MANAGING A VARIABLE WORKFORCE WHILE BEING COMPLIANT WITH THE HOLIDAYS ACT.


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KEY POINTS

Managing a variable work force

- McDonald's employment make up
- Challenges of being compliant with a variable work force
- Defining a week
- Determining otherwise working days
- Gaining agreement
- Questions

McDonald's

- 170 Restaurants
- Employees per restaurants range from 20 employees up to 180 employees
- 10% company owned and operated
- 50 franchisees with ownership ranging from 1 store to 8
- One payroll provider across the system
- High reliance of integration with payroll and scheduling systems
- Large employer for first time employment

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Employment

- Over 10,000 employees
- Permanent / part time employees
- Schedules minimum two weeks in advance
- Employees set their preferred working times (times of the week in which they can be scheduled)
- Employees have agreed minimum hours to be scheduled, with the opportunity to work more
- Employees are able to take leave prior to a years service
- Allowances such as travel & overnights are applicable
- Provides flexibility to workforce in the ability to swap shifts up to the day of work

CHALLENGES TO BEING COMPLIANT WITH THE HOLIDAYS ACT WHEN YOU HAVE A VARIABLE WORK FORCE

Defining what a week is when hours worked each week fluctuate.

Defining ordinary working days when days worked week to week vary.

Keeping the system succinct and uncomplicated for easy understanding, both with processing and for the employee.

Having significant automation without negating the need of applying a human lens.

Approving leave for an employee when applied for without knowing what are OWD's at the time.

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Previous position

Working a payroll system in hours, that lends itself well to a variable work force but has opportunity in meeting the requirements of the Holidays Act when it comes to weeks.

Employee pay app where employees book leave, can swap shifts, view schedules, pay slips, update their personal details, request changes to things such as preferred working times, agreed minimum hours etc.

Current position

A payroll system that operates in weeks, continues to have high integration with other systems (scheduling). Maintains the flexibility required by the workforce

Employee pay app where employees book leave, can swap shifts view schedules, pay slips, update personal details, request changes to things such as preferred working times, agreed minimum hours etc

Future State

Employee pay app that automates / facilitates the agreement between the employer and employee as to what is a week and OWD's

MBIE AND UNION CONSULTATION

Significant amount of work has gone in to get to a position that MBIE is happy with.

Key MBIE feedback

- The system can not be set to walk away, it must allow for a human lens to be applied
- There is no set formula that can be applied to determining an OWD and week
- Gaining agreement with the employee as to what is a week and OWD's goes a long way to being compliant
- An annual check should be completed, to ensure compliance that four weeks leave has been given

ANNUAL LEAVE PROCESS SUMMARY

SUMMARY OF ANNUAL LEAVE PROCESS

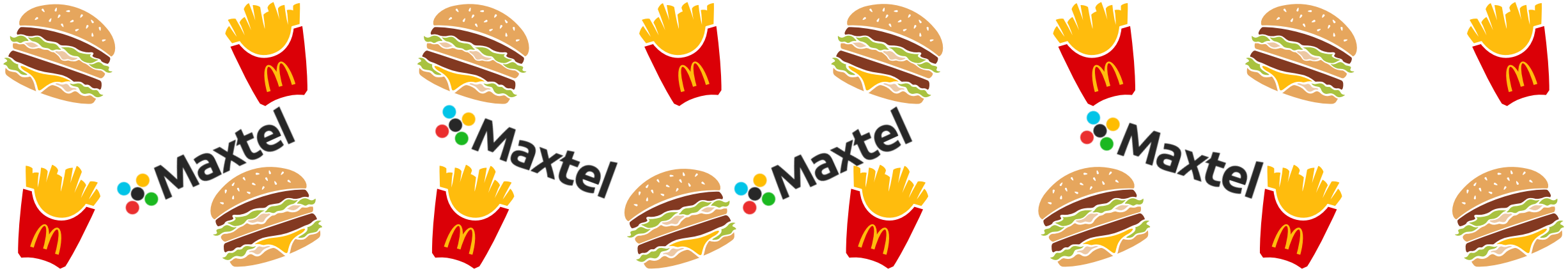
- Determine what is a week (Number of days & OWDs)
- Gain agreement (Number of days & OWDs)
- Calculate the portion of a week (for each OWD)
- Calculate Payment (Greater of AWE & OWP)

EXAMPLE

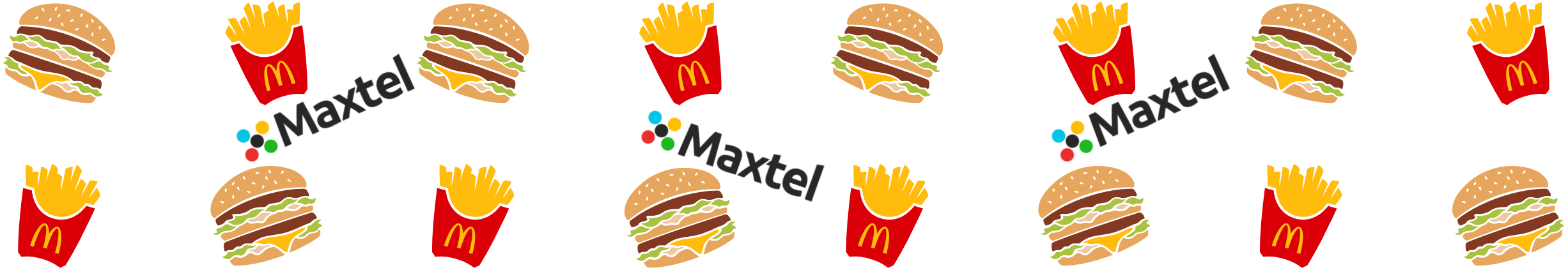
‘JOSEPH’

(Highly variable Hours & Days each week)

Ref: Holidays Act 2003 Guide (Page 96)



DETERMINING A WEEK



DETERMINE WHAT A WEEK IS

Refine 13 week and 4 week work patterns (Apply Human Lens)

Remove weeks with abnormally high or low days and/or hours

Select the refined work pattern (13 weeks or 4 weeks) with the highest average weekly hours (CEA requirement)

Total hours paid ÷ number of weeks paid

Calculate the number of days usually worked in a week

Number of days paid ÷ number of weeks paid
Roundup to whole number

Select the OWDs based on the highest occurring days or work pattern change (Apply Human Lens)

Number of times a Specific day is paid ÷ number of weeks paid
Number of OWDs should equal number of days usually worked

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Scenario 3: Joseph (Highly variable Hours & Days each week)

WE	Days and Hours worked							Num days worked	Total Hours	Gross Pay	Var %
	Mon	Tue	Wed	Thu	Fri	Sat	Sun				
12/6	4	8	10	4	6	6	0	6	38	$760	280
19/6	0	0	6	4	10	0	0	3	20	$400	100
26/6	6	6	0	0	8	10	10	5	40	$800	300
3/7	0	0	0	0	0	8	8	2	16	$320	60
10/7	0	0	0	10	0	0	0	1	10	$200	0
17/7	4	4	0	10	0	8	8	5	34	$680	240
24/7	8	8	8	8	8	10	0	6	50	$1,000	400
31/7	8	0	0	10	8	0	0	3	26	$520	160
7/8	0	0	0	10	0	0	0	1	10	$200	0
14/8	8	8	0	0	8	4	0	4	28	$560	180
21/8	4	4	4	0	0	0	0	3	12	$240	20
28/8	8	8	0	10	8	10	0	5	44	$880	340

Applying a Human Lens to 13 Week Work History:

Eliminate weeks ending 10/7 & 7/8 as the number of days worked are abnormally low

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Scenario 3: Joseph (Highly variable Hours & Days each week)

WE	Days and Hours worked							Num days worked	Total Hours	Gross Pay	Var %
	Mon	Tue	Wed	Thu	Fri	Sat	Sun				
12/6	4	8	10	4	6	6	0	6	38	$760	280
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10/7	0	0	0	10	0	0	0	1	10	$200	0
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24/7	8	8	8	8	8	10	0	6	50	$1,000	400
31/7	8	0	0	10	8	0	0	3	26	$520	160
7/8	0	0	0	10	0	0	0	1	10	$200	0
14/8	8	8	0	0	8	4	0	4	28	$560	180
21/8	4	4	4	0	0	0	0	3	12	$240	20
28/8	8	8	0	10	8	10	0	5	44	$880	340
									30.80		

Average number of weekly hours worked: 308 hours ÷ 10 weeks **= 30.80 hours**

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Scenario 3: Joseph (Highly variable Hours & Days each week)

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14/8	8	8	0	0	8	4	0	4	28	$560	180
21/8	4	4	4	0	0	0	0	3	12	$240	20
28/8	8	8	0	10	8	10	0	5	44	$880	340

Applying a Human Lens to 4 Week Work History:

Eliminate week ending 7/8 as the number of days worked are abnormally low

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Scenario 3: Joseph (Highly variable Hours & Days each week)

WE	Days and Hours worked							Num days worked	Total Hours	Gross Pay	Var %
	Mon	Tue	Wed	Thu	Fri	Sat	Sun				
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3/7	0	0	0	0	0	8	8	2	16	$320	60
10/7	0	0	0	10	0	0	0	1	10	$200	0
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7/8	0	0	0	10	0	0	0	1	10	$200	0
14/8	8	8	0	0	8	4	0	4	28	$560	180
21/8	4	4	4	0	0	0	0	3	12	$240	20
28/8	8	8	0	10	8	10	0	5	44	$880	340
									28.00		

