



24 November 2023

HUD2023-003265

s 9(2)(a)

Tēnā koe s 9(2)(a)

Thank you for your email of 8 November 2023 requesting the following information under the Official Information Act 1982 (the Act):

- *A summary of support, information and entitlements you provide to your employees who take parental leave and return to work at your agency; and*
- *Copies of policies and procedures at your agency that relate to information and support provided to employees who take parental leave and return to work.*

Employees at Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development taking and returning from parental leave receive the following support and entitlements (with some stipulations as outlined in the *Parental leave guidelines* and collective employment agreement):

- Unpaid primary carer leave of 26 weeks (with six months' eligible service)
- Unpaid extended leave of up to 26 weeks (with six months' eligible service) or 52 weeks (with 12 months' eligible service)
- Unpaid special leave for pregnant people of up to 10 days
- Unpaid partner's leave of up to one week (with six months' eligible service) or two weeks (with 12 months' eligible service)
- Job protection while on parental leave ensuring the same or similar position as that held prior to taking parental leave
- Ex-gratia payment of up to 6.4 weeks of last salary for those returning to work for at least six months
- Annual leave accrued while on parental leave paid at the pay rate when leave taken
- Preferential re-hiring for those resigning to care for preschool-age children within four years of resigning or five years of taking parental leave
- Breastfeeding and pumping facilities
- Flexible working provisions for all employees

Information provided to employees is:

- Parental leave guidelines
- Parental leave provisions (8.3) in the collective and individual employment agreements
- Parental leave letter outlining procedure and entitlements for those applying for parental leave
- Either a letter for those returning to work after parental leave or an acknowledgement letter for those electing not to return to work at the Ministry

Five documents have been found to be within scope of your request and are released to you in full. These documents, mentioned above in the information provided to employees, are detailed in the attached document schedule.

You have the right to seek an investigation and review of my response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

As part of our ongoing commitment to openness and transparency, the Ministry proactively releases information and documents that may be of interest to the public. As such, this response, with your personal details removed, may be published on our website.

Ngā mihi

A handwritten signature in black ink, appearing to read 'Emily Scarlett', with a stylized, cursive script.

Emily Scarlett  
**General Manager, People and Community**

## Annex A: Document schedule

	Document
1	<i>Parental leave guidelines</i>
2	Excerpts from HUD leave guidelines (12) and collective and individual employment agreements concerning parental leave (8.3)
3	Parental leave letter template provided to employees applying for parental leave
4	Parental leave return letter template provided to employees returning from parental leave
5	Parental leave not returning letter template provided to employees electing not to return after parental leave



# Parental Leave Guidelines

## OVERVIEW

First of all congratulations on becoming a parent (perhaps again!). HUD recognises and celebrates the importance of family and whānau by providing comprehensive and inclusive parental leave guidelines which aim to support all parents.

The purpose of the HUD parental leave guidelines is to:

- highlight entitlements our people may have to parental leave where they have a child while employed with HUD
- ensure our statutory obligations under the [Parental Leave and Employment Protection Act 1987](#) are met
- comply with the contractual terms of employment agreements with our people.

## DEFINITION OF TERMS

<b>6-month employment test</b>	Worked for HUD for at least 10 hours a week on average in the six months immediately preceding the expected date of delivery or becomes Primary Carer of a child under six years of age
<b>12-month employment test</b>	Worked for HUD for at least 10 hours a week on average in the 12 months immediately preceding the expected date of delivery or becomes Primary Carer of a child under six years of age
<b>Adoption</b>	Any situation where a child enters the primary care of an adult, whether because of formal adoption, court order, whāngai arrangement, or any other method
<b>Primary Carer</b>	A female who is pregnant or has given birth to a child; or her partner, if she has transferred all or part of her entitlement to a parental leave payment to her partner (or if they have succeeded it) in which case the partner is the primary carer for the period of time in relation to which the entitlement is transferred; or > a person, other than the birth mother or her partner, who takes permanent primary responsibility for the care, development, and upbringing of child who is under the age of six years, (and if there is more than one person, the person nominated).

## LEAVE ENTITLEMENT

If you meet either the 6-month or 12-month employment test, there are four types of parental leave to which you may be entitled:

Leave Type	Entitlements
<b>Primary Carer leave (previously maternity leave)</b>	<ul style="list-style-type: none"><li>• You may take up to 26 weeks leave</li><li>• The leave can begin:<ul style="list-style-type: none"><li>• up to six weeks before the expected date of birth, or</li><li>• on the date of adoption</li></ul>but no later than the actual date of birth or adoption, unless agreed with your Leader.</li></ul>

- Primary carer leave must be taken in one continuous period.
- Primary carer leave is included as part of any extended leave you may take.
- The nominated primary carer or birth mother can transfer some or all of the payment to their partner if they are also eligible (which must also be taken in one continuous period).

