



A-Z OF EMPLOYING

Minimum Employment Code

Our guide for Employers and Managers

**SUPPORTING,
FACILITATING &
REPRESENTING
BUSINESS**

Business**Central** 

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This is only a guide. It should not be a substitute for professional advice.

Please seek advice from our Adviceline Team if you require specific assistance.

Minimum Employment Code

The term the “minimum employment code” is often found in case law and legislation. It refers to those laws that protect the basic rights of employees (and in some instances, other people) in New Zealand to minimum standards of employment. It includes:

- ▶ the Holidays Act 2003; and
- ▶ the Employment Relations Act 2000; and
- ▶ the Minimum Wage Act 1983; and
- ▶ the Wages Protection Act 1983; and
- ▶ the Equal Pay Act 1972; and
- ▶ the Human Rights Act 1993; and
- ▶ the Volunteers Protection Act 1973; and
- ▶ the Parental Leave and Employment Protection Act 1987; and
- ▶ the Health and Safety at Work Act 2015; and
- ▶ The Privacy Act 2020

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The Employment Standards Legislation came into effect on the 1 April 2016. This piece of legislation made substantive changes to the Minimum Employment Code in order to respond to a modern, dynamic business environment which encourages a fair and productive workplace. The legislation now provides for

- ▶ Expanding eligibility for the parental leave scheme; and
- ▶ Enhancing the enforcement of employment standards; and
- ▶ Prohibiting certain unfair employment practices that lead employees to bear disproportionate obligations compared to their employer.

Refer to the following A-Z Guides for further information about each of these Acts. These guides provide information about the law, the respective obligations of employers and employees, how rights may be enforced, and what constitutes best practice from an employer's point of view.

The **Holidays Act 2003** is covered in the A-Z Guides on:

- ▶ Annual Holidays; and
- ▶ ANZAC Day; and
- ▶ Bereavement Leave; and
- ▶ Family Violence Leave; and
- ▶ Holidays Act 2003; and
- ▶ Public Holidays; and
- ▶ Waitangi Day; and

The **Employment Relations Act 2000** is covered in the A-Z Guides on:

- ▶ Employment Protection Provisions; and
- ▶ Employment Relations Act 2000; and
- ▶ Good faith; and
- ▶ Vulnerable Employees

The **Minimum Wage Act 1983** is covered in the A-Z Guides on:

- ▶ Minimum Wage Act 1983; and
- ▶ Young persons.

The **Wages Protection Act 1983** is covered in the A-Z Guides on:

- ▶ Strikes and Lockouts; and
- ▶ Termination of Employment; and
- ▶ Wages Protection.

The **Equal Pay Act 1972** is covered in the A-Z Guides on:

- ▶ Equal Employment Opportunities; and
- ▶ Equal Pay Act 1972.

The **Human Rights Act 1993** is covered in the A-Z Guides on:

- ▶ Discrimination in Employment; and
- ▶ Disability; and
- ▶ Harassment and Bullying; and

The **Volunteers Protection Act 1973** is covered in the A-Z Guide on:

Minimum Employment Code

Our guide for Employers and Managers

- ▶ Volunteers Employment Protection.

The **Parental Leave and Employment Protection Act 1987** is covered in the A-Z Guides on:

- ▶ Annual Holidays; and
- ▶ Leave Forms; and
- ▶ Parental Leave; and
- ▶ Paid Parental Leave.

The **Kiwisaver Act 2006** is covered in the A-Z Guide on:

- ▶ Kiwisaver

The **Health and Safety at Work Act 2015** is covered in the A-Z Guides on:

- ▶ Breaks
- ▶ Employee Participation Systems;
- ▶ First Aid;
- ▶ Health and Safety in Employment;
- ▶ Hazard Identification and Management; and
- ▶ Young Persons.

The **Privacy Act 2020** is covered in the A-Z Guide on:

- ▶ Privacy

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