

PWUA MEMBERS' UPDATE!

Issue No 7
26 June 2020

Postal Workers Union of Aotearoa
Trades Hall, 126 Vivian Street, Wellington, 6011 pwu@tradeshall.org.nz

PWUA disagrees with NZ Post wanting to limit Holidays Act backpay

The PWUA has two issues of disagreement with NZ Post about how the company wants to calculate and then backpay money owed to its employees under its Holidays Act remediation programme. The Ministry of Business, Innovation and Employment (MBIE) requires NZ Post to correct the errors it has made in calculating leave payments over the ten years from May 2010 to May 2020.

One objection raised by the PWUA is the company wanting to define "variation" - which could reduce the number of occasions when the company owes back pay to individual employees. The second issue is the company not wanting to pay interest on the money it would otherwise have paid out to its employees over the ten year period 2010 to 2020.

The PWUA has been involved in regular constructive and informative video and audio conference calls with NZ Post working through the calculations and timetable for backpay. However the two issues remain unresolved.

Variation: In one of the calculations that must be used to determine annual holiday pay the company wants to disregard any additional hours worked that are less than 5% of standard hours.

For an employee working 40 hours per week this would mean any less than the first two hours of overtime pay - 5% of their ordinary pay - is disregarded when the Ordinary Weekly Pay is calculated for holiday pay. This could mean that some employees would be denied substantial sums that are otherwise owed to them for holiday pay arrears.

Interest: The company's provisional decision is to refuse to pay interest on the arrears of payments owed to employees under the Holidays Act. The employees' money has been in the bank earning interest for the company. By keeping the interest NZ Post would benefit financially from its breaches of the Holidays Act. Employees and ex-employees would effectively be subsidising NZ Post for unlawfully withholding their pay.

The PWUA continues in discussions with NZ Post to protect the interests of union members and to ensure that the money owed to them by NZ Post is paid in full, and with interest.



POSTAL WORKERS UNION OF AOTEAROA (NORTHERN)
6A Western Springs Road, Kingsland, Auckland, 1021

I hereby appoint the Postal Workers Union of Aotearoa incorporated to be my authorised representative under Sections 18 and 236 of the Employment Relations Act 2000. For the purpose of this authority any duly appointed representative of the PWUA is empowered to act on my behalf in any matters related to or arising out of the negotiation and application of any Employment Agreement or any other matter relating to my employment at my request. This authority shall continue in force until revoked by myself, giving two weeks notice.

Name (PLEASE PRINT)

Signed Date...../...../..... Appointment No.....

Employer Site.....

Department..... Position.....

Home Address.....

Suburb..... City..... Post code.....

Phone..... Email.....

Deduction Authority for Postal Workers Union of Aotearoa (Northern)

I authorise my employer to deduct:

\$5.95 per week when I am employed for 30 or more hours per week, or

\$2.95 per week when I am on-call, or employed for less than 30 hours per week from my pay and credit the Postal Workers Union of Aotearoa Northern District.

Please stop any other deductions from my pay to any other union.

You can also join the PWUA now by going to the union's website, www.pwua.org.nz, click on the "Join Us" link, and submit the form.