If you are pregnant you may start your primary carer leave earlier if:

- the baby is born before the scheduled leave, or
- directed by a doctor or midwife, or
- the employer considers that the pregnant employee's work is unsafe, or her performance is inadequate, due to her pregnancy; and the employer can't temporarily transfer her to another suitable job.

If the primary carer leave starts early (by medical or employer direction as above), the female employee giving birth may still take at least 16 weeks' primary carer leave after the expected date of delivery birth (even if this means that she will have taken more than 26 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.

#### **Special leave**

- A pregnant woman may also take up to 10 days' *unpaid* special leave for reasons connected with her pregnancy.
- Special leave must be taken prior to any primary carer leave and is additional to any primary carer leave and extended leave.

#### **Partner's leave**

- A partner may take either one week *unpaid* (with six months' eligible service), or two weeks' *unpaid* (with 12 months' eligible service) continuous leave.
- This unpaid leave can begin any time during the six-week period beginning 21 days before the expected date of delivery or adoption and ending 21 days after the actual date of birth or adoption, or a date agreed between you and your Leader.

#### **Extended leave**

- You may take up to 26 weeks of extended leave (less any primary carer leave you have taken) if you meet the 6-month employment test.
- You may take up to 52 weeks of extended leave (less any primary carer leave you have taken) if you meet the 12-month employment test.
- Extended leave can be taken in one or more periods up to the on dates agreed between you and your Leader.
- It may be taken by the primary carer or shared with their partner and can be taken at either the same time or one after the other. This applies regardless of whether one or both parents are employed by HUD.

## **YOUR JOB IS PROTECTED WHILE YOU ARE ON PARENTAL LEAVE**

Your position is protected under the Parental Leave and Employment Protection Act. You are entitled to return to the same (or similar) position you held prior to starting parental leave. A similar position is one that:

- is at the equivalent salary and job sizing

- is at the same or other location within reasonable traveling distance
- involves responsibilities broadly comparable to the previous position.

When you take parental leave, HUD's preference will be to keep your position open with a temporary replacement. The temporary replacement will be provided through a secondment or a fixed-term agreement for the expected duration of the parental leave period.

If your position is affected by a review or restructure while you are on parental leave, the management of change options in your employment agreement apply and you will be consulted regarding proposed changes to your position as would any other employee affected by change.

## **ANNUAL LEAVE WHILE ON PARENTAL LEAVE**

### **Annual Leave Pre-Parental Leave**

We recommend that you take all available annual leave immediately prior to commencing parental leave. Your term of parental leave without pay will begin once your annual leave is used.

If you have applied for parental leave of less than three months' duration you can ask to retain any annual leave entitlement accrued prior to taking parental leave, ie it will not be paid out as described above. When you take this leave on your return, it will be paid at the rate applying at the time you started your parental leave.

### **Annual Leave Post-Parental Leave**

The Holidays Act allows you to accrue annual leave while you are on parental leave. This leave is available to you following your return to work. HUD will pay this at your daily pay rate when you take it. However, if you resign from HUD while on parental leave, any accrued leave will be paid out at the average of your previous 12 months earnings at the date you commenced your parental leave.

## **RESIGNING WHILE ON PARENTAL LEAVE**

If you decide not to go back to your role, you can resign at any time by notifying your leader in writing while you're on parental leave. You are required to give the standard notice period outlined in your Employment Agreement. However, your official employment end date will be recorded as the day you started your parental leave for any leave accrual or service related purposes.

## **RETIREMENT SAVINGS SCHEME DEDUCTIONS**

If you have deductions from your salary, you will need to make alternative arrangements to ensure these continue.

If you are a member of the State Sector Retirement Savings Scheme (SSRSS) or Individual Retirement Plan (IRP) and wish to keep contributing while on leave you will need to make private arrangements directly with the company managing your scheme. If you opt to suspend contributions for SSRSS while on parental leave, you have the option to make 'catch-up' payments over the first 7 months of your return and HUD will match up to 3% of these payments. Please contact People and Culture to ensure you receive your entitlements.

## UNION MEMBERSHIP

If you are a union member, your union fees will stop while you are on parental leave. When you return to work, your fees will recommence automatically.

The PSA and NUPE continue to regard you as a member while you are on parental leave and cover you as if you were at work.

## OTHER PROVISIONS

A fixed-term employee has the same eligibility criteria and entitlements under the Parental Leave and Employment Protection Act 1987 as a permanent employee. However, the entitlement to parental leave ends the same day the fixed term of employment ends.

