

Frequently asked questions

Holidays Act and Pay Remediation Project

Q What is the issue?

A The Ministry of Business, Innovation and Employment informed us of a widespread issue where the Holidays Act 2003 had been interpreted incorrectly. This meant in some instances payroll systems across many organisations were not paying holiday leave accurately.

This means that in some cases employees at Fire and Emergency may not have received correct payments for leave taken dating back to 1 January 2010. We are working to remediate these cases and are calculating whether each individual employee may be entitled to an additional payment.

Q. How was my payment calculated?

A. We've calculated what each individual is owed based on your entitlement under the [Holidays Act 2003](#) and the leave you have taken between 1 January 2010 and 31 December 2017.

The calculations are very complex and involve a lot of data so we have not provided a specific breakdown of the calculation. Instead if you have received a holiday remediation payment you will also have received a statement which includes:

- the amount you were previously paid for holidays taken between 1 January 2010 and 31 December 2017
- the amount you should have been paid based on our calculation and;
- the sum of the remediation payment

Q. What does it mean if my statement shows that I have \$0 amount owed?

A. If \$0 is shown in the 'Amount Owed' column, then you are not owed any additional holiday payment. This is because:

- you were previously paid correctly or;
- you were previously overpaid because your leave was calculated and paid in advance, but we will not be recovering this overpayment from you.

Q. What does it mean if my statement shows that I have a negative total amount?

A. If the total amount owed on your statement is a negative value this means you are not owed anything as you were previously overpaid, but we will not be recovering this overpayment from you.

Q. If my payslip shows I was previously overpaid, do I need to pay this back?

A. We recognise payments were made in good faith and will not be taking any further steps to recover any overpayment from you. However, this only applies to your one-off holiday remediation payments. Any other instances where you may have received an overpayment will be recovered as per our normal processes.

Q. What does it mean if my statement shows a negative number in the difference/amount owed column?

A. You may see a line in your statement that looks like the below:

Start Date	End Date	Type	Duration Days	Correct Amount	Paid Amount including Holiday Top-up Payments	Difference/ Amount Owed
02/03/2012		160	Payment		\$69.96	-\$69.96

Previously holidays were paid in advance based on a 160 day leave cycle.

To work out what you are owed, we match the holiday pay you received with the holiday that was actually taken.

If a holiday was not taken within the allocated 160-day leave cycle, we are unable to match the pay you received with the holiday taken. The statement will show a negative amount owed to account for this.

Q. Why does my pay differ to my colleagues?

A. Everyone's earning history and leave patterns are unique. As such, individual calculations have been made and the amount owed may differ from person to person.

Q. How will my remediation payment affect my tax and payments such as kiwisaver, student loan, child support or other deductions?

A. Tax, Kiwisaver contributions and student loan repayments will be deducted as normal, according to your tax code.

We encourage you to contact the relevant organisation to discuss how this one-off payment may affect any child support, benefits or other such payments.

Q. What can I tell a colleague who no longer works at Fire and Emergency?

A. We want to make sure that anyone who previously worked at the New Zealand Fire Service/Fire and Emergency New Zealand dating back to 1 January 2010, is reimbursed for anything they are owed under the Holidays Act.

We plan to start calculating if anything is owed to former employees for holidays taken between 1 January 2010 and their last day of work, in August 2019. We expect to make those payments from December 2019.

If you are in contact with any former employees, please encourage them to

register their name and contact details with NHQPayroll@fireandemergency.nz. We will get in contact with them to confirm we have their details and keep them updated on the situation.

Q. Who do I contact if I have any questions?

A. Please contact the Payroll team at NHQPayroll@fireandemergency.nz if you have any questions