The summer holidays are coming up, know what your rights are at work.

DHB / NZNO Nursing and Midwifery Multi Employer Collective Agreement Christmas and New Year’s entitlements

Clause 12.0 of the MECA sets out public holiday entitlements for NZNO members during the Christmas and New Year period. You can download a copy of the MECA from the NZNO website - www.nzno.org.nz/dhb

For the 2018/2019 period the Christmas and New Year public holidays are recognised on the days they fall as follows:

**Christmas Day** falls on Tuesday 25 December

**Boxing Day** is recognised on Wednesday 26 December

**New Years Day** falls on Tuesday 1 January

**Day after New Years Day** will be recognised on Wednesday 2 January

**Requirement to work**

In order to maintain services your employer may require you to work on a public holiday which falls on a day which would, but for it being a public holiday, be your working day.

You are deemed to have been required to work if you are rostered on duty or on-call and actually called into work. You are deemed NOT to have been required to work if you were not rostered on duty or were on-call but not called back to work.

**Observance and payment**

If you are required to work on the Tuesday 25, Wednesday 26 December or Tuesday 1 January and Wednesday 2 you will be paid at double time for each hour worked and be granted an alternative holiday for each public holiday that you are required to work.

If you are rostered on duty on any of those public holidays but do not work, you will be paid relevant daily pay for that day.
**Night duty**

If you work a night shift that straddles a public holiday you shall be paid the public holiday rates for those hours which occur on the public holiday and the applicable rates for the remainder of the shift. One alternative holiday shall apply in respect of each public holiday worked or part worked.

**Off duty day upon which the employee does not work**

Full time employees: Should either Tuesday 25 or Wednesday 26 December or Tuesday 1, or Wednesday 2 January fall on your rostered day off you will be granted an alternative holiday at a later date.

Part time employees: If you work part time and your days of work are fixed, you shall only be entitled to the application of the public holiday provisions above if the day would otherwise be your working day.

If you work part time and your days are not fixed (that is, rostered across all the days of the week), you shall be entitled to the public holiday provisions as set out above if you worked on the day of the week that the public holiday falls more than 40% of the time over the last three months.

**On-call / call back on public holidays**

If you are required to work either Tuesday 25 or Wednesday 26 December or Tuesday 1, or Wednesday 2 January you are deemed to have been required to work if you were rostered on-call and actually called in to work. You are not deemed to have been required to work if you were on-call but not called back to work.

If you are rostered on-call on the day of the public holiday and are required to work (that is called back to work) and that day would otherwise be your working day you will be paid the minimum call back rate of three hours (or for actual working and travelling time whichever is the greater) at T2, and receive an alternative holiday.

If you are on-call on the day of the public holiday and that day would otherwise be a working day, even if not called back to work, you will also be entitled to an alternative holiday.

Note: Clause 10.1.6 requires an on-call employee to report on duty within 20 minutes, and would be expected in a fit state to work i.e. not having consumed alcohol etc.

If you have any questions please talk to your NZNO Delegate or call the Member Support Centre on 0800 28 38 48.

Have a safe and happy festive season!

Lesley Harry, NZNO Industrial Adviser