After taking a period of parental leave, you must work for a full six months before you are eligible for a further period of parental leave in respect of a subsequent child.

Parental leave is counted towards your continuous service with HUD.

There is an expectation that you will not perform any paid work while on parental leave, except for keeping in touch days.

## PAYMENT FOR PARENTAL LEAVE

The New Zealand government, administered by Inland Revenue (rather than HUD), funds 26 weeks' paid parental leave to eligible primary carers when they take parental leave to care for their new-born or adopted child under six years of age.

You may be able to get parental leave payments even if you don't qualify for parental leave from HUD. The parental leave payment threshold test is slightly different from the parental leave threshold. For more information please see the [Employment New Zealand](#) and [Inland Revenue](#) websites.

## HOW TO APPLY

If you are intending to take parental leave (as either the primary carer or partner of the primary carer) you will need to discuss this with your leader and give written notice at least three months before the expected date of delivery (or 14 days prior in the case of adoption). This request must advise the type of parental leave you intend to take, the commencement date of that leave, and its duration. Letter templates are available from the [Employment NZ website](#) to support your application. If you are the *pregnant employee* and are applying for parental leave you need to:

1. Include a certificate or copy of a certificate from a medical practitioner or midwife certifying you are pregnant and stating the expected date of delivery

If you are the *pregnant employee's spouse or partner*, the parental leave request to your Leader must:

2. Include a certificate or copy of a certificate from a medical practitioner or midwife certifying that the woman named in the certificate is pregnant and states the expected date of delivery; and

3. Include a written assurance from the woman named in the medical certificate that the employee is her spouse/partner and that the employee intends to assume care of the child to be born.

You are required to complete and submit the above items along with the following:

- A paid parental leave application (IR880) form with the employee's section completed. Payroll will complete the employer section of this form and return it directly to you for submission to Inland Revenue (if you are applying as the primary carer).
- A paid parental leave transfer (IR881) form if you are transferring your government funded paid parental leave to your spouse or partner (as long as they also qualify for this payment from their employer(s) or self-employment).
- In the case of adoption, proof of adoption. This can be a letter from Oranga Tamariki, a court order, or, if neither of these exist, a statutory declaration that you are caring for child that you will be adopting.
- Confirmation from your partner about what extended leave they are taking (if applicable).
- Confirmation from your partner's employer, if they also work in the public sector, whether they will be receiving a parental leave (ex-gratia) payment (if applicable). If your partner also works at HUD and you are both eligible for the payment, only one person can receive the payment.

Once your Leader has approved this request, your Leader will confirm your intended leave dates in writing, return your documentation for you to submit to the Inland Revenue, and provide copies to People and Culture.

Ensure you confirm your leave dates at least one month before commencing your parental leave. This gives your Leader time to organise cover for your work while you are away, and to finalise arrangements.

The Act's requirements for applying and responding to parental leave requests are explained on the [Employment New Zealand website](#).

## **FOR PEOPLE LEADERS**

1. Ensure you have had a conversation with your employee about the details of the intended parental leave they wish to take.
2. Request a Parental Leave Acknowledgement Letter through [HR Assist](#) and provide this to your employee.
3. Send copies of the Parental Leave Acknowledgement Letter and Inland Revenue forms to [HR Assist](#).

## **KEEPING IN TOUCH DAYS**

'Keeping in touch' days are available to you during your parental leave. You may come to work during your parental leave period for a maximum of 64 hours over the period. Keeping in touch days can help you stay connected with what's happening in the workplace, allow you to catch up with colleagues and can assist you in preparing to return to work. These hours can only commence 28 days after your baby is born. Hours must be mutually agreed in advance with your Leader and will be paid for by HUD.

To apply for this, email details to your Leader who will fill in a casual timesheet (note "Keeping in touch hours" on it) and send it to Payroll



## RETURNING TO WORK

1. Let your Leader know of your intent to return to work in writing or by email at least 21 days (and preferably one month) in advance of your return date.
2. You may want to consider making a request for a permanent or temporary amendment to hours/days of work or a gradual return to full-time at this point in time. Further information can be found in HUD's Flexible Working Guidelines
3. If you want to return early or extend your leave, you also need to give at least 21 days' notice.
4. Your Leader will acknowledge your intention to return to work and will discuss the details with you, including your amended hours and work pattern if applicable. They will send you a Returning to Work letter and forward a copy to Onboarding.

## HUD PARENTAL LEAVE PAYMENT

Employees will be eligible for a payment of up to 6.4 pay weeks if they have:

1. Taken at least six weeks primary carer leave and/or extended leave, and
2. Had care of their child in terms of the Parental Leave and Employment Protection Act 1987.