Average number of weekly hours worked: 84 hours ÷ 3 weeks **= 28.00 hours**

DETERMINE WHAT A WEEK IS

Refine 13 week and 4 week work patterns (Apply Human Lens)

Remove weeks with abnormally high or low days and/or hours

Select the refined work pattern (13 weeks or 4 weeks) with the highest average weekly hours (CEA requirement)

Total hours paid ÷ number of weeks paid

Calculate the number of days usually worked in a week

Number of days paid ÷ number of weeks paid
Roundup to whole number

Select the OWDs based on the highest occurring days or work pattern change (Apply Human Lens)

Number of times a Specific day is paid ÷ number of weeks paid
Number of OWDs should equal number of days usually worked

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Scenario 3: Joseph (Highly variable Hours & Days each week)

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7/8	0	0	0	10	0	0	0	1	10	$200	0
14/8	8	8	0	0	8	4	0	4	28	$560	180
21/8	4	4	4	0	0	0	0	3	12	$240	20
28/8	8	8	0	10	8	10	0	5	44	$880	340

Average number of hours worked per week using refined 13 Week Work History = 30.80

Average number of hours worked per week using refined 4 Week Work History = 28.00

Use refined 13 Week Work History (Greatest hours as per the CEA requirement)

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21/8	4	4	4	0	0	0	0	3	12	$240	20
28/8	8	8	0	10	8	10	0	5	44	$880	340
								4.2	30.80		
								5			

Average number of days worked weekly: 42 days ÷ 10 weeks **= 4.20 days**

Round up to whole number: 5 days

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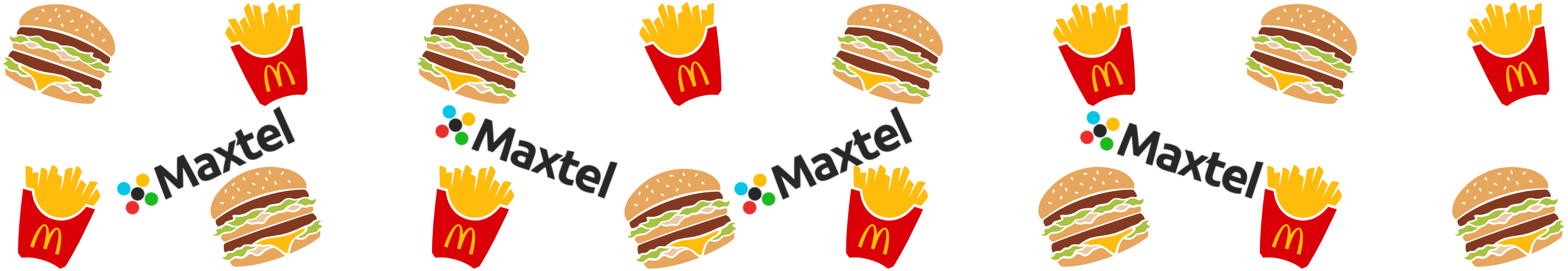
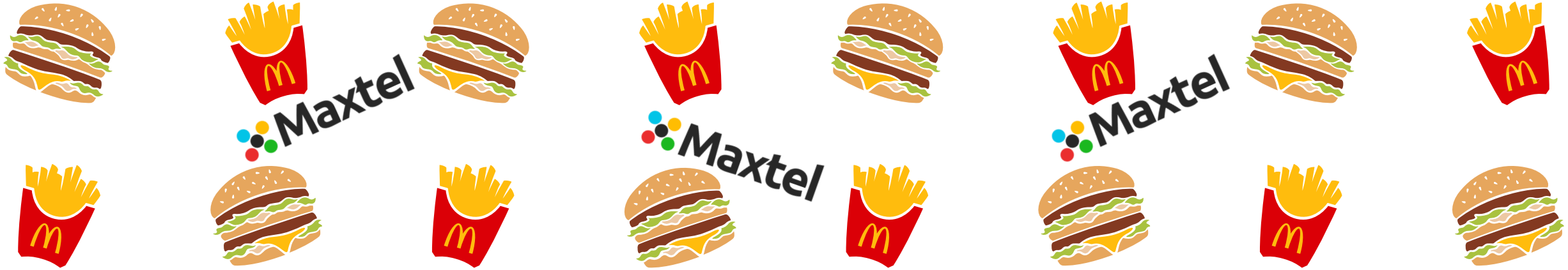


DETERMINING AN OWD



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24/7	8	8	8	8	8	10	0	6	50	$1,000	400
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7/8	0	0	0	10	0	0	0	1	10	$200	0
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21/8	4	4	4	0	0	0	0	3	12	$240	20
28/8	8	8	0	10	8	10	0	5	44	$880	340
								4.2	30.80		
								5			
	80%	70%	40%	60%	70%	70%	40%				

Days most commonly worked:

Mon: Worked 8 times in last 10 weeks = 80%
Tue: Worked 7 times in last 10 weeks = 70%
Wed: Worked 4 times in last 10 weeks = 40%
Thu: Worked 6 times in last 10 weeks = 60%
Fri: Worked 7 times in last 10 weeks = 70%
Sat: Worked 7 times in last 10 weeks = 70%
Sun: Worked 4 times in last 10 weeks = 40%

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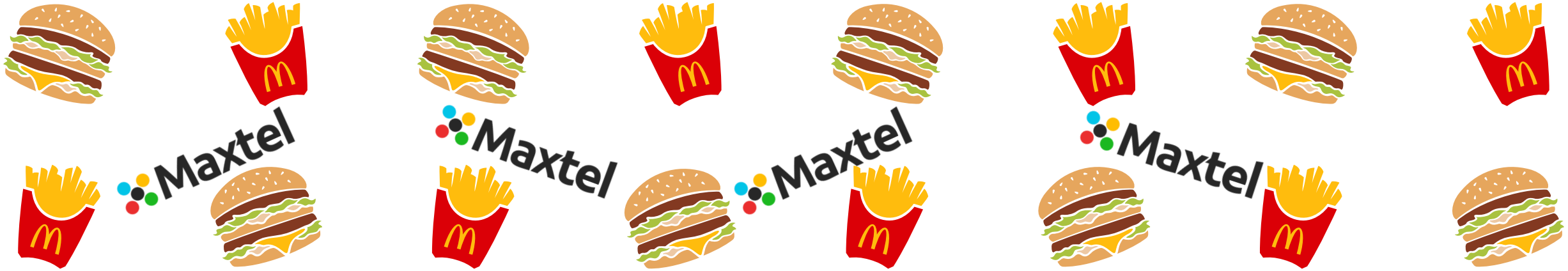
								4.2	30.80		
								5			
	80%	70%	40%	60%	70%	70%	40%				

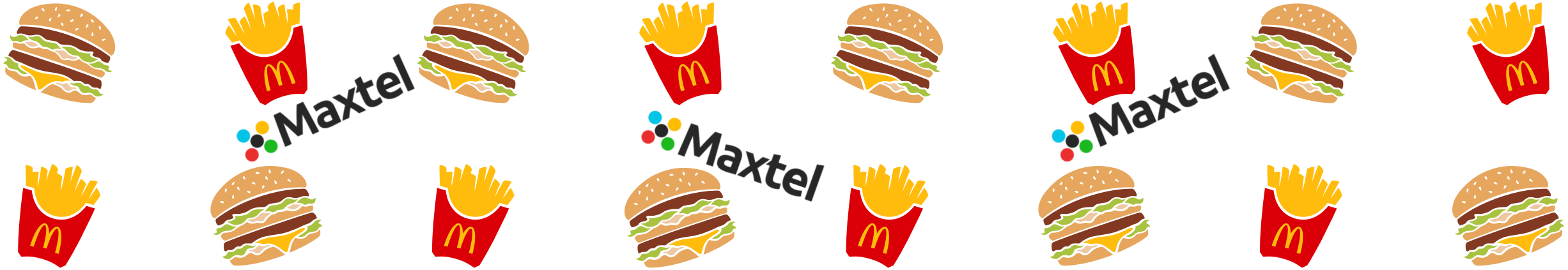
The 5 Days most commonly worked:

Mon the highest at 80%
Tue, Fri, Sat next highest at 70%
Thu next highest at 60%

Note: Whilst the system will recommend the number of OWDs and which days they occur, our 'Human Lens' solution allows the user to change the number and OWDs as they see fit. For example the user possibly knows that the Work Pattern going forward has changed and therefore could reasonably select different OWDs



CALCULATING A PORTION OF A WEEK



CALCULATE PORTION OF A WEEK

Calculate hours normally worked for each OWD

Total hours paid on a specific OWD ÷ number of times a specific OWD is paid

Calculate sum total of hours normally worked for all OWDs

Sum total of the hours paid for all OWDs

Calculate what portion of a week for each OWD

Hours normally worked for specific OWD ÷ Sum total Hours normally worked for all OWDs

Scenario 3: Joseph (Highly variable Hours & Days each week)

