



New Zealand
Payroll Practitioners
Association

Developing and Supporting
Payroll Professionals

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Holidays Act 2003

Family Violence Leave



Section 44. Days that are public holidays—

(1) The following days are public holidays:

- (a) Christmas Day:
- (b) Boxing Day:
- (c) New Year's Day:
- (d) 2 January:
- (e) Waitangi Day:
- (f) Good Friday:
- (g) Easter Monday:
- (h) ANZAC Day:
- (i) the birthday of the reigning Sovereign (observed on the first Monday in June):
- (j) Labour Day (being the fourth Monday in October):
- (k) the day of the anniversary of a province or the day locally observed as that day.

(4) If 2 or more of the public holidays specified in subsection (1) fall on the same day, the public holidays must, for the purposes of this subpart, be treated as 1 day.



Family Violence Leave

How many days are provided under family violence leave?

72H Duration of family violence leave

An employee—

- (a) may take up to 10 days' family violence leave in each of the 12-month periods specified in section 72D(2); and
- (b) cannot carry forward any family violence leave not taken in any of those 12-month periods.

What is an employee paid while on family violence leave?

72I Payment for family violence leave

- (1) An employer must pay an employee an amount that is equivalent to the employee's relevant daily pay or average daily pay for each day of family violence leave taken by the employee that would otherwise be a working day for the employee.
- (2) Despite subsection (1), an employer is not required to pay an employee for any time for which the employee is paid weekly compensation under the Accident Compensation Act 2001 or former Act.
- (3) An employer must not require an employee to take as family violence leave any time for which the employee is being paid—
 - (a) first week compensation by the employer under section 97 of the Accident Compensation Act 2001 or former Act; or
 - (b) weekly compensation for a work-related injury within the meaning of that Act or former Act.
- (4) However, if an employer pays the difference between the employee's first week compensation or weekly compensation and ordinary weekly pay, the employer may agree with the employee that the employer may deduct from the employee's family violence leave entitlement 1 day for every 5 whole days that the employer makes that payment.