The payment may be claimed one of two ways:

- Equivalent to 6.4 weeks' pay, based on the employee's base salary that applied immediately prior to commencing parental leave, paid as a lump sum six months after returning to work, or
- Equivalent to 6.4 weeks' pay as a fortnightly allowance, based on the employee's base salary that applied immediately prior to commencing parental leave, pro-rated over the first six months after returning to work.

You will not be eligible if your partner receives a similar payment from another public sector employer. By law you are required to disclose such payments. Refer to your employment agreement for more information.

## RELATED POLICIES, PROCEDURES AND LEGISLATION

- HUD Leave Guidelines
- Flexible Working Guidelines
- Parental Leave and Employment Protection Act 1987
- For further information on the types of parental leave please see the Employment New Zealand website.

## GUIDELINES REVIEW

**Owner:** Head of People and Culture

**Review:** February 2021

HUD encourages a culture of continuous improvement. If you have a suggestion to help us improve the content of this document, please contact [HR Assist](#)

## Excerpts from HUD leave guidelines and employment agreements:

### - Excerpt from HUD Holidays and Leave Guidelines 2020:

#### 12. PARENTAL LEAVE

The provisions of the Parental Leave and Employment Protection Act 1987 and any subsequent amendments will apply. Please refer to HUD's Parental Leave Guidelines for comprehensive information on Parental Leave entitlements and procedures.

### - Excerpt from HUD Collective Agreement (provisions mirrored in HUD IEA):

#### 8.3 Parental leave

##### 8.3.1 Definitions

Parental leave at HUD can include Primary carer leave, Partner's leave, Extended leave, and Special Leave.

The provisions of the Parental Leave and Employment Protection Act 1987 (including protection of employment provisions) apply, with additional entitlements for payment on return to work and for re-engagement after child care.

Parental leave provided by HUD is unpaid leave. Note that employees taking Primary carer's leave may be entitled to payment under the Statutory Paid Parental Leave Scheme. This payment is taxpayer funded and administered by Inland Revenue.

If the employee is on a fixed-term agreement parental leave will not extend beyond the expiry date of that agreement.

##### 8.3.2 Eligibility

Parental leave may be available to:

- Pregnant employees
- Employees who begin permanently caring for a child under six years who is not their natural child (this includes permanent care such as adoption and home for life, but not foster care), and
- Employees whose partners are eligible for parental leave

The amount of leave an employee can take depends on whether they meet the six or 12-month criteria below:

- **Six-month criteria**  
The employee must have worked for HUD for an average of at least 10 hours a week for the six months before their baby's due date (or the date they become responsible for the care of a child under six years on a permanent basis).
- **Twelve-month criteria**  
The employee must have worked for HUD for an average of at least 10 hours a week for the 12 months before their baby's due date (or the date they become responsible for the care of a child under six years on a permanent basis).

An employee may take the maximum period of parental leave exclusively or share it with their partner.

24[UNCLASSIFIED]

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##### 8.3.3 Applying for primary carer, partner's and extended leave.

An employee must apply in writing, with at least one month's notice, to HUD of their intention to take primary carer, partner's, or extended leave. The employee is required to provide a copy of a certificate from a doctor or midwife naming who is pregnant and the baby's due date or documentation that shows assuming care of the child with a view to adopt.

Full details of letter requirements are available on HUD's intranet.

### **8.3.4 Primary carer leave**

Primary carer leave may be available to employees eligible under clause 8.3.2.

Primary carer leave must be taken in one continuous period up to the number of weeks specified under the act (22 weeks as at 1 July 2018).

The employee can start their primary carer leave up to six weeks before the baby's due date or the date on which the employee will become the primary carer of the child.

Pregnant employees can start primary carer leave earlier if:

- The baby is born before the employee's scheduled leave, or
- Directed by a doctor or midwife, or
- HUD considers that the pregnant employee's work is unsafe, or their performance is inadequate, due to their pregnancy; and HUD can't temporarily transfer the employee to another suitable job.

Any leave taken before the six week period prior to the due date is in addition to the employee's entitlement to extended leave.

### **8.3.5 Extended leave**

Extended leave may be available to employees eligible under section 8.3.2.

The amount of extended leave that an employee may take depends on whether they meet either the six month or 12-month time criteria:

- Employees who meet the six-month criteria may take up to 26 weeks (less the number of weeks of primary carer leave taken).
- Employees who meet the 12-month criteria may take up to 52 weeks (less the number of weeks of primary carer leave taken).

In either instance, if the employees' partner is also taking extended leave, they share this amount.

