



Massey University has a number of different employment agreements in place. When reading this policy, it is important that employees consult the relevant part of their employment agreement. Where there is a discrepancy between these policies and the provisions of the employment agreement, the employment agreement will take precedence.

## **Policy:**

Leave will be granted in accordance with the Employment Agreements and as stated below:

### **a) Leave Without Pay**

Requests for leave without pay, other than for illness or injury, will be considered taking particular account of the operational needs of the school or Department.

In accordance with the Human Resources Delegations of Authority, periods of leave without pay can be approved by managers with authority Bands A, B, C or D. Noting: Band D can only approve periods of leave without pay of up to one month.

All annual leave must be exhausted before the period of leave without pay commences except in situations requiring extended sick leave or bereavement leave as per section 39 of the Holidays Act 2003.

### **b) Requests for the Pay Out of Annual Holidays**

The Holidays Act 2003 provides for employees to be able to request that a portion of their annual holidays be paid as cash. However, Massey University supports and encourages its employees to have the full opportunity for rest and recreation, through the taking of annual holidays and for this reason will not pay out annual holidays.

### **c) Leave for Sport**

Applications for leave to take part in international competition overseas or in New Zealand will be approved by the relevant Pro Vice-Chancellor (or equivalent). The authority to approve leave for sport cannot be delegated. The following conditions apply.

- Applicants are to be members or accredited officials of sports teams, or individual sportsmen or sportswomen who have been selected on a national basis.  
**Note:** Delegates to any conference would not be eligible.
- Selection to be on a national basis (e.g. not provincial or representative or any particular group – racial, sectarian, etc.).
- Competitions at international level to take place at some time during the tour.
- The sport should have a properly constituted and recognised national body, which conducts regular tournaments.

If the above requirements are met, leave may be granted as follows:

- First five working days on paid annual leave (where entitled) or leave without pay followed by,
- Up to four weeks special leave on ordinary pay ~~in a combination of full or half pay,~~
- Thereafter leave without pay (or annual leave if available).

### **d) Election to Parliament**

Any member of the staff of the University, who desires to become a candidate for election as a Member of Parliament, shall be placed on leave of absence.





## **Legal compliance:**

### *Key provisions in the Holidays Act 2003:*

- The University must allow every employee to take public holidays, annual leave, sick and bereavement leave in accordance with the Act and Employment Agreements. (Sections: 7, 46, 16, 39, 63)
- Employers to keep holiday and leave record. (Section: 81)

### *Key provisions in the Parental Leave and Employment Protection Act 1987:*

- Where an employee meets the eligibility criteria prescribed by the Act the employee must be given the appropriate Parental Leave entitlement. (Sections: 7, 9, 17, 19, and 70)
- Employees' positions must be kept open or available in certain situations. (Sections: 36, 40)
- The University must not take action, which disadvantages the employees' rights in relation to Parental Leave. (Sections: 49, 56)