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14/8	8	8	0	0	8	4	0	4	28	$560	180
21/8	4	4	4	0	0	0	0	3	12	$240	20
28/8	8	8	0	10	8	10	0	5	44	$880	340

							4.20	30.80

6.25	6.57		7.67	8.00	8.00		5	36.49
0.1713	0.1801		0.2102	0.2192	0.2192			
OWD	OWD		OWD	OWD	OWD			

The amount paid would be the 'higher of AWE & OWP' x 'the portion of the week'

For example: if AWE = $540, OWP = $470
then Monday would equal $92.50 ($540 x 0.1713)
then Friday would equal $118.37 ($540 x 0.2192)

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Scenario 3: Joseph (Highly variable Hours & Days each week)

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							4.20	30.80

6.25	6.57		7.67	8.00	8.00		5	36.49
0.1713	0.1801		0.2102	0.2192	0.2192			
OWD	OWD		OWD	OWD	OWD			

An alternative approach is to treat each of the OWD's equally (eg Days)

For example: if AWE = $540, OWP = $470

then each OWD would represent 0.2000 of a week (1 ÷ 5)

then payment for each OWD would be $108 ($540 x 0.2000)

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Scenario 3: Joseph (Highly variable Hours & Days each week)

If AWE = $540, OWP = $470

ALL DAYS ARE NOT EQUAL

Hours Approach	Mon	Tue	Thu	Fri	Sat	Total
Hours	6.25	6.57	7.67	8.00	8.00	36.49
Portion of a week	0.1713	0.1801	0.2102	0.2192	0.2192	1.000
Pay	$92.50	$97.25	$113.51	$118.37	$118.37	$540.00

ALL DAYS ARE EQUAL

Days Approach	Mon	Tue	Thu	Fri	Sat	Total
Days	1	1	1	1	1	5
Portion of a week	0.2000	0.2000	0.2000	0.2000	0.2000	1.000
Pay	$108.00	$108.00	$108.00	$108.00	$108.00	$540.00

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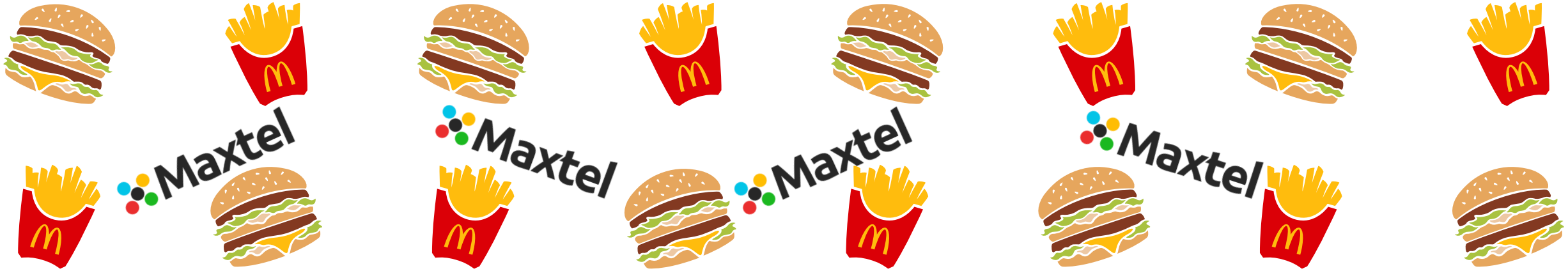
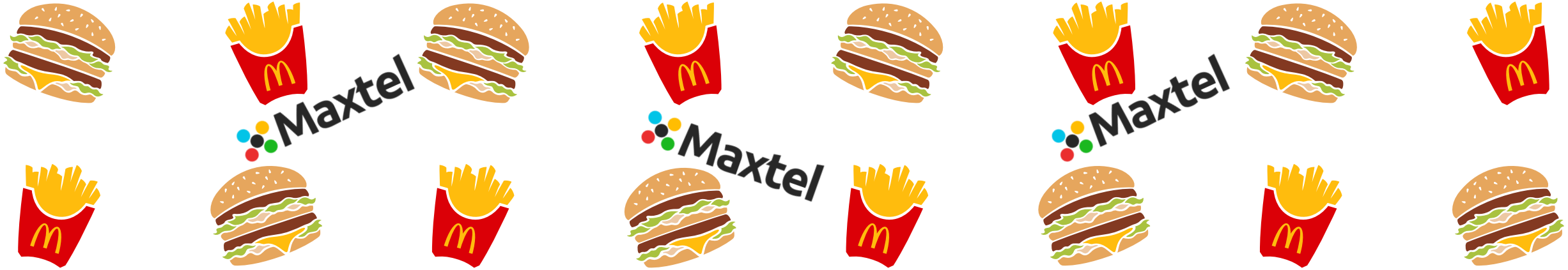
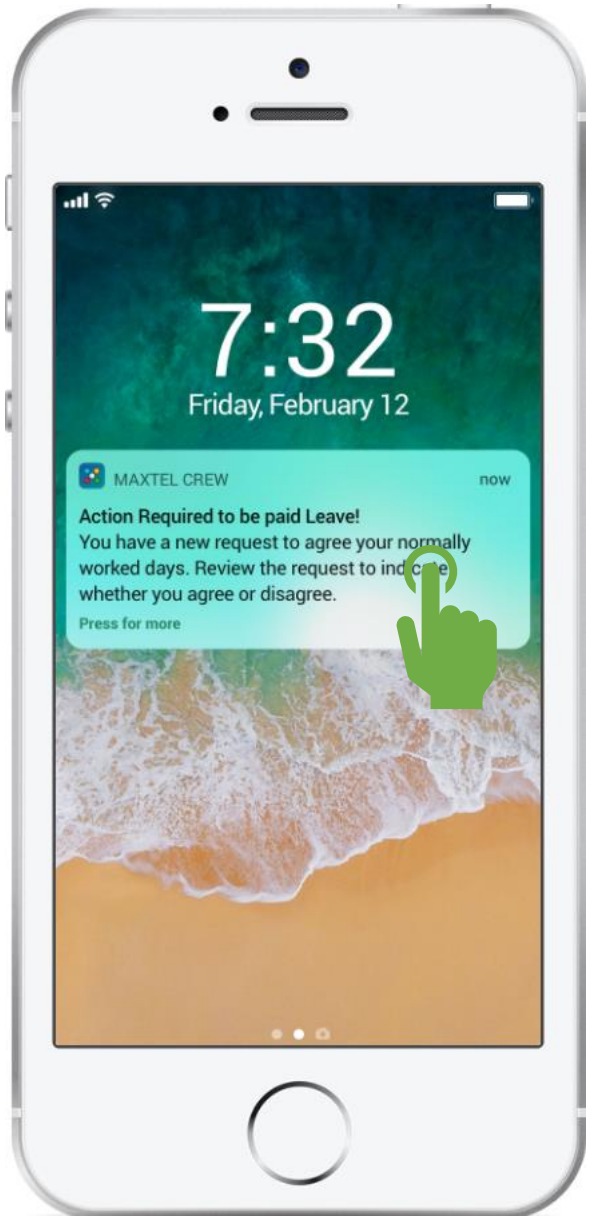


