

14 May 2019



redacted s9(2)(a)

Dear 

Official Information Act Request

Thank you for your request of 11 April 2019, under the Official Information Act 1982, for the following information on New Zealand Qualifications Authority's (NZQA) parental leave policies, procedure and arrangements.

"Parental leave policies, procedure and arrangement for your organisations, this should include parental leave payments and top ups, leave for partners for partners or secondary carers, pay review while on leave, any payments on leave accrued while on parental leave, (is this the full rate), flexible work arrangements, Kiwi Saver contributions and any contributions towards childcare."

I attach copies of the following information covered by your request.

1. Parental Leave procedure
2. Employee guide to Parental Leave
3. Manager guide to Parental Leave
4. Collective Employment Agreement (CEA) – extract
5. Individual Employment Agreement (IEA) - extract
6. Remuneration Toolkit - extract
7. Flexible Work Practices Policy
8. School Holiday Childcare Subsidy Policy

Information is set out below relevant to the specific topics requested:

- **Parental leave payments and 'top-ups'**
This is included in the parental leave procedure, CEA – clause 8.8 Parental Leave and IEA – clause 20 Parental Leave. See attached documents 1, 4 and 5.
- **Leave for partners' and secondary carers**
This is set out in the Parental Leave guides in the attached documents 2 and 3.
- **Pay review while on leave**
This is specifically mentioned of the NZQA Remuneration Toolkit in attached document 6.
- **Payments on leave accrued while on parental leave**
Employee accrues annual leave entitlement while on parental leave. When they take annual leave that has accrued over the period of parental leave, they receive the payment at the rate of their average weekly earnings calculated over the period of 52 weeks of employment at NZQA

as at the time they take the annual leave. This is in line clause 42 of the *Parental Leave and Employment Protection Act 1987*.

- **Flexible work arrangements**

NZQA supports a flexible and responsive approach to managing work whilst ensuring that business outputs and needs continue to be met. Some of the flexible work practices includes flexibility around start and finish times, working from home, purchasing additional leave, compressed working week, alterations to working hours. See attached document 7 "Flexible Work Practices Policy".

- **Kiwisaver contributions**

In line with the KiwiSaver legislation, contributions cease for employees on unpaid parental leave however employees have the option to continue to contribute whilst on parental leave. On their return to work from parental leave contributions will commence again.

- **Contributions towards childcare**

NZQA provides a childcare subsidy to all permanent and fixed term (who have been employed for more than 12 months) employees who place a child or dependant into a certified care programme during the school holidays. They can seek reimbursement of costs up to \$75 (gross) per child/dependant per holiday, up to a maximum of \$300 per year. This is included in the "School Holiday Childcare Subsidy Policy" – see attached document 8.

Some information in these documents has been withheld under section 9(2)(a) of the OIA to protect the privacy of natural persons.

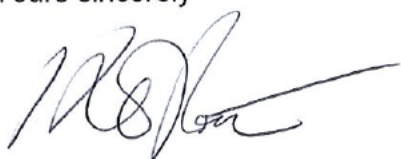
NZQA is not aware of any public interest considerations outweighing the decision to withhold information under section 9 of the Act.

As part of the commitment to open and transparent government, NZQA is proactively releasing responses to Official Information Act requests which are of public interest. NZQA will be publishing its response to your request on its website at the end of June 2019. Your name and contact details will be removed before publication.

If you require further assistance or believe we have misinterpreted your request, please contact [redacted] in the Office of the Chief Executive, email [redacted]@nzqa.govt.nz or telephone (04) 463 [redacted] redacted s9(2)(a)

If you are dissatisfied with our response, you have the right, under section 28(3) of the Official Information Act 1982, to lodge a complaint with the Office of the Ombudsman at www.ombudsman.parliament.nz. You can also telephone 0800 802 502 or write to the Ombudsman at PO Box 10152, Wellington, 6143.