### **8.3.6 Partner's leave**

An employee may take up to two weeks unpaid leave if their partner is going to give birth or assume the care of a child. This leave may be taken at any time between the period three weeks prior to, and three weeks following, the expected date of delivery or date of assuming care. This leave must be taken as a block of up to two weeks.

Partners may also choose to use their annual leave entitlements to take paid leave.

### 8.3.7 Special leave

25[UNCLASSIFIED]

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In addition to any other parental leave taken, a pregnant employee may also take up to 10 days special leave without pay for pregnancy-related reasons such as antenatal classes, scans or midwife appointments.

### 8.3.8 Annual leave

Any annual leave entitlement or accrued annual leave that employees have at the time they begin primary carer leave and/or extended leave will be paid out at the beginning of their leave period. The term of primary carer leave and/or extended leave will begin once the annual leave is used.

An employee who has applied for a primary carer leave and/or extended leave period of less than three months can ask to retain any annual leave entitlement accrued prior to taking the parental leave (i.e. it will not be paid out as described above). When the employee takes this leave on their return, it will be paid at their daily pay rate applying at the time they started their parental leave.

Employees will continue to accrue annual leave while they are on primary carer leave and/or extended leave. This leave will be available to employees following their return to work and paid at their daily pay rate when they take it.

### 8.3.9 Job protection

An employee will be entitled to resume work in the same (or similar) position to the one that they held prior to commencing parental leave. A similar position means:

- At the equivalent salary and job sizing, and
- At the same or other location within reasonable travelling distance; and
- Involving responsibilities broadly comparable to the previous position.

When an employee takes parental leave HUD will keep the employee's position open, preferably with a temporary replacement.

In the event that an employee's position becomes affected, while they are on parental leave, they will be notified and consulted in terms of the 'Our approach to change management' (clause 12) provisions contained in this agreement.



### 8.3.10 Payment on return to work

Employees will be eligible for a payment of up to 6.4 pay-weeks if they have:

- Have taken at least six weeks' primary carer leave and/or extended leave, and
- Had care of their child in terms of the Parental Leave and Employment Protection Act 1987

The payment will be made either:

- On the completion of six months' service after returning to work, or
- Alternatively, the employee may choose to receive the payment pro-rated in equal fortnightly instalments commencing on their first payday after they return to work, with the final payment made at the completion of six months' service.

Where an employee chooses to receive the parental leave payment in instalments they need to advise HUD of this on their first day back at work. They are not entitled to the balance of the payment if they resign or their employment is terminated before the completion of six months' service after returning from primary carer and/or extended leave.

The payment is based on the employee's annual rate of pay and hours of work before they went on leave, and will be made as follows:

- The amount will be calculated at the normal rate of salary applicable to the 6.4 week period prior to the commencement of the leave

26[UNCLASSIFIED]

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- Only one payment will be made when both partners are engaged by the public sector and both meet the eligibility criteria
  - The amount will be pro-rated where an employee takes extended leave following a period of primary carer leave of less than six weeks' leave

Where an employee works reduced hours prior to taking primary carer leave and/or extended leave as a result of a medical condition arising from their pregnancy, the return to work payment will be calculated at the normal rate of salary for the 6.4 week period prior to the reduction in hours.

### 8.3.11 Re-engagement after childcare

An employee who resigns to care for preschool children will have preferential re-employment status if they reapply for a position within four years from the date of resignation or five years from the date of taking parental leave.

The preference will apply where:

- The employee applies for a vacancy which is substantially the same position as previously held, and
- Where the employee has the necessary skills to competently fill the vacant position.

Where these criteria are met, the person will be offered the position in preference to any other person. The preference will lapse where the applicant has not been appointed to a position within six months of reapplying.



17 November 2023

**FULL NAME**

**Team**

**Group**

Kia ora **NAME**,

**CONGRATULATIONS!**

On behalf of the Ministry, I would like to congratulate you on your impending arrival and to wish you and your whānau all the very best during this exciting time.

Thank you for advising HUD on **DATE** of your request for Parental Leave and for providing a copy of the certificate from your LMC advising the due date. **I can now confirm you are eligible for both paid parental leave of 26 weeks and extended unpaid parental leave of up to an additional 26 weeks, making a total of 52 weeks Parental Leave.**

I am also happy to advise your application for parental leave from **5<sup>th</sup> March 2020** until **5<sup>th</sup> March 2021** inclusive (the first 26 weeks of which will be paid parental leave) has been approved in accordance with the Parental Leave and Employment Protection Act 1987.