GAINING EMPLOYEE AGREEMENT



APP (PROTOTYPE) DEMO



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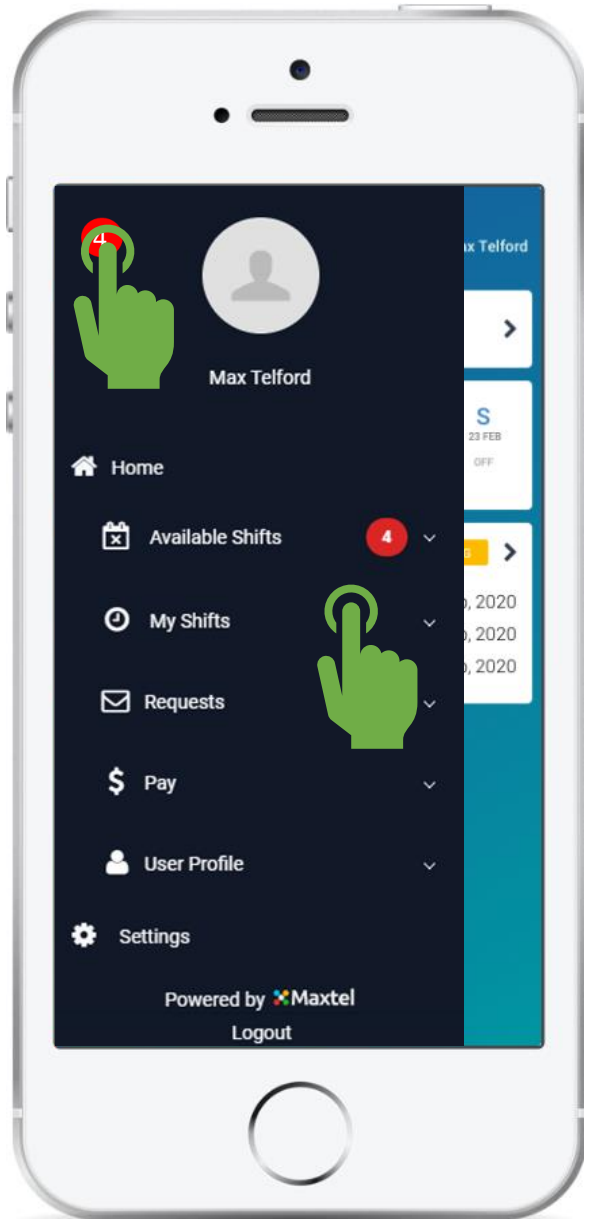
Max Telford
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Available Shifts
4
My Shifts
Requests
Pay
User Profile
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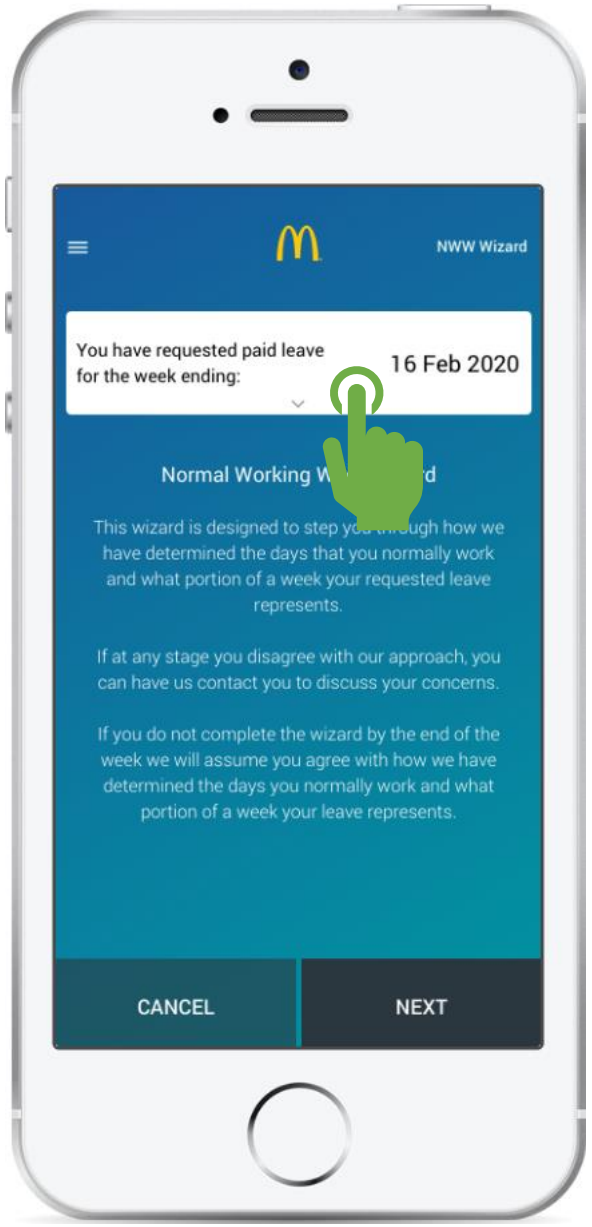
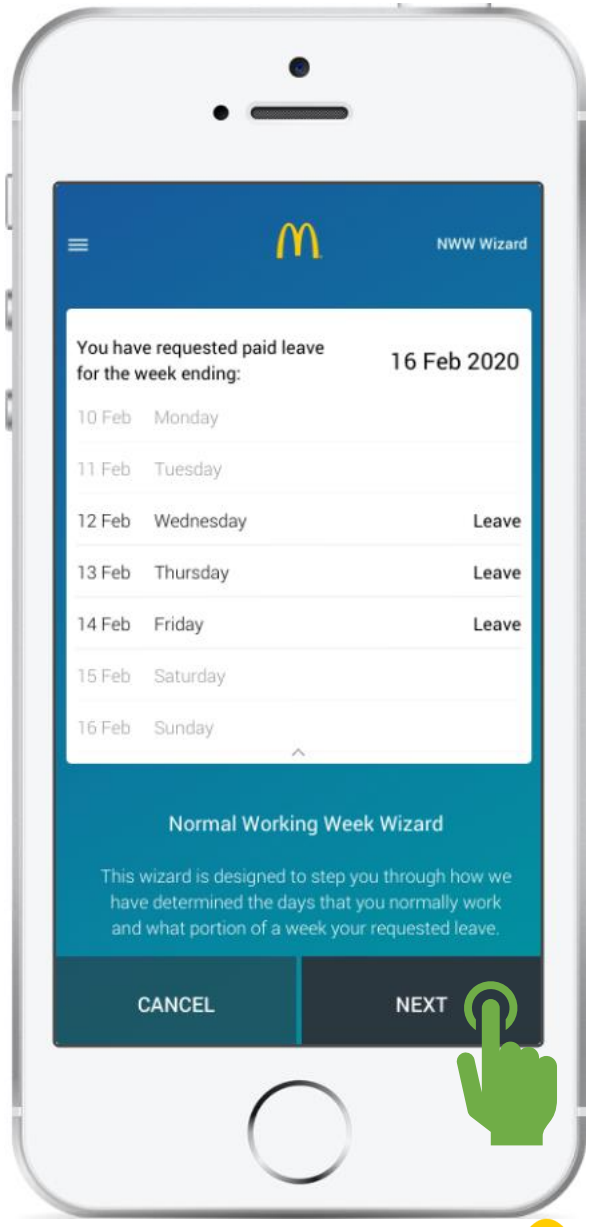
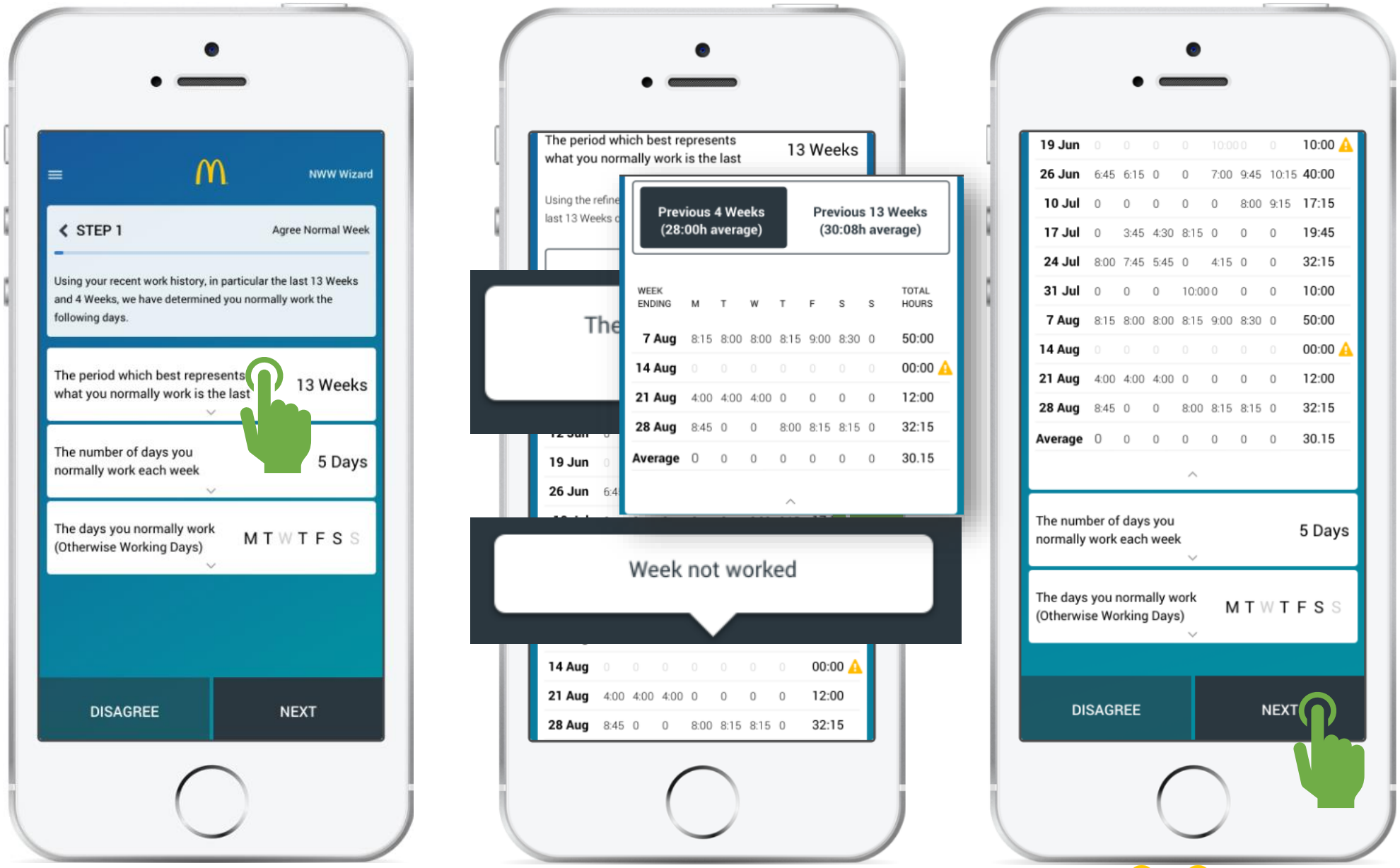
Powered by Maxtel
Logout


