

Leave Policy

Purpose - why we have this policy

We take your health and wellbeing very seriously and each year it is important that you have sufficient time off to maintain a good work-life balance. This policy provides a high level summary of your leave options. Leave can be taken in accordance with your individual or collective employment agreement and relevant legislation.

Scope - who the policy applies to

All employees.

Principles/Expectations – how the policy applies to you

You are able to apply for various types of paid and unpaid leave covering different situations. These may include:

- Annual leave
- Sick leave
- Bereavement/Tangihanga leave
- Parental leave
- Accident/injury (ACC) leave
- Adverse weather leave
- Study leave/Special leave with or without pay
- Representation and EREL leave

Where possible, applications for leave should be completed and approved by your manager prior to the leave being taken.

MyPayHub is the primary record for all leave taken. In the event that pre-booked leave isn't taken or changes, a Leave Adjustment may be required and it should be approved by the appropriate manager and fill out the [Manual Leave request](#).

Time in lieu, overtime and flexi-time are covered by the flexible working policy and hours of work guidelines.

End of year office closures

At the end of each year our offices close between Boxing Day and New Year's Day. In accordance with your employment agreement, you will be required to take either annual leave, leave without pay (where you have no annual leave available), or time in lieu (where this is available and accrued) over this period.

Delegations

Managers in most instances can approve leave.

Leave guidelines

These guidelines give managers and employees guidance on different leave types, your entitlements and the process of application.

We encourage you to take leave throughout the year, however it is at the manager's discretion to approve most leave types according to resourcing levels and work requirements.

Delegations

Managers in most instances can approve leave.

Accountabilities

Employees

You are encouraged to seek apply for planned leave (e.g. annual leave) to seek your manager's approval at least 14 days prior where possible. If you are unable to attend work due to unplanned leave, e.g. sick leave you must notify your manager as soon as practicable. You will then need to complete the relevant approvals on the day that you return to work. You are also expected to apply for regular annual leave breaks during the year.

Managers

Managers will approve leave applications where they can and have the delegated authority to do so, however there may be an occasion where they decline certain leave types for example due to staffing levels, working requirements etc. Managers are also responsible for ensuring their team members take regular periods of annual leave.

Types of Leave

Annual Leave

It's important that everyone has time off for rest and relaxation each year. You are entitled to a minimum of four weeks annual leave per year. For further information on leave entitlements please refer to your employment agreement.

Where provided for in your employment agreement, with approval you may be able to anticipate annual leave. You can view your leave balance at a projected date and book leave (subject to manager approval) through the MyPayHub. If you leave our employment you will be required to reimburse any anticipated leave taken in excess of your accrued balance upon termination.

Taking annual leave

Where you do not take all your leave within 12 months of your entitlement, we encourage you to discuss and agree with your manager when it will be taken. If agreement is not reached, your manager may require you to take annual leave and if that occurs, at least 14 days' notice of the requirement to take leave will be given.

Cashing up Annual Leave

Under the Holidays Act 2003 you can request that you cash up a week of your entitlement to annual holidays. We believe that using your annual leave for rest and relaxation each year is important so prior to applying for cashing up annual leave we would request that a leave plan is in place to ensure you are taking your remaining annual leave.

'Week' means your normal working week, so, if you normally work three days a week, you can ask to cash up no more than three days of annual holidays each anniversary year.

Any request needs to be in writing, and should clearly identify how much of the annual leave entitlement (up to a maximum of one week) you are requesting to cash up. We will consider all requests and within a reasonable timeframe will give you a response in writing.

Sick Leave

We recognise that from time to time you may need to be away from work as a result of your own sickness or injury, or to care for a person who becomes dependent on your care when they are ill or injured. You are able to take paid sick leave in accordance with your employment agreement.

If you have exhausted your sick leave entitlement, in most situations any sick leave will then become unpaid sick leave. There may be special circumstances where annual leave may be used instead of unpaid sick leave, however this will need to be approved via your manager as per the delegations.

Part days sick leave

Absences of less than two hours will not automatically be taken from your entitlement, but at your manager's discretion, may be accumulated and debited in half days. Situations where this may occur are when you undergo a regular course of treatment, or while you are temporarily working short hours while recovering from an illness. Supporting documentation may be required.

If you are absent on sick leave for less than a whole day, sick leave is generally used as follows:

- Absent for whole morning or afternoon half day's sick leave
- Absent between two and six hours during the day half day's sick leave
- Absent for less than two hours during the day no deduction
- Absent over six hours during the day one day's sick leave.

Sickness during annual leave

When sickness occurs during a period of annual leave or other leave type, your manager may permit the period of sickness to be debited against your sick leave entitlement and other leave type reversed. A manual leave application form is completed for this purpose.

Sick leave should not be used for absences during, or in connection with, the birth or adoption of a child. Such situations are covered by leave without pay, parental leave, annual leave or anticipated annual leave.

Please refer to the Rehabilitation Policy and Guidelines for further information about how sick leave is managed.