**Confirmed leave dates**

We have agreed that your last day in the office will be **4<sup>th</sup> March 2020**; and that you will take leave as follows:

**Select which of the following apply**

- a) Annual leave from **date** to **date** (**n** days), as discussed this is to be applied by you via Direct Access;
- b) Paid Parental leave from **date** to **date** (**n** weeks);
- c) Partner's leave from **date** to **date** (**n** weeks)
- d) Extended unpaid Parental leave from **date** to **date** (**n** weeks);
- e) Leave without pay from **date** to **date** (**n** weeks). Please note that your anniversary date will be amended to reflect this period of leave without pay.

Your first day back at work will be **date**. *(Remove this section if the position is not being held open.)*



## **IRD & Government Paid Parental Leave**

It is important that you contact IRD directly to determine which tax code to use whilst on parental leave and for you to understand your rights and obligations as an employee.

Should you be eligible to receive the government funded 26 weeks primary carer leave, and if you have not already done so, Visit [this page](#) to apply for Paid Parental Leave through MyIR (no more need for the IR880 form as IR doesn't need us to verify your income anymore).

Visit [Parental leave » Employment New Zealand](#) for more information about your legislated entitlements.

## **Your role at HUD**

I confirm that your position of **ROLE** will be kept open until the end of your parental leave period. If your position becomes affected, or is proposed to become affected, due to restructuring during your time away, you will be notified and consulted with, as per the organisational change provisions in your employment agreement.

## **Your responsibilities before you leave**

- Let your key stakeholders know you will be on parental leave and who to contact in your absence
- Put an out of office message on your phone and email and provided the contact details of the person picking up your duties.

## **Contact details whilst away**

Before the commencement of your parental leave, please ensure myself and [HRAssist@hud.govt.nz](mailto:HRAssist@hud.govt.nz) have your personal contact details so we can keep in touch.

## **Notifying your leader when your baby/babies are born**

In order for HUD to ensure compliance with employment legislation, please inform your leader of the date your baby/babies is/are born, or the date you become the primary carer.

## **Superannuation**

You will need to contact your superannuation provider directly and make arrangements with them as to what this means for you while you are on parental leave.





### **Southern Cross Healthcare**

If you are an existing member of the HUD Southern Cross Healthcare scheme, please contact them prior to commencing leave. Do remember to get in touch with them again after baby is born if you wish to add baby to your plan.

### **Union membership**

If you are a union member, your union fees will stop while you are on parental leave. When you return to work, your fees will recommence automatically.

The PSA continue to regard you as a member while you are on parental leave and cover you as if you were at work.

### **Company property**

If you possess a HUD company purchase/credit card, please return this, along with any other company property, devices and access cards to me before your last day.

### **Keeping in touch**

Whilst you are away, you are still considered to be part of the HUD whanau. We will endeavour to keep you informed of any major developments. Similarly feel free to get in touch with your team and I for regular updates. You are entitled to 64 paid Keeping in Touch hours to do this, these hours can only commence 28 days after your baby is born and must be mutually agreed in advance with your leader.

To apply for this, email details to your Leader who will fill in a casual timesheet (note "Keeping in touch hours" on it) and send it to Payroll.

For more information on Keeping in Touch hours please visit

<https://www.employment.govt.nz/leave-and-holidays/parental-leave/types-of-parental-leave/keeping-in-touch-days/>.

### **Returning to work**

Let me know of your intent to return to work in writing or by email at least one month in advance of your return date.

Should you wish to return to work earlier than **date**, you will need to discuss this with me both verbally and via written correspondence. You may be required to provide a medical certificate to confirm that you are fit for work. Please give me at least **one month's written notice** of your



intention to return to work. We will work with you and do our best to make your transition back into HUD as seamless as possible.

### **Choosing not to return to work**

If you decide of your own accord that you do not wish to return to work following completion of your parental leave, please give me at least **one month's written notice** of your resignation, as per the termination clause in your employment agreement. If you decide not to return to work after taking parental leave, or resign during your parental leave, the date that your parental leave commenced, **DATE**, is deemed to be the date of your resignation. Any holiday pay included in your final pay will be calculated as of this date.

### **Payment on return to work**

Employees will be eligible for a payment of up to 6.4 pay weeks upon return to work after parental leave. The ex-gratia payment may be claimed one of two ways:

- Equivalent to 6.4 weeks' pay, based on the employee's base salary that applied immediately prior to commencing parental leave, paid as a lump sum six months after returning to work, or
- Equivalent to 6.4 weeks' pay as a fortnightly allowance, based on the employee's base salary that applied immediately prior to commencing parental leave, pro-rated over the first six months after returning to work.

