

Welcome!

Welcome to the final edition of Presbyterian People for 2008.



Presbyterian Church
of Aotearoa New Zealand

This year has been particularly busy with changes to employment legislation proposed right up to the time of writing. This edition of Presbyterian People looks at new changes and gives a brief overview on some of the other changes and new initiatives that we have already seen this year.

On behalf of Clare and myself, I would like to wish everyone a Merry Christmas and Happy New Year!

Regards, Juliette

New changes just announced

90-Day Trial Periods

From **1 March 2009** some employers will have the option of employing new staff on an initial trial basis. The changes are as follows:

- Employers must have fewer than 20 employees at the time of hiring
- The employer and employee must negotiate in good faith whether to have a trial period, the length of the trial period and whether to specify the notice period
- The trial period cannot extend more than 90 calendar days
- Where an employer terminates employment they must give notice where this has been negotiated
- If an employee is let go during the trial period (and any notice period is honoured) they cannot take a personal grievance for unjustified dismissal
- Employees may still take a personal grievance on grounds other than unjustified dismissal (i.e. discrimination, harassment etc)
- Both parties still have the option of mediation during the trial period
- The provisions in the Act for Probationary Periods still apply so care will need to be taken when drawing up employment agreements as to which provisions apply
- Employers and employees are limited to one trial period, this includes where an employer rehires a former employee who has already served a trial period with them.

More information on trial periods will be sent out to parishes in the New Year.

For advice contact: Juliette Bowater, Personnel Advisor at (04) 801-6000 or by email at juliette@presbyterian.org.nz.

Kiwisaver

From **1 April 2009** the following changes to the Kiwisaver Act come into force:

- The minimum employee contribution rate will halve from 4% to 2%
- The \$40 member fee subsidy will be abolished
- Compulsory employer contributions will be capped at 2%
- The employer tax credit will be abolished

Other changes to the Kiwisaver Act that are effective now include:

- Preventing employers from reducing gross pay when employees join Kiwisaver, thus ensuring the employer contribution is an addition to their remuneration (note this will replace the amendment to the Employment Relations Act covered on pg 3).
- Providers are given an extended deadline by which to update their prospectuses and investment statements in line with the new changes.

Further information

The 90-day trial period and the changes to Kiwisaver are contained in the Employment Relations Amendment Bill 2008 which can be read at: www.legislation.govt.nz.

The Beneficiary Fund Committee will send out information on how these changes to Kiwisaver affect minister's Beneficiary Fund contributions shortly.

Further information is also currently available from www.taxpolicy.ird.govt.nz and www.beehive.govt.nz

The year that was

April

From **1 April** the **New Entrants Minimum Wage** replaced the Youth Minimum Wage. The new wage applies to all 16 and 17-year old workers with the following exceptions:

- They have completed 3 months/200 hours of service (whichever is the lesser), OR
- They have been supervising or training other employees, OR
- They are subject to the Minimum Training Wage

Employees covered by the first two exceptions are paid the Adult Minimum Wage and those covered by the last exception are paid the Minimum Training Wage. The current Adult minimum wage is \$12.00/hr and the New Entrant and Training rates are \$9.60/hr.

Also in April, employer contributions for **Kiwisaver** became compulsory.

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July

The Assembly Office was pleased to announce free health and safety training for all parishes for the next three years. **Presbyterian Working Safe** was developed by Working Safe specifically for the Presbyterian Church. If your parish has yet to enroll please email me as soon as possible so that you can join before the New Year.

The **Employment Relations (Flexible Working Arrangements) Amendment Act 2007** also came into force on 1 July. This gives employees, who have worked for more than six months for their employer and are responsible for providing care to another person, the right to request a variation in their working arrangements (hours, days or place of work).

At the same time, the Government tightened up on the rules for **Kiwisaver**, preventing employers from deducting the employer contribution from their employee's wages.

For information on flexible working arrangements go to www.dol.govt.nz/flexi-working. Alternately, contact me if you are interested in training on negotiating changes to terms and conditions with your staff.

September

The **Employment Relations (Breaks, Infant Feeding, and Other Matters) Amendment Act 2008** was passed into law in early September. Adverse treatment of an employee by an employer because they belong to Kiwisaver is now grounds for a personal grievance (note this applies to employment agreements or variations of terms and conditions entered into after 2 September).

From **1 April 2009** regular breaks (paid and unpaid) will be stipulated for employees and, where practicable, employers will be required to provide facilities and breaks for breastfeeding employees.

October

In the first week of October, the General Assembly adopted the **Ministry Development Programme**. The Programme consists of reviews for both ministers and parishes as well as a Certificate of Good Standing for ministers. Training of minister reviewers will begin in the middle of March 2009.

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October cont.

An information booklet, including information on becoming a reviewer, will be sent to all ministers, parishes and presbyteries in the New Year. To read the Programme in full, and the resolutions adopted by the General Assembly, go to the Church's website www.presbyterian.org.nz and click on "GA08".

Upcoming Changes

From **4 May 2009** anyone who provides advice on immigration matters must have an **Immigration Advisers Licence**. Although there are limited exceptions to this rule, any parish that provides assistance or advice to immigrants or refugees should ensure they are familiar with the requirements well before this date. For further information or to apply for a licence please go to www.iaa.govt.nz.

Keeping it Legal

The programme "Keeping it Legal" is now available on-line. Originally launched in 2005 by the Office for the Community & the Voluntary Sector, it provides free, accurate and timely advice for not-for-profit organisations. Go to www.keepingitlegal.net.nz.

Assembly Office Hours

The Assembly Office will be closed from Wednesday 24 December and will reopen on Monday 5 January 2009. For employment advice during this time please contact the Department of Labour on 0800 20 90 20.

Information relating to ministers and parishes is available in the Book of Order and the Conditions of Service Manual. Both can be downloaded from the Presbyterian Church's website: www.presbyterian.org.nz.

All pastoral queries should be referred to your presbytery moderator.

Once again, Merry Christmas!



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