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MAJOR AMENDMENTS IN THE EMPLOYMENT LAW ARENA FOR 2016

The Government proposes to introduce new legislation through Parliament during 2016 which will introduce new measures and also redesign existing measures in the Employment Law area. This newsletter will give you a useful summary as to what is proposed. As the year goes on we will keep you updated as to the specific provisions in the amendments once the legislation has been finalised through the select committee stage and passed by Parliament.

Employment Standards Legislation Bill

The Bill proposes to introduce minimum standards in which employers manage and deal with employees on a day to day basis. Provisions are to be introduced providing for the enforcement of minimum employment standards including minimum wage and holiday entitlements.

There would be an obligation on employers to keep specific records in respect of each employee and if those records fail the minimum standard then penalties will be payable.

Zero Hour Contracts

During 2015 there was a lot of discussion in the media regarding zero-hour contracts. In essence casual workers have been vulnerable as a result of the employer not having to guarantee any minimum hours worked / and also having the ability to re-roster employees by giving them short notice.

The Employment Standards Legislations Bill is currently before Parliament and if passed employers will not be allowed to expect employees to be available to work without guaranteeing to them minimum hours of work.

Once an employee has been rostered on an employer will be unable to cancel that shift without giving the employee reasonable notice and also paying

compensation. How this will work specifically is currently unknown but we will keep you advised once the legislation is finalised.

Health and Safety at Work Act 2015

The aim of this Bill is of course to reduce the amount of deaths in the New Zealand workplace. In New Zealand approximately 50 people are killed each year in the workplace and 1 in 10 workers experience serious injuries.

The new legislation will force employers to take good practice steps to ensure safety in the workplace.

Easter Hours

Over many years there has been huge controversy regarding retail outlets being unable to operate on Good Friday and Easter Sunday.

The Shop Trading Hours Amendment Bill in effect will pass the responsibility over to each local authority.

The local authority will have the power to introduce by-laws enabling them to consent to retailers operating over the Easter period.

There will be protections for employees. If the local authority allows the employer to operate over Easter then written notification must be given to all employees of their right to refuse to work. The notice provisions will be a minimum of four weeks prior to the Easter period.

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