Yours sincerely



Karen Poutasi (Dr)
Chief Executive

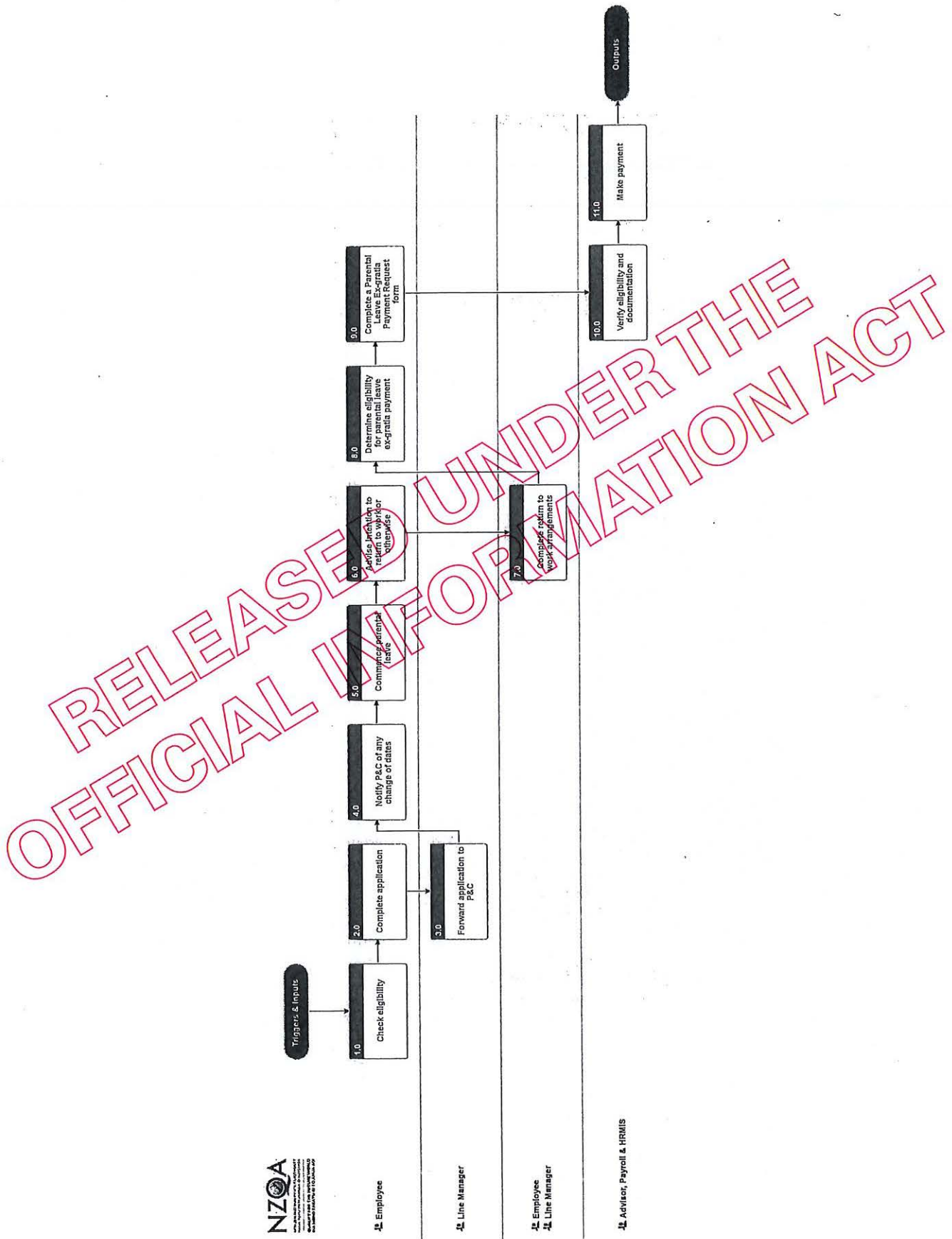
CR19011 - Documents supplied in response to Official Information Act 1982 request

Title	Pages	Withholding Sections
1. Parental Leave Procedure	1-4	9(2)(a)
2. Employee Guide to Parental Leave at NZQA	5-9	
3. Manager Guide to Parental Leave at NZQA	10-13	
4. Extract from NZQA Collective Employment Agreement	14	
5. Extract from NZQA Individual Employment Agreement	15	
6. Extract from NZQA Remuneration Toolkit	16	
7. Flexible Work Practices- NZQA policy document	17-20	
8. School Holiday Child Care subsidy	21-22	

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1. Parental Leave Procedure

Take and return from parental leave v5.0



6.4.3.4 - Take and return from parental leave v5.0

Summary

Objective

To describe the process for applying and obtaining approval for a period of parental leave, steps to take when returning to work from parental leave and requesting a parental leave ex-gratia payment.

Background

This is a quality management system process and any material changes must be approved by SMT.

Owner Jenny Brown-Zikic

Expert

Procedure

1.0 Check eligibility

Employee

- a Check parental leave entitlements.

NOTE How do I check my eligibility?

You can refer to your Employment Agreement. Whether you are on an Individual Employment Agreement or the Collective Employment Agreement this document will provide additional information specific to you. You should also discuss with the P&C Advisor Payroll.

NOTE When should I check eligibility?

You should check your eligibility at least three months prior to the proposed leave start date.

 Employee Guide to Parental Leave - June 2016.doc

 Managers Guide to Parental Leave - June 2016.doc

2.0 Complete application

Employee

- a Advise Manager in writing.

NOTE What should my application include?

Your application should indicate the likely start date and end date for the parental leave and include a certificate signed by a registered medical practitioner / midwife certifying the expected date of delivery.

NOTE What are the timeframes for applying?

This should be at least one month prior to when you would like parental leave to commence.

3.0 Forward application to P&C

Line Manager

- a Forward application with all supporting documentation to P&C Advisor Payroll.

4.0 Notify P&C of any change of dates

Employee

- a Advise P&C Advisor Payroll of any changes to proposed leave dates.

NOTE What happens if changes are required for health reasons?

Notify the P&C Advisor Payroll as soon as possible. They will provide advice on a case-by-case basis.

5.0 Commence parental leave

Employee

- a Take parental leave.

6.0 Advise intention to return to work or otherwise

Employee

- a Advise Manager in writing at least one month prior to the end of your parental leave your intention to return to work or otherwise.

NOTE What are the return to work options?

NZQA has a number of family-friendly and/or flexible working options available for managers and returning parents to consider as part of the transition back into the workplace:

- Return to work on standard working arrangements.

- Return to work on part time hours.

- Working from home for a brief fixed term period prior to returning to the workplace.

Please refer to the Flexible work practices policy.

 Flexible Work Practices v3.0 20171107.doc

NOTE What happens if I wish to return to work earlier than planned?

An NZQA employee wishing to return to work earlier than the planned parental leave should:

- seek advice from IRD on any potential impact this may have on their paid parental leave.
- discuss this with your manager to determine a suitable date.

7.0 Complete return to work arrangements

Employee, Line Manager

- a Discuss and agree return to work arrangements.

NOTE What are the Manager's responsibilities?

The Manager needs to consider the business needs and discuss the proposed option with the P&C Account Manager.