NWW Wizard
You have requested paid leave for the week ending:
16 Feb 2020
Normal Working W d
This wizard is designed to step you through how we have determined the days that you normally work and what portion of a week your requested leave represents.
If at any stage you disagree with our approach, you can have us contact you to discuss your concerns.
If you do not complete the wizard by the end of the week we will assume you agree with how we have determined the days you normally work and what portion of a week your leave represents.
CANCEL
NEXT


NWW Wizard
You have requested paid leave for the week ending:
16 Feb 2020
10 Feb Monday
11 Feb Tuesday
12 Feb Wednesday Leave
13 Feb Thursday Leave
14 Feb Friday Leave
15 Feb Saturday
16 Feb Sunday
Normal Working Week Wizard
This wizard is designed to step you through how we have determined the days that you normally work and what portion of a week your requested leave.
CANCEL
NEXT

Maxtel


NWW Wizard
STEP 1
Agree Normal Week
Using your recent work history, in particular the last 13 Weeks and 4 Weeks, we have determined you normally work the following days.
The period which best represents what you normally work is the last
13 Weeks
The number of days you normally work each week
5 Days
The days you normally work (Otherwise Working Days)
M T W T F S S
DISAGREE
NEXT
Previous 4 Weeks (28:00h average)
Previous 13 Weeks (30:08h average)
WEEK ENDING M T W T F S S TOTAL HOURS
7 Aug 8:15 8:00 8:00 8:15 9:00 8:30 0 50:00
14 Aug 00:00
21 Aug 4:00 4:00 4:00 0 0 0 0 12:00
28 Aug 8:45 0 0 8:00 8:15 8:15 0 32:15
Average 0 0 0 0 0 0 0 30.15
Week not worked
19 Jun 10:00
26 Jun 6:45 6:15 0 0 7:00 9:45 10:15 40:00
10 Jul 0 0 0 0 0 8:00 9:15 17:15
17 Jul 0 3:45 4:30 8:15 0 0 0 19:45
24 Jul 8:00 7:45 5:45 0 4:15 0 0 32:15
31 Jul 0 0 0 10:00 0 0 0 10:00
7 Aug 8:15 8:00 8:00 8:15 9:00 8:30 0 50:00
14 Aug 00:00
21 Aug 4:00 4:00 4:00 0 0 0 0 12:00
28 Aug 8:45 0 0 8:00 8:15 8:15 0 32:15
Average 0 0 0 0 0 0 0 30.15
The number of days you normally work each week
5 Days
The days you normally work (Otherwise Working Days)
M T W T F S S
DISAGREE
NEXT

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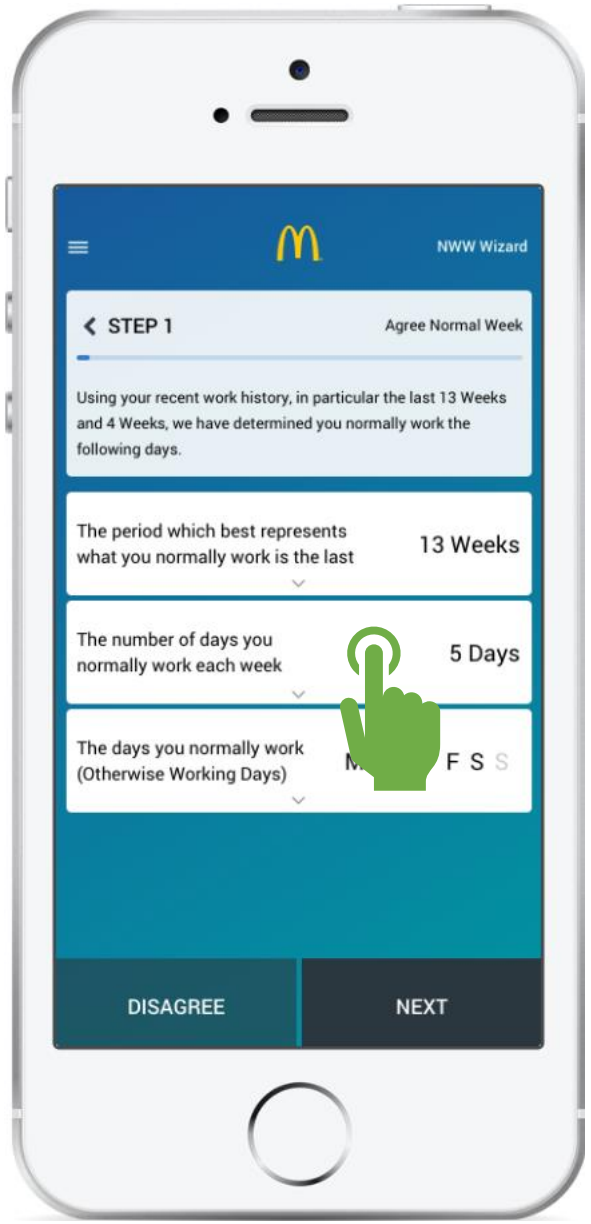
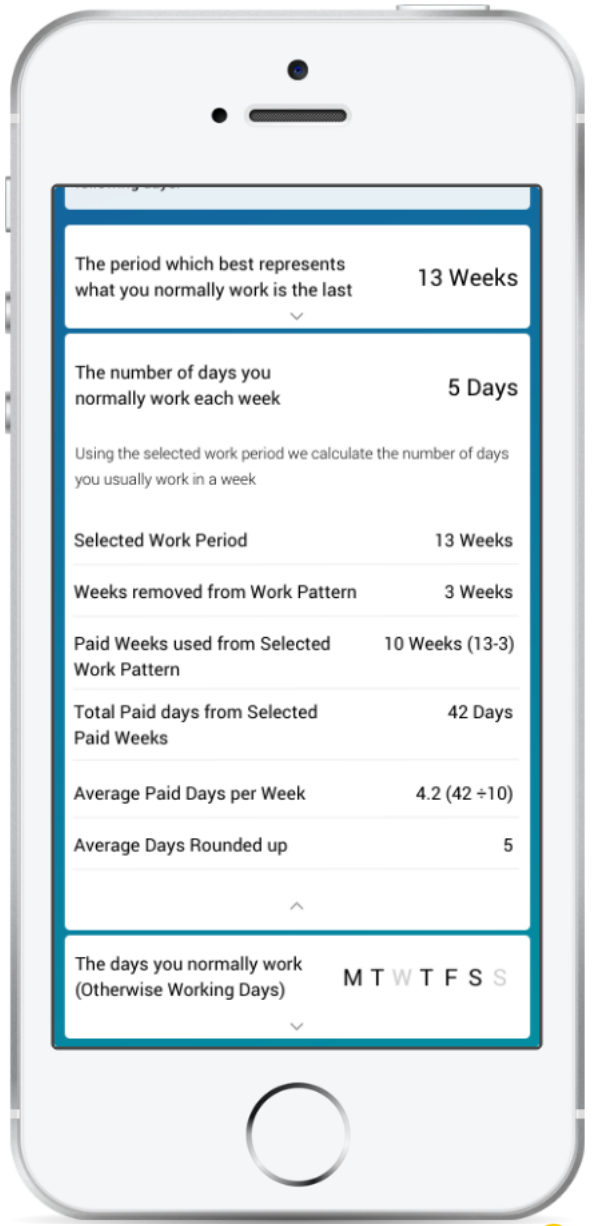
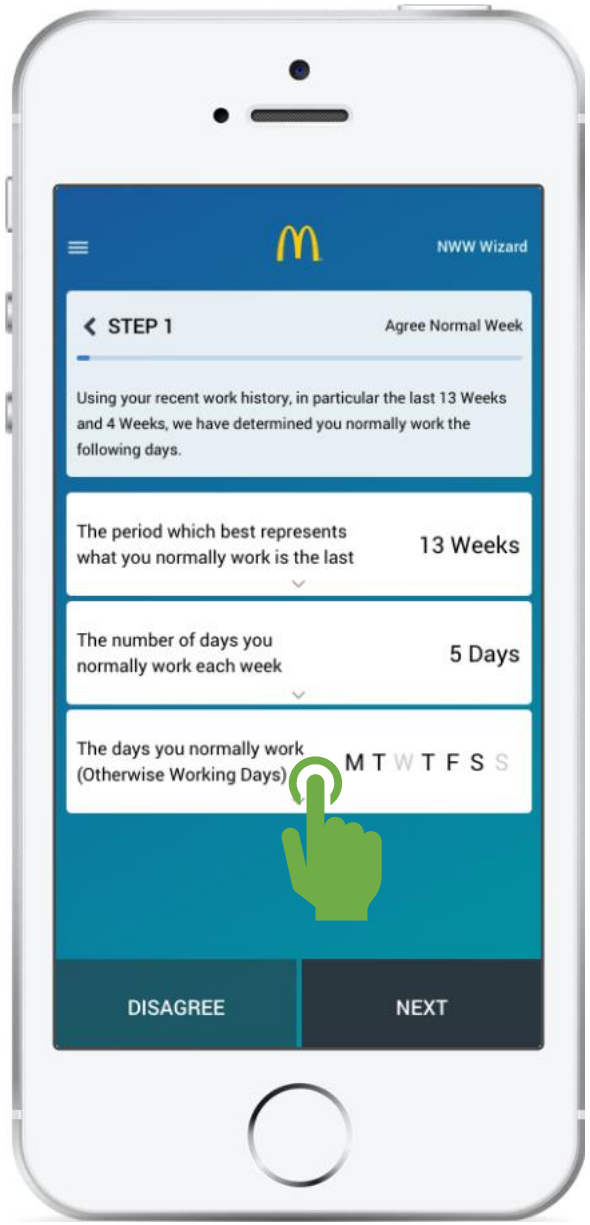
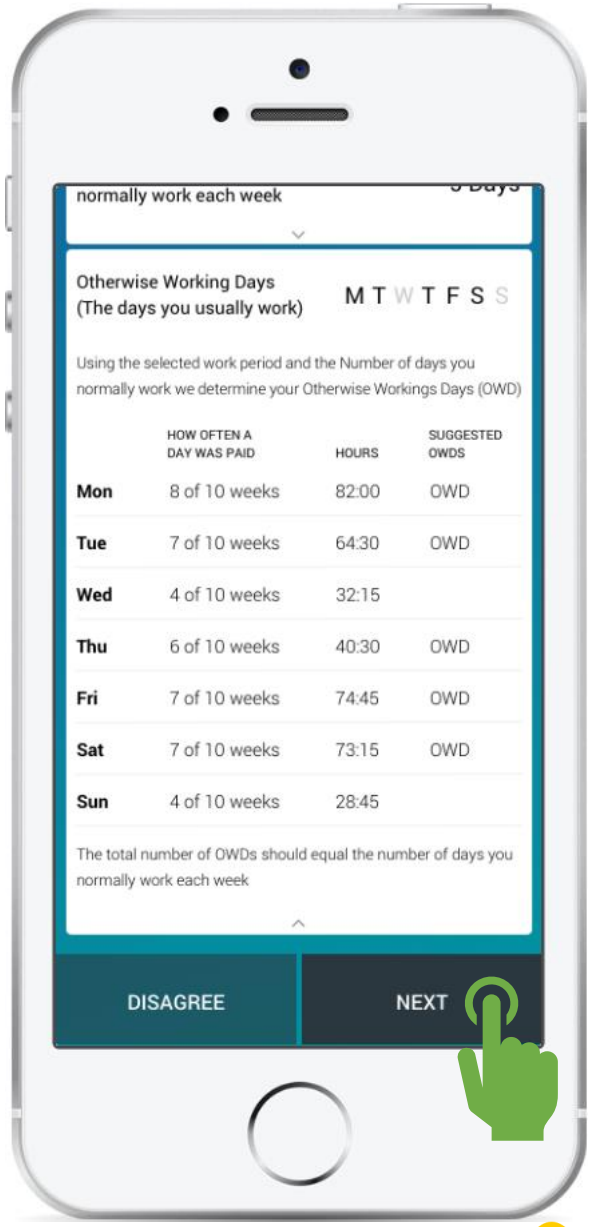

