

13 August 2024

[REDACTED]

REF: OIA-16040

Dear [REDACTED]

Request made under the Official Information Act 1982

Thank you for your email of 30 July 2024 requesting the following information under the Official Information Act 1982:

Copies of your organisation's parental leave policy and any relevant documents that outline support extended to employees during parental leave and returning to work. This includes policies/documents for employees on individual contracts and/or collective agreements. This should include:

- *Parental leave payment, ex-gratia payments and 'top-ups' for primary carers, as well as the conditions employees need to meet to receive such payments*
- *Paid leave for partners/secondary carers, as well as the conditions employees need to meet to receive such payments*
- *Remuneration review during leave*
- *Leave accrual during leave and the rate at which annual leave is paid after an employee returns from parental leave*
- *Flexible work policies*
- *Kiwisaver contributions*
- *Any contributions towards childcare*
- *Support in the event of a miscarriage or stillbirth*
- *Any support provided for fertility, adoption and surrogacy*
- *Any other parental leave benefits or support.*

Parental leave payment, ex-gratia payments and 'top-ups' for primary carers

Employees of the New Zealand Transport Agency (NZTA) are entitled to parental leave as per the Parental Leave and Employment Protection Act 1987 (the Act), which includes provisions for adoption and surrogacy. Coverage under the Act is specified in both NZTA's Collective and Individual Employment Agreements, rather than separately specified in a stand-alone policy.

NZTA provides basic guidance to employees on paid parental leave through our intranet. For further guidance, employees are directed to the Employment New Zealand website (Ministry of Business, Innovation and Employment) where required: www.employment.govt.nz/leave-and-holidays/parental-leave/ and www.employment.govt.nz/assets/Uploads/tools-and-resources/documents/280418ff05/parental-leave-and-payment-eligibility-factsheet.pdf.

Employees are entitled to up to 26 weeks of paid parental leave and are asked to request parental leave in writing three months before the expected date of the baby's arrival. The way that paid parental leave is allocated between the parents, in accordance with the Act, is at the sole discretion of the individuals (as per the primary caregiver allocation) and is therefore not determined by NZTA.

In accordance with the Act, NZTA offers unpaid 'extended leave' to employees who take paid parental leave, during which time NZTA will hold open their position for a maximum of 52 weeks (including the period of paid parental leave). Again, this leave amount is at the sole discretion of the parents as per the primary caregiver allocation.

In addition, employees who are entitled to parental leave under the Act, will receive a lump sum payment equivalent to 30 working days' base salary (pro-rated for part time) upon completing a further three months continuous service with NZTA after returning to work from parental leave. The payment is based on the employee's base salary immediately prior to commencing parental leave. If they were on parental leave for less than six weeks, they will receive a reduced payment equivalent to their period of absence (Example: If they were away for 10 days, they will receive 10 days or 2 weeks payment).

Leave for partners/secondary carers

Employees are entitled to unpaid partner's leave in line with the Act. That is, one week of unpaid leave if they've worked for NZTA continuously for the six months immediately preceding the expected delivery or assumption of care for a child, and two weeks if they've worked continuously for NZTA for the twelve months immediately preceding the expected delivery or assumption of care for a child. Partners are also entitled to use their annual leave entitlements with their relevant manager's approval, as is standard practice.

Remuneration review during leave

Employees of NZTA who are on parental leave will be treated in line with other employees and are eligible for a remuneration review.

Leave accrurement

NZTA employees continue to accrue annual leave while on parental leave. Once an employee returns to work, annual leave payments are based upon the greater of their normal hourly rate or prior 12 months average hourly earnings.

Flexible work policies

NZTA takes a principle-based approach to flexible working to enable our people and their People Leaders to discuss and agree the arrangements that work best for the individual, the team, and the organisation. This is relevant for all staff, not just employees returning from parental leave.

KiwiSaver contributions

While on parental leave, employees' KiwiSaver contributions and employer contributions pause. These resume when the employee returns to work.

Contributions towards childcare

NZTA does not make any contributions towards childcare.

Support in the event of a miscarriage or stillbirth

NZTA employees are entitled to three days of paid bereavement leave if them or their partner experiences a miscarriage or stillbirth, in accordance with the Holidays (Bereavement Leave for Miscarriage) Amendment Act 2021.

In line with NZTA policy, this response will soon be published on our website, with personal information removed.

If you would like to discuss this reply with NZTA, please contact Ministerial Services at official.correspondence@nzta.govt.nz.

Yours sincerely

A handwritten signature in black ink that reads "Brett Wood". The signature is written in a cursive, flowing style.

Brett Wood

Head of People Experience