The Manager needs to document the agreement (the Flexible work practices policy has suitable documentation available for the agreement to be documented).

NOTE What if I need to bring my baby to work?

In exceptional circumstances, and where it is mutually agreed between NZQA and the returning parent, the returning parent and their manager may agree for the baby to be in the workplace for up to one day. Periods longer than one day require the approval of the Chief Executive in consultation with the P&C Manager.

Where a returning parent brings their baby into the workplace the following applies:
- all arrangements for the care and wellbeing of the baby are the sole responsibility of the returning parent
- the returning parent's job/ tasks must be able to be carried out effectively and efficiently
- the presence of the baby must have minimal impact on other members of staff.

Provisions for Health and Safety in the workplace remain the responsibility of NZQA.

- b Document return to work arrangements.
- c Advise P&C of return to work arrangements.

8.0 Determine eligibility for parental leave ex-gratia payment

Employee

- a Read your employment agreement to determine eligibility for requesting a payment.

9.0 Complete a Parental Leave Ex-gratia Payment Request form

Employee

- a Complete all details on the request form.
 Parental Leave Ex-Gratia Payment Request.doc
- b Obtain your manager's authorisation

NOTE Why must my manager authorise the form?
Your manager must authorise the form as the payment will be made from their business unit's budget.

- c Forward your request form in hard copy to People and Capability (Direct Services team).

10.0 Verify eligibility and documentation

Advisor, Payroll & HRMIS

- a Verify employee is eligible to receive a payment.

NOTE How is the request verified?
Upon receipt of a completed request form, the P&C team will verify that the:
• Employee's employment agreement contains a provision for an ex-gratia payment to be made, and
• The criteria in the employment agreement have been met.

NOTE What if the request does not meet the criteria?
If the request does not meet the criteria a member of the P&C team will contact the employee to advise and provide details of which criteria were not met.

11.0 Make payment

Advisor, Payroll & HRMIS

- a Make payment through payroll.

NOTE When will payment be made?
Approved requests will be paid in the next available payroll.

Triggers & Inputs

TRIGGERS

Starts	Frequency	Volume
Employee requires period of parental leave	Adhoc	15 per year

INPUTS

Input	From Process	How Used
Eligibility for parental leave.	n/a	n/a

Outputs & Targets

OUTPUTS

Output	To Process	How Used
Appropriate documentation is on file	Payroll	To update employee record

PERFORMANCE TARGETS

Measure	Target
Parental leave is managed in line with legislative requirements and NZQA policy	100%

Process Dependencies

PROCESS LINKS FROM THIS PROCESS
None Noted

PROCESS LINKS TO THIS PROCESS
None Noted

RACI

RESPONSIBLE
Roles that perform process activities
Advisor, Payroll & HRMIS, Employee, Line Manager

Systems that perform process activities
None Noted

ACCOUNTABLE
For ensuring that process is effective and improving

Process Owner Jenny Brown-Zikic

Process Expert

CONSULTED

Those whose opinions are sought

STAKEHOLDERS

None Noted

STAKEHOLDERS FROM LINKED PROCESSES

None Noted

INFORMED

Those notified of changes

All of the above. These parties are informed via dashboard notifications.

Systems

None Noted

Lean

None Noted

Process Approval

Date	Approver	Type
Approval bypassed		Process Group Approver
Approval bypassed	(DELETED)	Process Owner
Approval bypassed		Process Expert
06-05-2018 (GMT)	[REDACTED]	Promaster

Withheld under section 9(2)(a)

Published on 06-05-2018 (GMT) by [REDACTED] via Publish Now (some approvals bypassed)

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Employee Guide to Parental Leave at NZQA

Introduction

This guide is to assist employees who are having a baby and are eligible for parental leave, or who intend to assume the permanent care of a child under the age of six.

The Parental Leave and Employment Protection Act 1987 now refers to the "Primary Carer".

The available parental leave is of five types:

- Special Leave
- Primary Carer Leave
- Spouse / partner's Leave
- Extended Leave; and
- Negotiated Carer Leave

Relevant policies and procedures

The documentation most relevant to Parental Leave are:

- Employment Agreements
- Parental Leave Procedure
- Flexible Work Practices Policy
- The Parental Leave and Employment Protection Act 1987

Employees are required to abide by the legislation, their employment agreement, the policies and their associated procedures.

What is the special leave and who is it for?

In addition to any parental leave taken, women who are pregnant can also take up to 10 days unpaid special leave for pregnancy-related reasons such as antenatal classes, scans or midwife appointments.

Who is eligible to take primary carer leave and how much leave can be taken?

Primary carer leave is available to:

- female employees who are having a baby, or
- your spouse or partner if he or she has all or part of the birth mother's parental leave payments transferred to them, and
- you if you are going to have the primary responsibility for the care, development and upbringing of a child under six years on a permanent basis (This may be through adoption, or home for life, or whangai but it doesn't include a foster care or other temporary care basis).

If you have a spouse or partner you need to choose who will be the primary carer.

Primary carer leave can be taken for up to 22 weeks and must be taken in one continuous period. Primary carer leave can't be taken if you have already taken any period of parental leave or similar leave in relation to that child.

Version: 3.0	Issue Date: June 2016	Last Review Date: April 2019	Next Review Date: June 2020
Content Owner: Manager, People & Capability			

Deemed valid on day of printing only.

Who is eligible to take primary carer leave and how much leave can be taken?
Continued

Primary carer leave begins on the date of confinement if you are giving birth, or in any other case the date that you become the primary carer in respect of the child.