NWW Wizard
STEP 1
Agree Normal Week
Using your recent work history, in particular the last 13 Weeks and 4 Weeks, we have determined you normally work the following days.
The period which best represents what you normally work is the last
13 Weeks
The number of days you normally work each week
5 Days
The days you normally work (Otherwise Working Days)
F S S
DISAGREE
NEXT


The period which best represents what you normally work is the last
13 Weeks
The number of days you normally work each week
5 Days
Using the selected work period we calculate the number of days you usually work in a week
Selected Work Period
13 Weeks
Weeks removed from Work Pattern
3 Weeks
Paid Weeks used from Selected Work Pattern
10 Weeks (13-3)
Total Paid days from Selected Paid Weeks
42 Days
Average Paid Days per Week
4.2 (42 ÷10)
Average Days Rounded up
5
The days you normally work (Otherwise Working Days)
M T W T F S S

Maxtel


NWW Wizard
STEP 1
Agree Normal Week
Using your recent work history, in particular the last 13 Weeks and 4 Weeks, we have determined you normally work the following days.
The period which best represents what you normally work is the last
13 Weeks
The number of days you normally work each week
5 Days
The days you normally work (Otherwise Working Days)
M T W T F S S
DISAGREE
NEXT


normally work each week
Otherwise Working Days (The days you usually work)
M T W T F S S
Using the selected work period and the Number of days you normally work we determine your Otherwise Workings Days (OWD)
HOW OFTEN A DAY WAS PAID
HOURS
SUGGESTED OWDS
Mon 8 of 10 weeks 82:00 OWD
Tue 7 of 10 weeks 64:30 OWD
Wed 4 of 10 weeks 32:15
Thu 6 of 10 weeks 40:30 OWD
Fri 7 of 10 weeks 74:45 OWD
Sat 7 of 10 weeks 73:15 OWD
Sun 4 of 10 weeks 28:45
The total number of OWDs should equal the number of days you normally work each week
DISAGREE
NEXT

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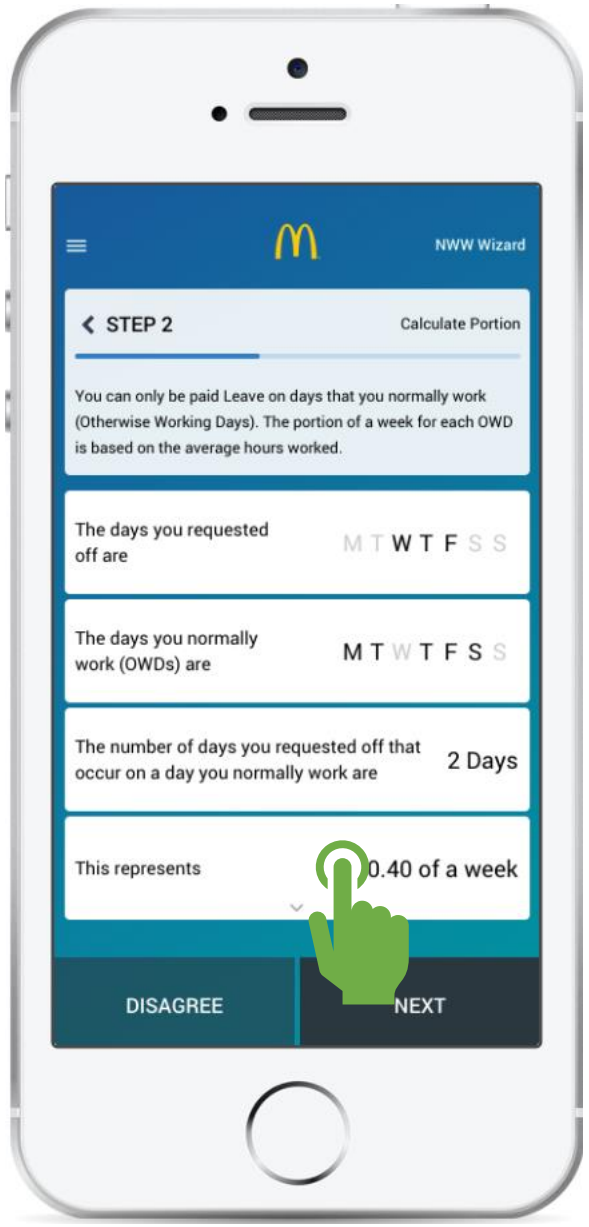
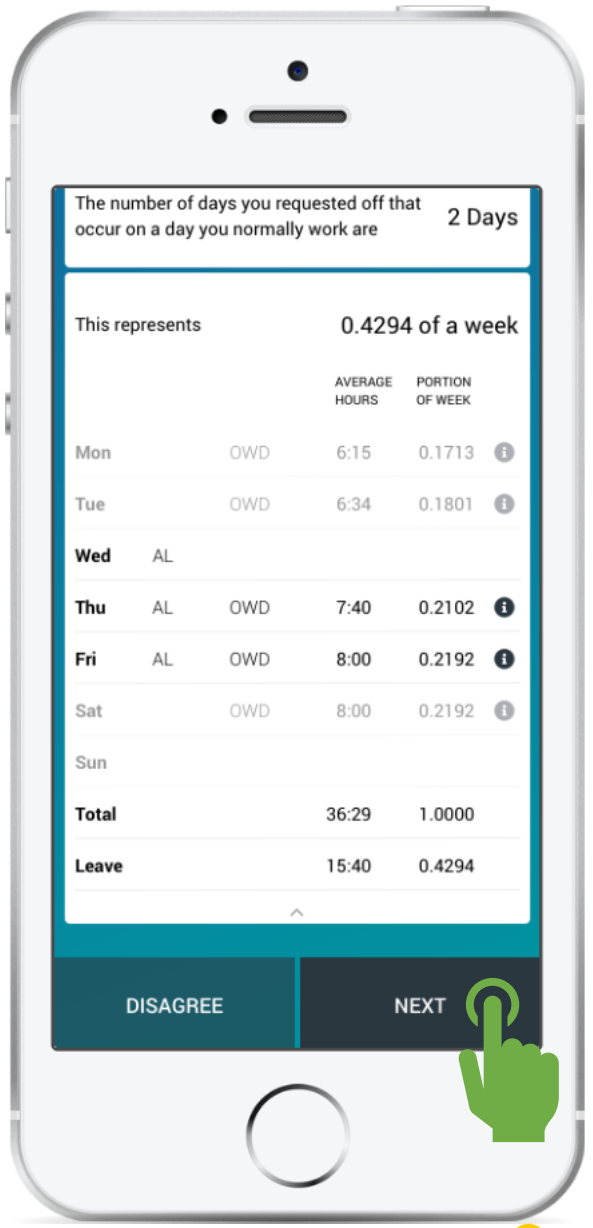