You will not be eligible if your partner receives a similar payment from another public sector employer. By law you are required to disclose such payments. Refer to your employment agreement for more information.

### **Payroll processing**

You will continue to accrue annual leave while on parental leave. In the first 12 months' from your return to work, any annual leave taken will be paid at your daily pay rate or average daily rate whichever is higher. However, if you resign from HUD while on parental leave, any accrued leave will be paid at the average of your previous 12 months earnings at the date you commenced your parental leave.

If you have any automatic deductions from your salary, please review and make alternative arrangements for these payments if necessary.

All other terms and conditions of your employment agreement remain unchanged.



### Next steps

Not long to go now! Please keep us informed should you experience any discomfort or wish to alter your parental leave request. We want to make your remaining weeks at HUD as comfortable for you as possible.

### Acknowledgement

Please sign and return a copy of this letter to myself and [hrassist@hud.govt.nz](mailto:hrassist@hud.govt.nz) to indicate your agreement to the parental leave arrangements as outlined above.

**NAME,** I would like to take this opportunity to wish you all the very best for the future and if you have any questions about this letter please don't hesitate to get in touch.

Ngā mihi, nā

**NAME OF MANAGER**

**MANAGER POSITION TITLE**

**GROUP**



**Employee Acknowledgement and Acceptance**

I, **NAME** acknowledge that:

I have had reasonable opportunity of seeking independent advice regarding this agreement.

I have read and understood the revised terms and conditions as outlined in this letter, as offered by the Ministry of Housing and Urban Development; and

I accept the revised terms and conditions as outlined in this letter, as applying to my employment with the Ministry of Housing and Urban Development.

\_\_\_\_\_  
Signature

**NAME**

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date



1 February 2021

Name

Role

Group

Dear NAME

**Return from Parental Leave and confirmation of role at HUD**

I am pleased to confirm your return to work at the Ministry of Housing and Urban Development. There has been a lot of changes at HUD since we last met, and we look forward to seeing you, and the new addition to your whanau, in the near future.

I am pleased to confirm you will be returning to your substantive / offer you the position of Position, Team. You will report to the Managers Title and commence on return date.

The location of your work will be Wellington.

*[Select the option that applies:]*

*No change to hours or working arrangements:* Your current terms and conditions of employment will continue to apply as provided by your employment agreement.

You are employed as FTE proportion FTE which is xx hours per week excluding any unpaid breaks. Your individual work pattern is set out below: *Check MSD/MBIE/Managers as they all have different contractual hours of work.*

	Monday	Tuesday	Wednesday	Thursday	Friday	Weekly Total
<b>Paid hours</b>	8 hours	8 hours	8 hours	8 hours	8 hours	40 hours
<b>Minimum hours to be worked</b>	7 hours 35 minutes	7 hours 35 minutes	7 hours 35 minutes	7 hours 35 minutes	7 hours 35 minutes	37 hours 55 minutes
<b>Leave</b>	8 hours	8 hours	8 hours	8 hours	8 hours	40 hours

This defines what a day is and what a week is for you in accordance with the Holidays Act 2003.

If required, your salary will be pro-rated according to the number of hours and days worked and any leave balance will be recalculated in line with your new FTE proportion and work pattern.



**OR**

*For employees requesting part time where the request is approved:*

### Flexible Working Arrangements

Further to recent discussions, this letter is to formalise your flexible working arrangement in accordance with HUD's Policy, effective from **DATE**.

*If temporary* As discussed this change is temporary and will end on **DATE** at which time you will return to your previous hours of work, **XX** hours per week **and/or** place of work.

Under this flexible working arrangement you are being employed as **X.XX FTE**. Your FTE proportion and salary is based on a 40 hours per week and the minimum hours to be worked are based on 37 hours and 55 minutes per week to be worked between 8am and 6pm Monday to Friday. *Check MSD/MBIE/Managers as they all have different contractual hours of work.* Your Manager will advise you if there are set times within which you are to work your hours, to meet the needs of the business.

Your work profile below confirms how this applies to you:

	Monday	Tuesday	Wednesday	Thursday	Friday	Weekly Total
<b>Paid hours</b>	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes
<b>Minimum hours to be worked</b>	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes
<b>Leave</b>	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes

This defines what a day is and what a week is for you in accordance with the Holidays Act 2003.

If required, your salary will be pro-rated according to the number of hours and days worked and any leave balance will be recalculated in line with your new FTE proportion and work pattern.

*Include this table if temporary arrangement:* As this change in hours is temporary you will return to your previous hours of work on **date** and your work pattern will be:



	Monday	Tuesday	Wednesday	Thursday	Friday	Weekly Total
<b>Paid hours</b>	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes
<b>Minimum hours to be worked</b>	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes
<b>Leave</b>	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes	xx hours xx minutes

This defines what a day is and what a week is for you in accordance with the Holidays Act 2003.

