

The Holidays Act (2003) Remediation – Frequently Asked Questions

This document answers some frequently asked questions and answers related to the Holidays Act (2003) Remediation project that Nurse Maude has undertaken. It's very important to Nurse Maude that it has paid its employees correctly.

1. **Q: What is the Holidays Act 2003?**

A: The Holidays Act 2003 is New Zealand legislation that sets out how employees must be paid for leave such as Annual leave, Public holidays, Sick leave, Bereavement leave, and Family Violence leave. It establishes minimum leave entitlements.

2. **Q: Why is Nurse Maude reviewing its payroll?**

A: Like many organisations across New Zealand, Nurse Maude has reviewed historical payroll data to ensure all leave payments meet the requirements of the Holidays Act (2003) legislation. The legislation is complex, especially for employees who work variable hours, shifts, or overtime. We've identified areas of non-compliance and taken steps to verify that our processes are now compliant.

3. **Q: Who is included in the review?**

A: All current and former Nurse Maude employees who worked between 1 January 2017 and November 2025 are included. Not everyone will be affected as many employees were paid correctly during that period.

4. **Q: What types of leave are covered?**

A: The review includes: Annual leave, Bereavement leave, Sick leave, Family Violence leave, Public holidays, Alternative days, and Leave entitlements at termination.

5. **Q: What methodology was used?**

A: Nurse Maude worked with independent expert advisers to analyse payroll records and identify any discrepancies. All recalculations have been completed in compliance with the Holidays Act (2003)..

6. **Q: When does the remediation period cover?**

A: For Nurse Maude the remediation period applies to employment from 1 January 2017.

7. **Q: Why only from 2017 when the Act began in 2003?**

A: Under the Employment Relations Act 2000, there is a six-year limitation on back payments,

starting from when the issue was first identified – in this case, January 2017.

8. Q: What happens if I'm owed money?

A: Current Employee: If you're owed a payment, you'll receive a personalised letter explaining the amount and will automatically receive the payment before the end of December 2025.

Former employees can check details on the Nurse Maude website from January 2026. They may need to provide information to make a claim. The website will be updated when the claim process is finalised.

9. Will you pay out money owed, regardless of the amount?

A: We will pay out any remediation payment of \$1 or more.

10. Q: What if I'm not owed a payment?

A: Current Employee: You'll still receive a letter confirming your leave pay was correct and no further leave. This ensures transparency for everyone.

Former Employees: Information will go up on our website in early 2026.

11. Q: Will I have to pay any money back?

A: No. Nurse Maude will not recover any historical overpayments.

12. Q: How will I find the payment on my payslip?

A: You will receive a payslip for the remediation payment, this will be separate to your usual fortnightly payslip and show one or two lines, depending on the period the leave relates to.

13. Q: Will the payment be taxed?

A: Yes. It is treated as taxable income and tax will be deducted automatically through payroll. It will be taxed as a lump sum payment.

14. Q: Can I request payment to a different or overseas bank account?

A: Employee can only be made to the nominated bank account you receive your pay in. For former employees, this will be a nominated New Zealand bank account.

15. Q: Do I receive employer Kiwisaver contributions?

A: Current employees eligible for Kiwisaver, the employer contribution applies.

Former employees: If your Kiwisaver account is closed or you are no longer eligible for contributions, no employer contribution will be added to the remediation payment.

16. Q: Can I donate my payment?

A: At this stage, there is no option to donate remediation payments through payroll. However, if you'd like to support Nurse Maude, you can make a personal donation once payment is made at www.nursemaude.org.nz/donate.

17. Q: How do I claim on behalf of someone else or a deceased person?

A: Further information will be provided from early 2026.

18. Q: What happens if a former employee doesn't claim?

A: If a payment remains unclaimed, it will be transferred to the Inland Revenue Department under the Unclaimed Monies Act 1971.

19. Q: What if I've been on ACC or leave without pay during this period?

A: Periods of leave without pay (LWOP) or ACC can reduce your average earnings, so your leave taken during this period would have been recalculated accordingly and your payment may be smaller for those periods.

20. Q: How was a Support Worker's "average day" calculated?

A: An average day is based on actual hours worked and rostered data for the review period, rather than contracted or profiled hours.

21. Q: Will I get a tax receipt?

A: A separate tax receipt will not be provided. Your payslip and end-of-year IRD summary will show the payment.

22. Q: Can I see the workings behind my payment?

A: The calculations are complex and will depend on your unique work history. While individual calculations aren't provided, you can email holidaysact@nursemaude.org.nz if you'd like more information about how the calculation was done.

23. Q: Who can I contact for more information?

A: Email holidaysact@nursemaude.org.nz with any questions. The Payroll Team monitors this mailbox and can assist with individual queries.

Still have questions?

Please email for advice and support holidaysact@nursemaude.org.nz.