You can start your primary carer leave up to six weeks (or earlier with NZQA's consent) before the baby's due date or the date on which you will become the primary carer of the child.

Pregnant women can start their primary carer leave earlier if:

- the baby is born before your scheduled leave, or
- directed by a doctor or midwife, or
- NZQA considers that your work is unsafe, or your performance is inadequate, due to your pregnancy, and NZQA can't temporarily transfer you to another suitable job.

If the primary carer leave starts early (by direction as above), you may still take at least 16 weeks primary care leave after the expected date of delivery birth (even if this means that you will have taken more than 22 weeks primary carer leave). In this situation the additional weeks of primary carer leave is not included in the calculation of the amount of extended leave available.

Who is eligible to take spouse/partner's leave and how much leave can they take?

If you are a spouse or partner who meets the:

6 months criteria	you must have worked for NZQA for an average of at least 10 hours a week for the 26 weeks just before the baby's due date or the date upon which responsibility for the care of a child under six years is taken on a permanent basis	you may take 1 week's unpaid partner's leave.
12 months criteria	you must have worked for NZQA for an average of at least 10 hours a week for the 52 weeks just before the baby's due date or the date upon which responsibility for the care of a child under six years is taken on a permanent basis.	you may take 2 week's unpaid partner's leave.

Partner's leave can be taken within the timeframe:

- starting 21 days before the due date of the baby, or the date the employee's partner or spouse becomes the primary carer for a child under six years, and
- ending 21 days after the baby is born (unless the baby is discharged from a hospital more than 21 days after the birth, in which case the partner's leave time frame ends on the day the child is discharged) or the date the employee's partner or spouse becomes the primary carer for the child.

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How much extended leave can be taken and by whom?

The amount of extended leave that an employee may take depends on whether each parent meets either the six month or 12 month time criteria.

Extended leave may be shared by two parents who both meet the criteria, and they can take it at the same time or one after the other:

- employees who meet the six month criteria may take up to 26 weeks in total (less the number of weeks primary carer leave taken, up to 22 weeks). If two parents are sharing the leave and they both meet the six month criteria then they share this amount.
or
- employees who meet the 12 month criteria may take up to 52 weeks extended leave (less the number of weeks primary carer leave taken, up to 22 weeks). If two parents are sharing the leave and they both meet the 12 month criteria then they share this amount.
- if one parent meets the 12 months criteria and the other parent the six months criteria then the person who has only worked for six months cannot take more than 26 weeks of the total 52 weeks (less the number of weeks primary carer leave taken up to 22 weeks) available to the couple.

The 1 or 2 weeks of partner's leave is not included in the 26-week or 52-week extended leave period.

A useful "ready reckoner" for these various entitlements can be found at "Parental leave and payment eligibility table".

What is the negotiated carer leave?

Negotiated carer leave is a period of unpaid leave from work which an employee can ask for:

- at least three months before the baby's due date, if the employee or their spouse or partner is pregnant, or
 - 14 days before an employee becomes the primary carer of a child.
-

How do I apply for Parental Leave?

You should apply to your Manager in writing (i.e. by letter or e-mail)

- at least three months before the baby's due date, if you or your spouse or partner is pregnant, or
- 14 days before an employee becomes the primary carer of a child.

The letter or e-mail must say:

- What type of leave (primary carer / extended) is wanted; and
- When you want the leave to start, and
- How long the period of leave will be.

You must provide a certificate from a doctor or midwife stating when the baby is due. In the case of Primary Carer leave each application must be accompanied by notification/evidence of when the employee will assume Primary Carer responsibilities.

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What if I'm going to share the leave with my spouse / partner?

If you are sharing any part of your leave with your spouse/partner, the letter must also state:

- The dates on which you and your spouse/partner plan to start and finish each period of leave; and
- Your spouse/partner's name and the name and address of their employer; and
- That you and your spouse/partner are both eligible for the leave you are applying for; and
- That the total amount of leave you and your spouse/partner are taking will not be more than 52 weeks (not counting any partner's/paternity leave taken).

Then what happens?

Once your Manager has received your application, it will be responded to within 21 days. The reply will say:

- Whether you are entitled to take parental leave, and if not, the reasons why not; and
- The main rights and obligations you have, particularly those relating to when you can start your leave.

How can I make sure I don't lose touch with my workplace while I'm on extended leave?

If you are on parental leave but you choose (and NZQA agrees) to perform work from time to time, for example, to attend a team day or change announcement, it won't be counted as you having stopped your parental leave by being back at work as long as:

- you only do a total of 52 hours or less of paid work for your employer during your parental leave payment period, and
- this work is not within the 28 days after your child was born.

If you do more than 52 hours during your parental leave or work within the first 28 days after the birth of your child, then you are considered to be back at work; this also means that you won't be able to get any more parental leave payments, and any payments you received after you are considered back at work are treated as an overpayment.

There are extra keeping in touch days available for primary carers of preterm babies. If you are a primary carer getting a preterm baby payment, you may work on keeping in touch days, during the preterm baby payment period, for up to a total of three hours multiplied by the number of weeks that you receive the preterm baby payment and it won't be counted as you having stopped your parental leave.

If you work more than this, you are treated as having returned to work on the day after you did too many hours and any preterm baby payments you got for the time after this day are treated as an overpayment (but you can still get a normal parental leave payment).

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Coming back to work

You should advise your Manager in writing at least one month prior to the proposed return date of your intention to return to work or otherwise.

NZQA has a number of family-friendly and/or flexible working options available for Managers and returning parents to consider as part of the transition back into the workplace including:

- return to work on standard working arrangements
- return to work on part time hours
- working from home for a brief fixed term period prior to returning to the workplace. Please refer to the Flexible Work Practices Policy.