NWW Wizard
STEP 2
Calculate Portion
You can only be paid Leave on days that you normally work (Otherwise Working Days). The portion of a week for each OWD is based on the average hours worked.
The days you requested off are
M T W T F S S
The days you normally work (OWDs) are
M T W T F S S
The number of days you requested off that occur on a day you normally work are
2 Days
This represents
0.40 of a week
DISAGREE
NEXT


The number of days you requested off that occur on a day you normally work are
2 Days
This represents
0.4294 of a week
AVERAGE HOURS
PORTION OF WEEK
Mon OWD 6:15 0.1713
Tue OWD 6:34 0.1801
Wed AL
Thu AL OWD 7:40 0.2102
Fri AL OWD 8:00 0.2192
Sat OWD 8:00 0.2192
Sun
Total 36:29 1.0000
Leave 15:40 0.4294
DISAGREE
NEXT

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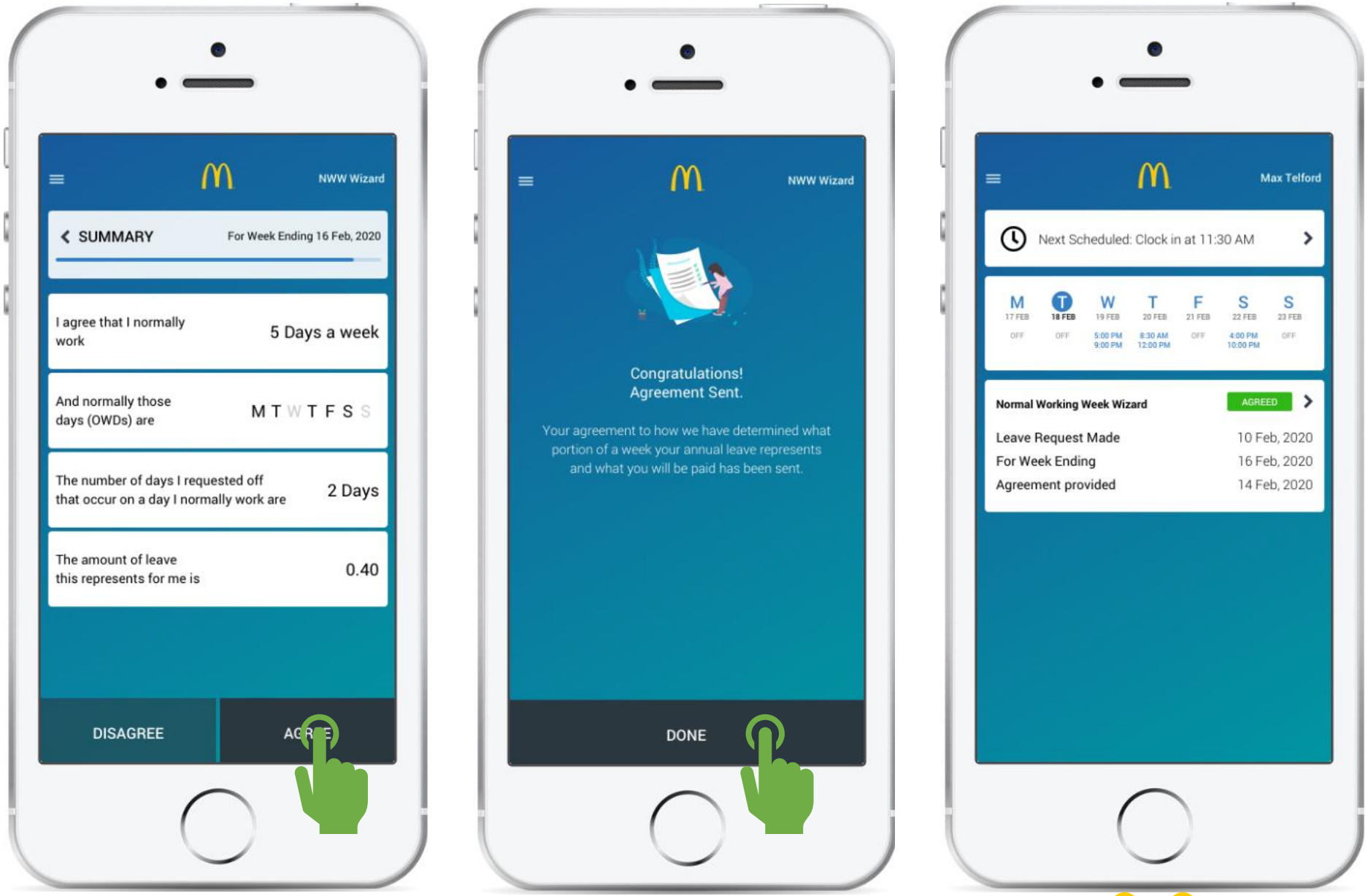
NWW Wizard
SUMMARY
For Week Ending 16 Feb, 2020
I agree that I normally work
5 Days a week
And normally those days (OWDs) are
M T W T F S S
The number of days I requested off that occur on a day I normally work are
2 Days
The amount of leave this represents for me is
0.40
DISAGREE
AGREE
NWW Wizard
Congratulations!
Agreement Sent.
Your agreement to how we have determined what portion of a week your annual leave represents and what you will be paid has been sent.
DONE
Max Telford
Next Scheduled: Clock in at 11:30 AM
M 17 FEB OFF
T 18 FEB OFF
W 19 FEB 5:00 PM 9:00 PM
T 20 FEB 8:30 AM 12:00 PM
F 21 FEB OFF
S 22 FEB 4:00 PM 10:00 PM
S 23 FEB OFF
Normal Working Week Wizard
AGREED
Leave Request Made 10 Feb, 2020
For Week Ending 16 Feb, 2020
Agreement provided 14 Feb, 2020

