

Application of wage subsidy and clarification of PWUA's position.

According to the PWUA, DX should make best endeavours (efforts) to pay staff 100% of **PRE-COVID wages** and only after consultation, agreement can it be reduced to 80%.

As per Collective Employment Agreement, minimum guaranteed hr reviews need to accurately reflect usual hrs worked pre covid. **Therefore paying 100% of contractual wages may not be sufficient in all cases.** Would only be correct if contractual hrs were reviewed and adjusted to what staff normally work.

The following was taken from Work and Income website:

<https://www.workandincome.govt.nz/online-services/covid-19/wage-subsidy-declaration.html>

*“you agree you will, using **best endeavours**, retain the employees named in your application in employment on at least 80 percent of their **regular** income for the period of the subsidy.”*

If audited later, the DX will need to have recorded “**best endeavours**” to pay 80 % and, if appropriate, how DX calculated and justified paying a less.

Unite Union releases wage subsidy calculator

All members can go to the following page to calculate what Unite Union/PWUA argue staff should be paid.

<https://info.unite.org.nz/covid-calculator>

REGULAR WEEKLY HRS : This should be the **higher of** your contracted hours **or** the average weekly hours over the past 52 weeks.

REGULAR WEEKLY INCOME : This should be the **higher of** the normal pay if you worked just your contracted hours **or** the average weekly pay over the 4 weeks before the lockdown began.

For other COVID-19 advice goto <https://info.unite.org.nz/covid-19-advice/>

Reviewing guaranteed hrs as mentioned in DX team briefs.

Collective Agreement requires the review to "accurately reflect the Employee's actual hours" so DX cannot use it for a temporary or recent decline. It also requires two weeks notice and consultation. If these haven't been met then that clause can't be relied on during this extraordinary time.

The PWUA's concern is that posties' guaranteed hours will be cut down to almost zero with two weeks' notice.

The following wording on the Work and Income website, relating to the employer's declaration, should prevent DX from using clause 6(d) of the Collective Agreement to reduce posties' guaranteed hours (**unless individual posties agree to it!**):

<https://www.workandincome.govt.nz/online-services/covid-19/declaration-wage-subsidy.html>

Your obligations to use the subsidy to retain and pay your employees

- *You acknowledge that the granting of your application and your receipt of the subsidy does not override your existing obligations under the Employment Relations Act 2000;*
- *You will not make any changes to your obligations under any employment agreement, including to rates of pay, hours of work and leave entitlement, without the written agreement of the relevant employee; [3]*

SUMMARY

If you have had a significant wage drop and am concerned about being paid correctly, then goto online calculator. Very useful tool. DX management has assured me that they are investigating and checking staff's wages and paying as much as possible of PRE-COVID income. Either raise this with your manager or contact PWUA as soon as possible if you think you're wages are wrong.

WAGE SUBSIDY COMPLAINTS FORM : Fill out this form if you believe your employer is receiving the Wage Subsidy but not meeting the conditions they agreed to : <https://www.employment.govt.nz/leave-and-holidays/other-types-of-leave/coronavirus-workplace/wage-subsidy/wage-subsidy-complaints/wage-subsidy-scheme-complaints-about-employers/>

The PWUA agrees to staff being paid at least 80% their average PRE-COVID income. Paying only Contractual Hrs would only be sufficient if these guaranteed hrs were a true reflection of the regular, usual income.