You should first discuss your proposed return to work arrangements with your Manager. Your Manager will need to consider business needs and discuss proposed options with P&C if necessary.

If your Manager agrees your agreement will be documented in accordance with the Flexible Work Practices Policy.

If you wish to return to work earlier than originally planned you should:

- seek advice from IRD on any potential impact this may have on your paid parental leave.
- discuss this with your Manager to determine a suitable date.

I have some additional questions...

You should discuss any other issues you may have with your Manager.

Useful advice is also provided by the Ministry of Business, Innovation and Employment and you can access their website at <https://www.employment.govt.nz/leave-and-holidays/parental-leave/>

Further assistance needed?

Your P&C Account Manager is able to help you and your Manager if you would like further assistance.

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Manager Guide to Parental Leave at NZQA

Introduction

This guide is to assist Managers who have an employee who is having a baby and who is eligible for parental leave, or one who intends to assume the care of a child under the age of six.

The Parental Leave and Employment Protection Act 1987 now refers to the "Primary Carer".

The available parental leave is of five types:

- Special Leave
- Primary Carer Leave
- Spouse / partner's Leave
- Extended Leave; and
- Negotiated Carer Leave

Relevant policies and procedures

The documentation most relevant to parental leave includes:

- Employment Agreements
- Parental Leave Procedure
- Flexible Work Practices Policy
- The Parental Leave and Employment Protection Act 1987

Employees are required to abide by the legislation, their employment agreement the policies and their associated procedures.

What is the special leave and who is it for?

Women who are pregnant can also take up to 10 days unpaid special leave for pregnancy-related reasons such as antenatal classes, scans or midwife appointments.

Who is eligible to take primary carer leave and how much leave can they take?

Primary carer leave is available to:

- female employees who are having a baby, or
- her spouse or partner if he or she has all or part of the birth mother's parental leave payments transferred to them, and
- employees who are going to have the primary responsibility for the care, development and upbringing of a child under six years on a permanent basis. (This may be through adoption, or home for life, or whangai but it doesn't include foster care or other temporary care basis).

Primary carer leave can be taken for up to 22 weeks and must be taken in one continuous period. Primary carer leave can't be taken if the employee has already taken any period of parental leave or similar leave in relation to that child.

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Who is eligible to take spouse / partner's leave and how much leave can they take?

If the employee is a spouse or partner who meets the:

6 months criteria	must have worked for NZQA for an average of at least 10 hours a week for the 26 weeks just before the baby's due date or the date upon which responsibility for the care of a child under six years is taken on a permanent basis	they may take 1 week's unpaid partner's leave.
12 months criteria	must have worked for NZQA for an average of at least 10 hours a week for the 52 weeks just before the baby's due date or the date upon which responsibility for the care of a child under six years is taken on a permanent basis.	they may take 2 week's unpaid partner's leave.

Partner's leave can be taken within the time frame:

- starting 21 days before the due date of the baby, or the date the employee's partner or spouse becomes the primary carer for a child under six years, and
- ending 21 days after the baby is born (unless the baby is discharged from a hospital more than 21 days after the birth, in which case the partner's leave time frame ends on the day the child is discharged) or the date the employee's partner or spouse becomes the primary carer for the child.

How much extended leave can be taken and by whom?

The amount of extended leave that an employee may take depends on whether each parent meets either the six month or 12 month time criteria.

Extended leave may be shared by two parents who both meet the criteria, and they can take it at the same time or one after the other:

- employees who meet the six month criteria may take up to 26 weeks in total (less the number of weeks primary carer leave taken, up to 22 weeks). If two parents are sharing the leave and they both meet the six month criteria then they share this amount.
- or
- employees who meet the 12 month criteria may take up to 52 weeks extended leave (less the number of weeks primary carer leave taken, up to 22 weeks). If two parents are sharing the leave and they both meet the 12 month criteria then they share this amount,
- if one parent meets the 12 months criteria and the other parent the six months criteria then the person who has only worked for six months cannot take more than 26 weeks of the total 52 weeks (less the number of weeks primary carer leave taken up to 22 weeks) available to the couple.

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How much extended leave can be taken and by whom?

continued

The 1 or 2 weeks partner's leave is not included in the 26-week or 52-week extended leave period.

A useful "ready reckoner" for these various entitlements can be found at "Parental leave and payment eligibility table".

What is the negotiated carer leave?

Negotiated carer leave is a period of unpaid leave from work which an employee can ask for:

- at least three months before the baby's due date, if the employee or their spouse or partner is pregnant, or
- 14 days before an employee becomes the primary carer of a child.

If your employee request to take negotiated carer leave, please discuss with your P&C Account Manager.

How does an employee apply for Parental Leave?

The employee should apply in writing to you (i.e. by letter or e-mail)

- at least three months before the baby's due date, if the employee or their spouse or partner is pregnant, or
- at least 14 days before an employee becomes the primary carer of a child.

What if they are going to share the leave with a spouse / partner?

If part of the leave is to be shared with a spouse or partner, the letter must also say:

- the dates on which the employee's spouse or partner plans to start and finish each period of leave
- the spouse or partner's name and, if they are employed, the name and address of their employer
- that they and their spouse or partner are both eligible for the leave they are applying for
- that the total amount of leave they are taking will not be more than 52 weeks (not counting any partner's leave taken).

How does an employee access the paid primary carer leave provision?

