

Holidays (Four Weeks Annual Leave) Amendment Bill

Member's Bill

Explanatory note

This bill amends the Holidays Act 1981 to provide that every worker, at the end of each year of his or her employment by any one employer, becomes entitled to an annual holiday of four weeks on holiday pay, instead of the current three weeks.

Historically, the first mention of holidays without loss of pay is in the Employment of Females Act 1873. This measure provided for a holiday on every Saturday afternoon after 2pm and also set aside Sunday, Christmas Day, New Year's Day, Good Friday, Easter Monday and any other day set aside as a public holiday.

It took until 1944 for every worker to gain a right to two weeks paid annual leave, and then another thirty years before it was raised to three weeks, in 1974.

Since that time another thirty years have nearly passed and there has not been any movement in the leave entitlement of workers, resulting in New Zealand falling behind many countries in Europe.

For example, the United Kingdom, Ireland and Greece give workers an annual paid leave entitlement of four weeks with others such as France, Austria, Spain and Finland giving their workers an entitlement of six weeks.

This bill provides New Zealand workers with the minimum leave entitlement that is legally mandated by the European Union.

Hon Matt Robson

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Holidays (Four Weeks Annual Leave) Amendment Act 2002.
- (2) In this Act, the Holidays Act 1981¹ is called “the principal Act”.

¹ 1981 No 15

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Entitlement to annual holidays with pay 10

Section 11 of the principal Act is amended by omitting the expression “3”, and substituting the expression “4”.

4 Calculation of holiday pay where worker has become entitled to annual holiday 15

Section 16(3) of the principal Act is amended by omitting the expression “3”, and substituting the expression “4”.

**5 Calculation of holiday pay where annual holiday taken
in advance**

Section 17(2) and (3) of the principal Act is amended by omitting the expression “3”, and substituting the expression “4”.

5

**6 Proportionate holiday pay in respect of employment for
less than one year**

Section 21(4) of the principal Act is amended by omitting the expression “3”, and substituting the expression “4”.