Bereavement/Tangihanga leave

You shall be granted bereavement leave to pay your respect to a deceased person with whom you have had a close association. Such obligations may exist because of blood or family ties or because of particular cultural requirements such as attendance at all or part of Tangihanga (or equivalent).

The period of the bereavement leave whether paid or unpaid will be agreed with your manager and in accordance to your employment agreement. In the event that you suffer bereavement while on annual leave then the period of bereavement will be recorded as bereavement leave rather than annual leave. To process this you will need to complete a manual leave form on your return to work.

Accident Leave

There are two types of accident related leave on which the procedures and entitlements vary, depending on the type of accident. If the cause of the accident is not clear, it is treated as a non-work accident until a ruling is made. Please note work-related accident leave is initially coded to 'sick leave' (or 'sick leave without pay') in MyPayHub until ACC makes the claim decision. After ACC has accepted the claim, Payroll changes the leave code to 'other leave – work-related accident'. To apply for this leave type please complete a manual leave form.

Work-related accident

If the accident is work-related then accident leave is on full pay and does not impact your leave entitlements. If you have an accident at work or while carrying out work you need to advise your manager immediately to ensure that the accident is recorded as a work-related accident.

Non work-related and vehicle accidents

If the accident is non-work related the first week (five working days, inclusive of the day of the accident) of absence is recorded as sick leave or sick leave without pay.

The second week and beyond is recorded as sick leave, or sick leave without pay if you have no sick leave entitlement available. The amount debited from your accrued sick leave entitlement by payroll is based on the difference between your salary and earning-related compensation, calculated by the Accident Compensation Corporation (ACC) and refunded to the ministry. In most cases this will be equivalent to 20% of the weekly hours. Once your sick leave balance has been exhausted you will only receive compensation payments from ACC whilst you are away from work on accident leave.

Long-term absences

If you are absent on accident leave for more than 26 weeks, you may be placed on leave without pay and receive payment directly from ACC.

Please refer to the Rehabilitation Policy and Guidelines for further information about how long term absence is managed.

Parental leave

You are entitled to parental leave in accordance with the Parental Leave and Employment Protection Act 1987. For more information, see the Ministry of Business, Innovation and Employment (MBIE) website located [here](#) Or ring the help line: 0800 20 90 20.

Examples of leave that you may be entitled for depending on the length of your employment are:

- 10 days unpaid special leave for pregnancy related reasons such as midwife appointments, scans and antenatal classes (if pregnant)
- 22 weeks primary care leave or 22 weeks paid parental leave (paid through IRD)
- 52 weeks unpaid extended leave (this entitlement can be split between partners)
- 2 weeks unpaid partner leave

HOW TO APPLY FOR STATUTORY PAID PARENTAL LEAVE

To receive paid parental leave, if you fit the criteria as listed at the MBIE website, then you need to apply to your manager for the leave and Inland Revenue for the payment.

Returning to work

At least one month prior to the agreed date of return, we ask you to notify your manager in writing whether you intend to return to work or not.

If you decide to return to work prior to the agreed date, you should contact your manager to discuss the reason for returning to work early and give at least three weeks' notice of your intention to return to work. We will make every practical effort to keep your position, or similar position, open for you until you return.

Ex gratia payment

Some employment agreements provide for an ex gratia payment. Please refer to your employment agreement to ensure you qualify.

Adverse Weather

At our discretion paid leave can be taken where you are unable to come to work due to adverse weather conditions. Examples of valid reasons for absence would include such things as blocked roads, damage to own property, unavailability of public transport or viable alternative, and police warnings against non-essential travel. Any leave associated to earthquakes is likely to be addressed outside of this leave type but will depend on the circumstances at the time.

Study Leave

All applications of study leave are considered on a case by case basis at the discretion of your manager. Please refer to the Learning and Development policy and guidelines for further information on how to apply for study leave.

Special leave

You may be granted special leave either on full pay, part payment of salary, or leave without pay.

Examples of special leave could include (but are not limited to):

- Longer term sick leave
- Situations involving domestic violence
- Time to undertake full time development or study
- Representation leave for being selected to represent a sporting body nationally, or internationally, or for cultural purposes by being asked to represent an organisation which has some public relations benefit for New Zealand
- Longer term unpaid leave for travel or study
- Civil defence training or search and rescue operations leave
- Leave to attend board, council or committee meetings

Each application will be considered on a case by case basis. Factors to take into account when considering special leave include the operational requirements of the Ministry, the reason for the leave, the length of service, your leave usage history, and in the case of special sick leave, your previous work and leave record.

To apply for special leave you will need to complete a manual leave application.

Note that placement on return from special leave without pay of more than one month is conditional on a suitable vacancy and grading and location cannot be guaranteed. Please refer to your employment agreement or speak with People Capability for more information.

Leave without pay interrupts but does not break service.

Jury Service

You will be granted paid leave for the duration of any required jury service. All jurors' fees less expenses are to be paid to the Ministry

Other leave types

If the type of leave you request is not available through MyPayHub, you will need to complete a [manual leave application form](#). For example if you wish to apply for

Study Leave there is not an option available for this in MyPayHub, so you would need to complete a manual leave application for this request.

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