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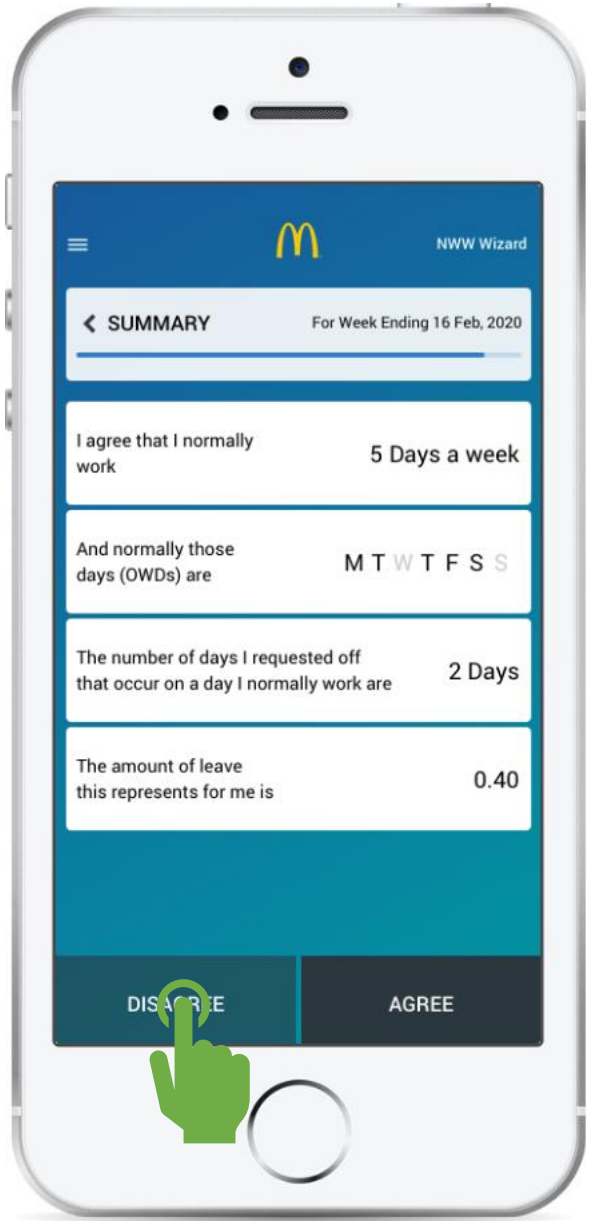
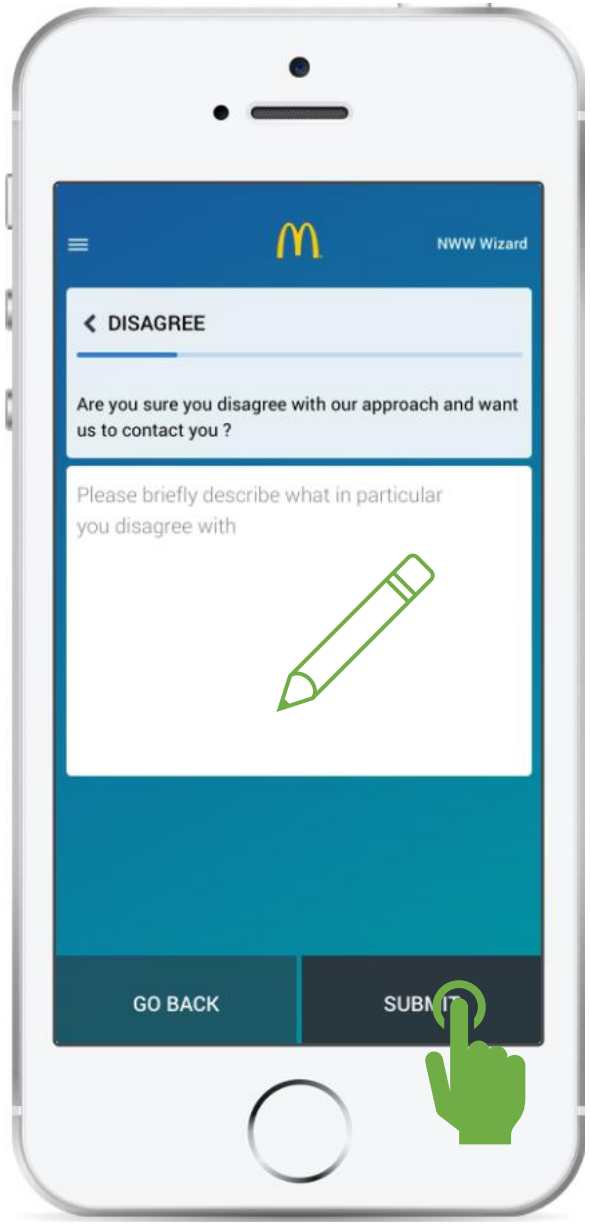
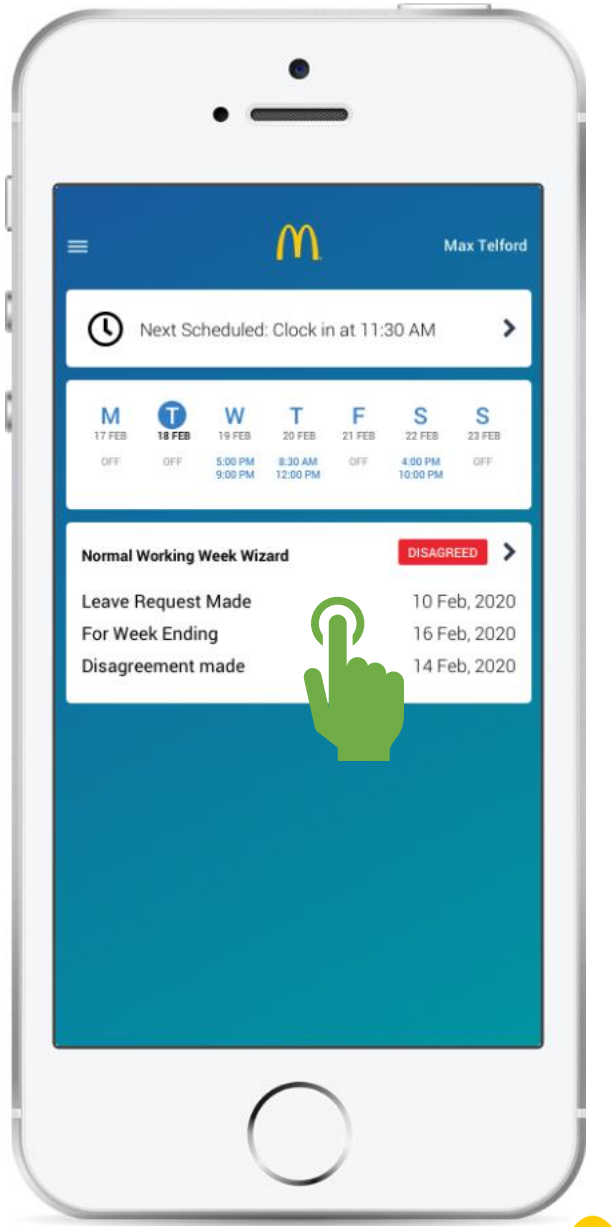
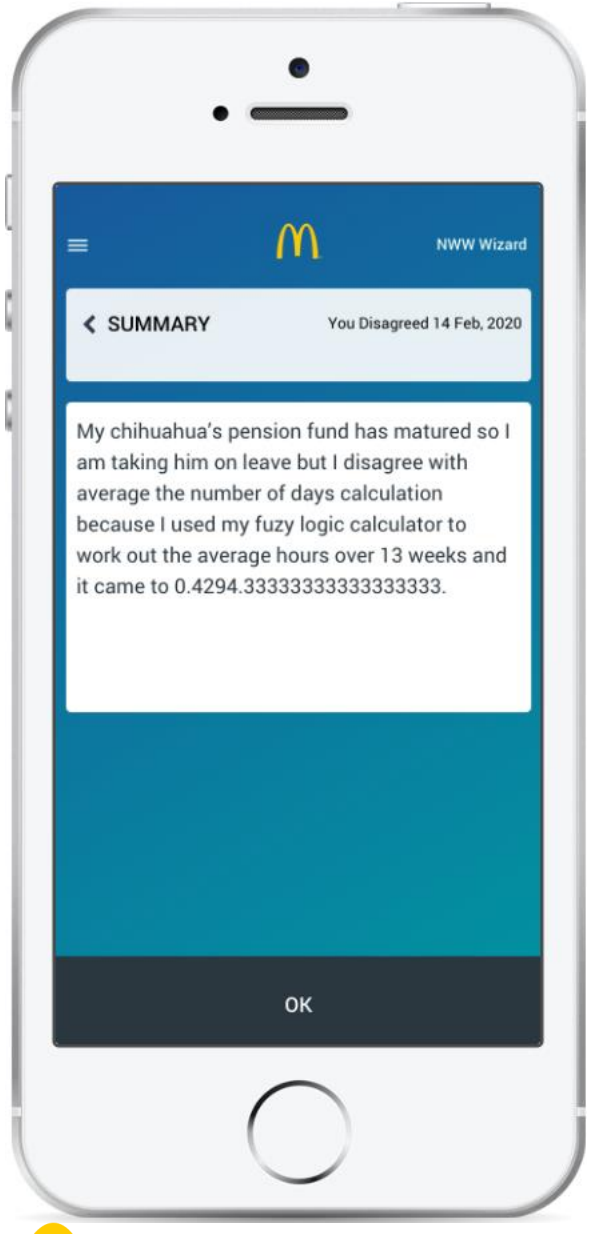

NWW Wizard
SUMMARY
For Week Ending 16 Feb, 2020
I agree that I normally work
5 Days a week
And normally those days (OWDs) are
M T W T F S S
The number of days I requested off that occur on a day I normally work are
2 Days
The amount of leave this represents for me is
0.40
AGREE

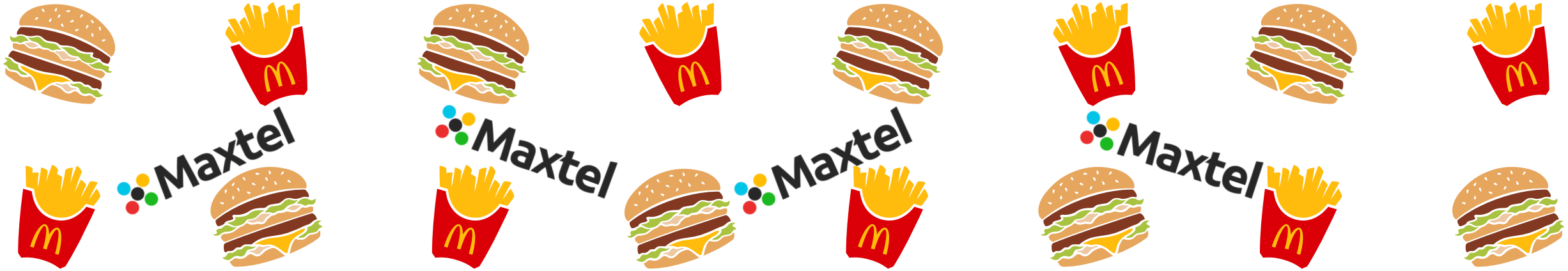

NWW Wizard
DISAGREE
Are you sure you disagree with our approach and want us to contact you ?
Please briefly describe what in particular you disagree with
GO BACK


Max Telford
Next Scheduled: Clock in at 11:30 AM
M 17 FEB OFF
T 18 FEB OFF
W 19 FEB 5:00 PM 9:00 PM
T 20 FEB 8:30 AM 12:00 PM
F 21 FEB OFF
S 22 FEB 4:00 PM 10:00 PM
S 23 FEB OFF
Normal Working Week Wizard
DISAGREED
Leave Request Made
10 Feb, 2020
For Week Ending
16 Feb, 2020
Disagreement made
14 Feb, 2020


NWW Wizard
SUMMARY
You Disagreed 14 Feb, 2020
My chihuahua's pension fund has matured so I am taking him on leave but I disagree with average the number of days calculation because I used my fuzy logic calculator to work out the average hours over 13 weeks and it came to 0.4294.3333333333333333.
OK

Maxtel

- Initially employees might want to go through the whole process reviewing all steps
- Great for those armchair payroll expert parents
- Reality is the whole process can take as little as 15-20 seconds with 7 clicks once employees get used to the process and gain confidence in the calculations



QUESTIONS?