The employee can download more information about paid primary carer leave, assess their eligibility and apply, if appropriate, by visiting the [Ministry of Business, Innovation and Employment's website](#) or calling them on 0800 20 90 20. It's a good idea to complete their application form at the same time as they apply to NZQA for leave.

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How can I make sure I don't lose touch with the employee while they're on extended leave?

If the employee is on parental leave but chooses (and NZQA agrees) to perform work from time to time, for example, to attend a team day or a change announcement, it won't be counted as having stopped parental leave by being back at work as long as:

- they only do a total of 52 hours or less of paid work for NZQA during the leave, and
- this work is not within the 28 days after the child was born.

There are extra keeping in touch days available for primary carers of preterm babies. If they are a primary carer getting a preterm baby payment, they may work on keeping in touch days, during the preterm baby payment period, for up to a total of three hours multiplied by the number of weeks that they receive the preterm baby payment and it won't be counted as having stopped parental leave.

Coming back to work

The employee must advise you in writing at least one month prior to the proposed return date of their intention to return to work or otherwise.

NZQA has a number of family-friendly and/or flexible working options available for Managers and returning parents to consider as part of the transition back into the workplace including:

- return to work on standard working arrangements.
- return to work on part time hours.
- working from home for a brief fixed term period prior to returning to the workplace. Please refer to the **Flexible work practices policy**.

You should first discuss proposed return to work arrangements with your employee, taking into account business needs, and discuss proposed options with P&C if necessary. If you agree, then the agreement must be documented in accordance with the flexible work practices policy.

If your employee wishes to return to work earlier than originally planned they should discuss this with you to determine a suitable date.

I have some additional questions ...

Useful advice is also provided by the Ministry of Business, Innovation and Employment and you can access their website at <https://www.employment.govt.nz/leave-and-holidays/parental-leave/types-of-parental-leave/>

Further assistance needed?

Your P&C Account Manager is able to help you if you would like further assistance.

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4. CEA - extract

8.8 Parental Leave

8.8.1 The provisions of the Parental Leave and Employment Protection Act 1987 and its subsequent amendments shall apply. A plain English guide to entitlements is available.

8.8.2 Entitlement and Eligibility Under the Act

- a. Statutory entitlement to Parental Leave (including Primary Carer Leave) applies to eligible employees who have either 6 months or 12 months' service with the same employer. The partner or spouse may share the entitlement. There are different entitlements available to employees depending on whether they meet the 12 months or 6 months criteria.
- b. Employees may qualify for a period of taxpayer funded paid statutory leave ((on the conditions and at the rate prescribed by legislation). More information is available from the Ministry of Business, Innovation & Employment: phone 0800 20 90 20, or from their website: <http://employment.govt.nz>]
- c. Employees intending to take parental leave are required to give at least one month's notice in writing and the application is to be accompanied by a certificate signed by a registered medical practitioner certifying the expected date of delivery. In the case of Primary Carer leave each application must be accompanied by notification/evidence of when the employee will assume Primary Carer responsibilities.
- d. An employee absent on parental leave is required to give at least one month's notice of their intention to return to duty.

8.8.3 Provisions Additional to the Act

Three days' paid leave shall be granted to a staff member on or around the birth of the child. This may be extended to include situations where Primary Carer responsibilities have been assumed.

8.8.4 Surplus Staffing

The surplus staffing provisions of this Collective Agreement (Section 10, Management of Change/Surplus Staffing Provisions) shall apply to employees on parental leave who are affected by this situation. An employee on parental leave must be notified if their position is to be disestablished.

8.8.5 Ex gratia Payment

- a. Where an employee, who is entitled to parental leave of up to 12 months, returns to duty before or at the expiration of the parental leave and completes a further six months' service they qualify for a payment equivalent to 30 working days leave on pay, i.e. at the rate applying for the 30 working days immediately following their ceasing duty.
- b. Any adjustments to the salary scale that are backdated into the period covered shall apply.
- c. An employee, who is absent on parental leave for less than 6 weeks, shall receive that proportion of the payment that their absence represents in working days.
- d. Any payment is to be based on the percentage rate of employment prior to absence on parental leave. However, a woman who works less than full normal hours for a short period only, prior to the birth of the child, may have her case for full payment considered by NZQA.
- e. An employee shall not be eligible for an ex gratia payment if their partner has received a payment from another State Sector employer. The employee and their partner may choose who shall receive a payment if both are eligible.

5. IEA Extract

20.0 Parental Leave

20.1 You shall be granted parental leave in accordance with the provisions of the Parental Leave and Employment Protection Act 1987 and its amendments.

1.2 In addition, you shall be entitled to an *ex gratia* payment where you satisfy the following criteria:

- a) You are entitled to parental leave of up to twelve months and return to duty before or at the expiration of that parental leave period and complete a further six months service, you will qualify for a payment equivalent to six weeks leave on pay. Any payment is to be based on the percentage rate of employment prior to your absence on parental leave.
- b) If you are absent on parental leave for less than six weeks, you will receive a pro rata payment equivalent to your period of absence.
- c) The above payments do not apply if your partner receives a similar payment from another public sector employer. You have an obligation to disclose such payments to NZQA.

1.3 If you are the partner of a person who is proceeding on leave approved under the provisions of the Parental Leave and Employment Protection Act 1987 you may be granted up to three days Special Leave on Pay to attend to matters associated with the birth or adoption to be taken within a period of up to two weeks following the birth or adoption.

