

RUGBY WORLD CUP 2011 YOUR EMPLOYMENT RIGHTS IN NEW ZEALAND

Rugby World Cup 2011 (RWC 2011) in New Zealand in September/October 2011 is expected to present opportunities for temporary work, particularly in the hospitality industry.

New Zealand has Working Holiday Schemes with 34 countries that allow nationals of these countries to work in New Zealand. All foreign nationals need a working holiday visa in order to work under these schemes. The schemes differ slightly from country to country but generally allow people aged between 18 and 30 to work in New Zealand for up to 12 months.

This fact sheet is to familiarise working holidaymakers planning to visit New Zealand during RWC 2011, or people who may otherwise be entitled to work in New Zealand, with their employment rights.

This is a summary only and focuses on the rights of short-term employees.

Full details on employee rights are at www.dol.govt.nz. Details of working holiday schemes and other visa options, such as for people who may qualify on the basis of New Zealand skills shortages, are at www.immigration.govt.nz

YOUR EMPLOYMENT RIGHTS

New Zealand has minimum rights and obligations that apply by law to employers and employees. As an employee, you can't be asked to agree to less than the minimum rights. An employee is anyone who has agreed to be employed to work for some form of payment. Every employee must have a written employment agreement. This will be given to you by your employer prior to the commencement of your employment.

RIGHT TO WORK

Employers are required by law to ensure that the person they are employing has the legal right to work in New Zealand. You may be asked to provide evidence of your ability to work - e.g. a copy of your work visa.

MINIMUM PAY

The adult minimum wage is currently \$13 per hour. Minimum pay rates must be paid to all employees, irrespective of their basis of employment (e.g. full-time, part-time, fixed-term, casual).

PAYING WAGES

Legally, wages must be paid in cash. To pay wages another way (e.g. direct credit or cheque) your employer must get your written agreement. You also have to give written consent to any deductions from your wages (such as accommodation or meals), though some deductions, like PAYE tax, are required by law and do not need written consent.

ANNUAL HOLIDAYS

You are entitled to holiday pay of 8 percent of your gross earnings. Casual or fixed-term employees can agree to receive holiday pay on a 'pay as you go basis'.

PUBLIC HOLIDAYS

Monday 24 October (Labour Day), the day after RWC 2011 finishes, is a public holiday. If this is a day when you would normally work, you will be entitled to the day off on normal pay. If you work that day you must be paid at least time-and-a-half for the time worked and if it is a day you would normally work, you are also entitled to an alternative paid holiday.

EQUAL PAY AND EQUAL RIGHTS

Employers can't discriminate in hiring or firing, paying, training or promoting an employee because of race, colour, national or ethnic origin, sex or sexual orientation, marital or family status, employment status, age, religious belief or political opinion, disability, or participation in certain union activities.

UNIONS

Employees have the right to decide whether to join a union.

HEALTH AND SAFETY

Employers must provide a safe workplace, with proper training, supervision and equipment. This duty includes identifying, assessing and managing hazards, and investigating health and safety incidents. As an employee, you must take reasonable care to keep yourself and others safe.

EMPLOYMENT RELATIONSHIP PROBLEMS

If an employment problem arises at work employers and employees should talk to each other to try to resolve the problem, possibly involving a support person or union/association representative. If that doesn't resolve the problem either party can contact the Department of Labour for free assistance - www.dol.govt.nz