

6 December 2022



Tēnā koe 

Thank you for your Official Information Act request to the Department of Conservation (DOC), received on 8 November 2022, in which you asked:

- * How many days of annual leave or paid time off (such as departmental holidays or supplementary leave), in excess of the statutory four weeks leave, do your staff receive?*
- * When was the amount of annual leave or paid time off (in excess of four weeks) allocated to each employee last increased?*
- * If any additional leave or paid time off entitlements have been given in the past two years, please provide a reason as to why.*
- * Please indicate whether the above additional entitlements are temporary or will continue next year and/or for the foreseeable future.*
- * If different employees receive different entitlements to additional leave, please indicate the number of staff receiving each entitlement.*
- * E.g., 5 Days - XX employees, 6 days - XX employees, 7 Days XX employees*
- * What is the total annual cost of providing leave entitlements beyond the four weeks required by law?*
- * If there has been additional entitlements in the past two years (e.g., an extra paid day off over the Christmas break), what is the estimated cost of providing this?*

Context

We have two Collective Agreements in place with the Public Service Association (PSA), one for staff, and one for managers. Whilst most provisions are the same between the two Agreements, there are some differences.

Where an employee is not on a Collective Agreement, they are either on an Individual Employment Agreement, or a Management Individual Employment Agreement, the terms of which mirror the respective Collective Agreement. As each new Collective Agreement is negotiated, ratified, and comes into force, employees on the Collective Agreement automatically move to the new agreement. Employees on Individual Agreements are offered

the same terms to match the Collective Agreements and offered the new Individual Agreement. It should however be acknowledged that not all employees choose to move to the latest Individual Agreements. For the purposes of this response, we have described the entitlements in the most recent Collective Agreements but the data reflects the entitlements of each individual employee commensurate with their employment agreement.

Please also note that employees across the Public Service may carry over their years of continuous service from one Department or Agency to another and leave provisions are calculated on the basis of employment with the Public Service as opposed to just employment with the Department of Conservation. Any reference in the below answers to 'continuous service' or 'continuous employment' relates to this ability.

Your questions and our responses are listed below:

1. How many days of annual leave or paid time off (such as departmental holidays or supplementary leave), in excess of the statutory four weeks leave, do your staff receive?

The response to this question is broken into three parts: Annual Leave, Long Service Leave and Discretionary Leave with Pay.

Annual Leave

Under the Staff Collective Agreement, employees are entitled to four weeks and three days paid Annual Leave on completion of their first year of continuous employment, increasing to five weeks paid Annual Leave on completion of five years of continuous service.

Under the Managers' Collective Agreement, employees are entitled to five weeks paid Annual Leave upon completion of their first year of continuous service.

Long Service Leave

Under both the Staff and Manager Collective Agreement, employees are entitled to two weeks' leave on completion of 10 years of continuous service and one week's leave on completion of each subsequent period of five years continuous service.

Discretionary Leave with Pay

In exceptional circumstances, employees may be granted Discretionary Leave with Pay. Each application is considered according to its merits and a decision made taking account of the circumstances of the individual as made known to the employer and the operational needs of the employer. The number of days will vary depending on the circumstances that have led to the leave being applied.

During the pandemic, this has been used where an employee has been unable to work due to a lockdown or isolation requirements. We have since returned to our usual practice earlier this year where Discretionary Leave with Pay is used in the event of major employee illness or for employment relations reasons.

2. When was the amount of annual leave or paid time off (in excess of four weeks) allocated to each employee last increased?

The amount of annual leave or paid time off (in excess of four weeks) allocated to each employee has remained the same at least since DOC concluded its first Collective Agreement with the PSA in 2007.

3. If any additional leave or paid time off entitlements have been given in the past two years, please provide a reason as to why.

Both Collective Agreements provide for additional leave entitlement as described in the answer to Question 1.

4. Please indicate whether the above additional entitlements are temporary or will continue next year and/or for the foreseeable future.

The ability for an employee to be placed on Discretionary Leave with Pay for exceptional circumstances is contained in their employment agreement and will continue for the foreseeable future. If an employee is on Discretionary Leave with Pay, this is temporary for that employee.

The total of any such leave being paid out will be lower this year (and we expect going forward) because the ability for an employee to use Discretionary Leave with Pay when managing any mandatory COVID-19 isolation requirements has been removed.

5. If different employees receive different entitlements to additional leave, please indicate the number of staff receiving each entitlement. * E.g., 5 Days - XX employees, 6 days - XX employees, 7 Days XX employees

Please see Appendix 1.

6. What is the total annual cost of providing leave entitlements beyond the four weeks required by law?

The estimated cost for additional annual leave is \$3.2 million as at 30 June 2022. Please note that this is an estimated cost because actual costs of annual leave are determined on the basis of a rolling average of each employee's hourly rate over the previous 12 months. In addition, please note this includes fixed term employees who, depending on the length of their employment, may not be entitled to a full year's balance. Costs have been pro-rated for part time employees e.g. (number of 'extra' annual leave days x (hourly rate x 8)) x FTE).

Long Service Leave is not able to be annualised on the basis that an employee can take their Long Service Leave balance over five years and the cost will differ depending upon the date they take it.

In the 2021/22 year, the cost of providing Discretionary Leave with Pay was \$1.46 million.

7. If there has been additional entitlements in the past two years (e.g., an extra paid day off over the Christmas break), what is the estimated cost of providing this?

There have been no additional entitlements provided in the last two years. As per our response to Q2, the amount of annual leave or paid time off (in excess of four weeks) allocated to each employee has remained the same at least since DOC concluded its first Collective Agreement with the PSA in 2007.



Please note that this letter (with your personal details removed) may be published on the Department's website.

Nāku noa, nā



Ginny Baddeley
Chief People Officer
Department of Conservation
Te Papa Atawhai



APPENDIX 1

Annual Leave Entitlements:

# of days	# of employees	Days Above Statutory
20	127	0
22	31	2
23	1159	3
25	1258	5
26	5	6
28	18	8