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6. Remuneration Toolkit - extract

REVIEWING EMPLOYEE REMUNERATION, continued

Treatment of employees in new roles

Existing employees who take up new roles within NZQA during the review year, will be advised on appointment whether their new starting salary means they:


- Are eligible for the 'three-year step movement', or
 - Will continue to participate in the current year's annual remuneration review, or
 - Will be ineligible for the current year's annual remuneration as their new salary is inclusive of the next annual salary review.
-

Treatment of employees returning from Parental Leave

When a staff member takes Parental Leave (regardless of how long the Parental Leave is for), their remuneration on return to work will be the same as when they commenced the period of Parental Leave. Their remuneration will be reviewed as follows:

- For those staff covered by the annual three-year step process, remuneration will be reviewed on the anniversary date of their appointment to their position,
- For those staff whose PIR was on the midpoint or above of their salary grade at the time they commenced Parental Leave, remuneration will be reviewed during the annual remuneration review conducted in July – August each year.

Note: As the scenarios for each staff member who takes Parental Leave will likely be different (different length of time taken for Parental Leave, different time of the year and reporting period), P&C will work with staff member's managers and the individual to confirm how their remuneration will be reviewed. In all cases, the most recent performance rating that has been given and the most recent PDP review will be taken into account when reviewing remuneration.

Flexible Work Practices	 <small>NEW ZEALAND QUALIFICATIONS AUTHORITY MANA TOHU HĀTAURANGA O AOTEAROA QUALIFY FOR THE FUTURE WORLD KIA NOHO TAKATŪ KI TŌ ĀMUA AOI</small>
NZQA Quality Management System Policy	

Purpose

The purpose of this policy is to:

- Give effect to legislation regarding flexible working arrangements, and
- Describe the range of flexible work practices that are available for consideration by managers and staff.

Part 6AA of the Employment Relations Act 2000 requires employers to consider requests from employees for flexible working arrangements. Additionally, a flexible work practices policy recognises that workplaces and individuals may at times benefit from a more flexible approach to managing work. This may be due to:

- Variable work-flows or demands, and/or
- An individual's need for work-life balance, and/or
- An individual's preferred work-style.

The intention of this policy is to support a flexible and responsive approach to managing work whilst ensuring that business outputs and needs continue to be met. This means that prior to agreeing a flexible work arrangement, certain conditions must be met and parameters set in place.

Scope

This policy covers all permanent and fixed-term employees. This policy does not cover flexible work arrangements that are put in place as a result of activating Business Continuity Plans.

Policy

1 Statement

NZQA is responsive to requests for consideration of a flexible work arrangement when:

- An employee is exercising their statutory right to request a variation of their working arrangements, or
- An employee has other legitimate reasons for requesting a variation of their working arrangements, and
- Business productivity and other organisational requirements, and the employee's contractual obligations, continue to be met for the duration of the flexible work arrangement, and
- Conditions and parameters of the flexible work arrangement are formalised between the employee and their manager.

2 Types of Flexible Work Practices

Flexible work practices that may be agreed include the following:

- 2.1 Start – Finish times. Flexibility around start and finish times enables an employee to vary the times that they begin or finish their working day, provided that they work the number of hours each fortnight required by their employment agreement.
- 2.2 Working from Home (Ad-hoc). This arrangement provides for the employee to work from home on an ad-hoc or intermittent basis on rare occasions.

- 2.3 Working from Home (Regular). This arrangement provides for the employee to work from home on a regular basis. Any longer-term arrangement for working at home will require additional considerations before an agreement is made.
- 2.4 Compressed Work Week. A compressed work week enables employees to work longer hours on specified days during a week or fortnight. This reduces the number of days worked in a fortnight or the number of hours on a particular day but not the total hours worked in a week / fortnight.
- 2.5 Alterations to working hours. If agreed between the Manager and employee hours may be reduced from the usual 40 hours per week on an ongoing basis while circumstances allow for it.

Conversely for a part-time employee, if agreed between the Manager and employee, hours may be increased up to the usual 40 hours per week on an ongoing basis if required

It should be noted that any alterations to working hours will result in an effect on accrual of entitlements, such as leave, as well as on pay, by means of pro-rating to the actual hours worked.

- 2.6 Job Share. Job-sharing is an arrangement where two people take responsibility for one full-time position. Employees who job-share divide the work, pay, holidays and other benefits between them according to the time they work.
- 2.7 Purchase of annual leave. This arrangement allows a staff-member to reduce annual salary and accept additional annual leave as compensation for the reduction. The reduction in salary required to earn 5 days of additional annual leave per annum is approximately 2% of annual salary per annum.

Parameters for the purchase of leave in this manner are:

- a) Use of the arrangement can be recommended by a manager but only approved by a Deputy Chief Executive.
- b) In general, the purchase of leave should be linked to a specific purpose e.g. extended overseas holiday
- c) The maximum purchase of annual leave in any 12-month period is five weeks (25 days).
- d) Leave purchased within a 12-month period must be used within the following 12-month period.

3 Statutory Right

- 3.1 An employee has a statutory right to request a variation of their working arrangements. Requests made under this legislative provision must be managed in accordance with the process outlined in legislation. In summary, managers:
- Must deal with the request within one month of receiving it, and
 - May only refuse the request if it cannot be accommodated on certain specified grounds.

