

Public Holidays Factsheet 2021/2022

Primary Health Care

The summer holidays are coming up, and you need to know what your rights are at work.

With a number of public holidays coming up, now is a good time to make sure you're clear on what you should be getting if you work on a holiday. The public holidays coming up are:

Christmas Day	Saturday 25 December OR transferred to Monday 27 December
Boxing Day	Sunday 26 December OR transferred to Tuesday 28 December
New Year's Day	Saturday 1 January OR transferred to Monday 3 January
Day after New Year's	Sunday 2 January OR transferred to Tuesday 4 January

This year all four of the above public holidays are on Saturdays and Sundays. If you would normally work on Saturdays or Sundays, the public holiday stays on the Saturday/Sunday for you. If you would not usually work on these days, they get transferred to the next Monday or Tuesday if you would normally work on Monday or Tuesday. Either way, you only get to take each public holiday once!

If you are working on a public holiday, you should be getting paid **at least time and a half**. This means your normal hourly rate plus half of that rate again for every hour you work. For example if your hourly rate is \$20 per hour you would be entitled to \$20 + \$10 = \$30 per hour for every hour worked. If your employment agreement provides for more than time and a half on a public holiday, then **your employment agreement applies**.

You also get an **alternative holiday (lieu day)** for every public holiday day worked, **if that day would normally be a work day for you**. This means you get an extra paid day's holiday to take at another time.

- **I would normally work on the Saturday or Sunday.** You are entitled to the public holiday on the Saturday or Sunday.
- **I would not normally work on the Saturday or Sunday but would normally work on the Monday or Tuesday.** You are entitled to the public holiday on the Monday or Tuesday.
- **I would normally work on the Saturday and the Monday.** You are entitled to the public holiday on the Saturday, but not on the Monday.

If you work on a roster

The question you need to ask is **"Would I normally work on that day if it wasn't a holiday?"**

- If you work on a public holiday and it **is** a day you would have normally worked then **you are entitled to an alternative holiday**.
- If you work on a public holiday and it **isn't** a day you would have normally worked then **you are not entitled to an alternative holiday**.
- If you don't work on a public holiday but it is a day you would have normally worked, then **you are entitled to be paid the same amount you would have got if you had worked it on a normal day (including usual rostered or unrostered overtime), i.e. a paid day off work**.

Shut down periods

Employers can require employees to take annual holidays during a close-down period, providing they give at least 14 days' notice. If a business has a customary 'close-down' or 'shut-down' period that includes public holidays (as can happen over the Christmas and New Year period) then the employee is entitled to those public holidays and they are not to be treated as annual leave subject to the general provisions above.

If you are not yet entitled to annual leave the employer must pay you 8% of your total gross earnings since you began work, or mutually agree for you to take annual leave in advance.

<https://www.employment.govt.nz/leave-and-holidays/public-holidays/>

Kia tau mai rā ngā manaakitanga a Hine Raumati ki runga i a koutou katoa

Wishing you a safe and happy holiday season, at home and at work!

Chris Wilson, Industrial Advisor, Primary Health Care Sector