queen's Birthday, Labour Day, and provincial Anniversary Days)

Shop Trading on Easter Sunday and its interface with the Holidays Act 2003

Do you consider that Easter Sunday should be recognised as a public holiday?

If so, should it be 'Mondayised' in the same way as, for example, Christmas Day is under the Act and replace Easter Monday as a public holiday?

Thank you for your feedback. We appreciate you taking the time to comment on this submission.