4 Management of requests for flexible working arrangements

- 4.1 Requests for flexible working arrangements are to be considered on a case by case basis and agreed between the line manager and the employee.
- 4.2 When considering a flexible work arrangement employees and managers must take into account the following factors:
- The employee's role and the need to be at NZQA office premises at certain times as determined by the manager
 - The impact of the flexible arrangement on other members of the team,
 - The ability of the employee to fully undertake their duties whilst on a flexible working arrangement, and

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- The needs of the business
- 4.3 Flexible work arrangements are subject to review and a manager may require that the flexible working arrangement ceases, particularly if circumstances change. Flexible work arrangements will need to be reviewed when an employee's manager changes.
- 4.4 Requests are to be considered as soon as possible, including a discussion with the requestor, and a response provided within four weeks.
- 4.5 Where a flexible working arrangement includes working from home the employee must be made aware of the need to ensure safe working conditions in the home environment.
- 4.6 Any flexible arrangement that impacts on an employee's current terms and conditions (e.g. a move from full-time to part-time, a proposal for job-sharing or a longer-term agreement for working from home) must be discussed with the P&C team before agreeing the flexible working arrangement.
- 4.7 If agreement has not been reached or a response is not provided to a requestor within four weeks the requestor may submit their request to the manager's manager.

5 Administration

- 5.1 The flexible work arrangements described in 2.1 and 2.2 above do not require any formal arrangement between the manager and employee however, a "Flexible Working Arrangement Form" is available for use at the manager's discretion.
- 5.2 The flexible work arrangements described in 2.3 – 2.7 above require completion of a formal "Flexible Working Arrangement Agreement". This agreement document must be completed and provided to P&C Direct Services team for action (where adjustments to payroll are required) and to be placed on the employee's personal file.

If assistance is required you should consult your P&C Account Manager.

Responsibilities

Position	Responsible for
Line Manager	<ul style="list-style-type: none"> • Preparation of the written 'Flexible Working Arrangement Form' (where used) or 'Flexible Working Arrangement Agreement' in consultation with P&C where required • Manages any Occupational Safety and Health requirements • Manages communication with other team members about the flexible work arrangement agreed and flow-on matters to support the arrangement if required e.g. timings of team meetings, work management etc. • Meets with employee to review flexible working arrangements at agreed times
Line Manager's Manager	<ul style="list-style-type: none"> • Provides approval for any changes to an employee's terms and conditions
People & Capability	<ul style="list-style-type: none"> • Provides advice on flexible working arrangements (including health and safety matters)
Employee	<ul style="list-style-type: none"> • Ensures responsibilities for managing flexible working arrangement are upheld • Advises line manager if circumstances for the flexible working arrangement change or any issues arise as a consequence of the arrangement • Meets with line manager to review flexible working arrangements at agreed times • Advises any new manager of the flexible working

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	arrangement in place
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References

Flexible Working Arrangements Form


Flexible Working Arrangement Agreement

Measurement Criteria

- All employees who agree flexible working arrangements have a signed agreement
- Flexible working arrangements are regularly reviewed
- Requests for flexible working arrangements to care for another are managed in accordance with legislative requirements.

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School Holiday Child Care Subsidy	 <p data-bbox="1013 280 1260 313">NEW ZEALAND QUALIFICATIONS AUTHORITY MAHI TOHU MĀTAUKANGA O AOTEAROA</p> <p data-bbox="1013 324 1260 358">QUALIFY FOR THE FUTURE WORLD KIA NOHO TAKATŪ KI TŌ ĀMUA AOI</p>
NZQA Quality Management System Policy	

Purpose

This policy sets out the criteria for School Holiday Child Care Subsidy applications.

Scope

This policy applies to:

- all permanent and fixed term employees (including part-time employees) who have been employed for more than 12 months and have had 12 months' continuous service prior to submitting an application, and
- who have incurred costs as a result of placing their child(ren) into a school holiday programme while they have attended work.

Compliance with this policy is required under the NZQA Code of Conduct.

Policy

1 Principle

At NZQA, we support work/life balance and actively look at ways to support employees to manage their family responsibilities. The School Holiday Child Care Subsidy is part of our on-going commitment to this.

2 Subsidy Amount

NZQA will, on production of receipts, provide a subsidy of up to \$75 (gross) per child (or other dependent) of the employee per school holiday, to a maximum of \$300 per year. For the purposes of this policy, school holidays are the breaks following the end of each school term.

3 Eligible Holiday Care Programmes

A subsidy payment will only be made for attendance at programmes run during the school holidays (e.g. those run by sports clubs, Councils or registered companies). It cannot be used for regular and on-going attendance at Kindergarten or pre-school (Early Childhood Education), or for baby-sitting services.

4 Applications

- All applications for the School Holiday Child Care Subsidy must be on the People & Capability Reimbursement Claim Form.
- Receipts, which show the children's name(s) and the dates they attended the programme, must be attached to the Claim Form.

5 Approval

- All applications need People & Capability Manager approval.

6 Payment

- After approval, payment will be made in the next available payrun.
- Payment is subject to PAYE, but not employee or employer KiwiSaver or Superannuation contributions.

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Responsibilities

Position	Responsible for
Staff	<ul style="list-style-type: none"> Ensuring that their application for the School Holiday Child Care Subsidy meets the criteria set out in the School Holiday Child Care Subsidy Policy. Maintaining adequate records (including receipts) in order to submit a claim for the subsidy.
P&C Manager	<ul style="list-style-type: none"> Approving requests for payment.
P&C	<ul style="list-style-type: none"> Monitoring and updating the School Holiday Child Care Subsidy Policy and Request Reimbursement from P&C Procedure. Providing advice and support to staff. Maintaining employees' personnel files and payroll records.

References

8.6.2.2 – Request reimbursement from P&C

HR Delegations

EEO policy

Measurement Criteria

All requests for payment are in accordance with the School Holiday Child Care Subsidy policy and the Request Reimbursement from P&C procedure.

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