If required, your salary will be pro-rated according to the number of hours and days worked and any leave balance will be recalculated in line with your new FTE proportion and work pattern.

**Include this if ongoing arrangement:** Whilst we have agreement on a flexible working arrangement, circumstances may change at any time, for you or the business. Any change in circumstances need to be raised as soon as possible so we can discuss the implications and seek a way to address these. In any event, the Flexible Working Arrangement may be reviewed on a regular basis to ensure it remains fit for purpose for you and HUD.

### Salary

Your returning salary from **return date** will be **insert**. *Included this section if returning part time:* This salary will be pro-rated in accordance with your part-time hours of work.

*If working reduced hours (and has an allowance)*

### Higher Duties Allowance / Special Duties Allowance

Your **Higher Duties Allowance/Special Duties Allowance** of **\$X,XXX** gross per annum will be prorated accordingly.



### Annual Leave

The Holidays Act allows you to accrue annual leave while you are on parental leave. This leave is available to you following your return to work. HUD will pay this at your daily pay rate when you take it.

### Annual Performance and Remuneration Review – *Use only if no review conducted*

As a review was not conducted before you went on leave, I will conduct a performance review with you on your return. If you are eligible, this may result in a remuneration increase which will be backdated to **1 July xxxx** or as applicable.

Please sign below to indicate your acceptance of these terms and conditions of employment. You may wish to seek independent advice. All other current terms and conditions will remain unchanged.

If you wish to discuss the details of this letter further, please feel free to contact me.

Yours sincerely

**Managers Name**

**Managers Title**

**Group**

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### Acknowledgement and Acceptance

I accept the variation to the terms and conditions of my employment as set out in this letter. I acknowledge that I was made aware that I may seek independent advice before agreeing to this offer, and was given a reasonable opportunity to do so.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**NAME**

**PLEASE SIGN AND RETURN A COPY OF THIS LETTER TO YOUR MANAGER FOR PROCESSING. A COPY IS ENCLOSED FOR YOUR RECORDS.**





## APPENDIX 1: Application for parental leave payment

I, **name**, wish to apply for the Ministry of Housing and Urban Development parental leave payment in relation to my period of **[primary carer leave / extended leave / primary carer and extended leave / partners leave]** from **date** to **date**.

### Return from parental leave payment

The return from parental leave payment may be claimed one of two ways:

- **Equivalent to 6.4 weeks' pay**, based on the employee's base salary that applied immediately prior to commencing parental leave, paid as a lump sum six months after returning to work, or
- **Equivalent to 6.4 weeks' pay** as a fortnightly allowance, based on the employee's base salary that applied immediately prior to commencing parental leave, pro-rated over the first six months after returning to work.

You will not be eligible if your partner receives a similar payment from another public sector employer. By law you are required to disclose such payments. Refer to your employment agreement for more information.

I wish to receive my parental leave payment as:

1. A lump sum payable on the completion of six months' service from my return to work date	
2. A payment pro-rated in equal fortnightly instalments, commencing on my first pay with the final made at the completion of 6 months service.	

I confirm that my spouse/partner has not received an ex gratia payment from their employer.

I understand that by choosing the lump sum payment this will only be paid to me following the completion of six months' service. In choosing the payment option should I leave my employment with HUD before completion of 6 months or 30 weeks respectively will not be entitled to the balance of the payment.

I also understand that my parental leave payment will be paid using my base salary that applied 30 days prior to my commencement of parental leave.

Signed .....

Date .....

**Name of employee**

Signed .....

Date .....

**Name of employee's manager, Role title**



16 March 2020

Ministry of Housing and Urban Development

Dear **NAME**,

Thank you for letting us know that you will not be returning to your role of **Position, Team** for Ministry of Housing and Urban Development at the end of your parental leave.

As per your parental leave letter dated **???**, your last day at HUD will be considered to have been **DATE**.

Your final pay, which will include any holiday owing will be paid out in the next available pay run. Please advise [payroll@hud.govt.nz](mailto:payroll@hud.govt.nz) directly where you would like your final payslip emailed to and if you would like a certificate of service, they will be able to provide this for you too.

You are invited to undertake an exit interview survey to help us understand what we're doing well and what we need to improve.

The survey is anonymous and only takes two minutes. Click [here](#) to begin.

**Name**, thank you for your service and contribution to HUD and I wish you and your whanau all the best for the future.

Yours sincerely

**Managers Name**

**Managers Title**

**Branch**

**Group**