



20 June 2023

Ref: DOIA 2223-2731

Kelly Hill

Email: fyi-request-22882-xxxxxxxx@xxxxxxxx.xxx.xxx.xx

Tēnā koe Kelly

Thank you for your email of 22 May 2023 to the Ministry of Business, Innovation and Employment requesting, under the Official Information Act 1982, the following information:

Responses to each part of your request are set out below.

Could you please release an update for the annual pay and holidays act remediation for Mcdonalds New Zealands employees?

The Enforceable Undertakings with the McDonald's employers were due to be complied with on 1 June 2023. While the Inspectorate has completed the checking of sample calculations, McDonald's has not been able to complete consultation with individual franchisees within the timeframe and an extension has been agreed to 1 November 2023 for calculations to be finalised.

I understand an Enforcable agreement was signed 6 May 2019 acknowledging multiple breaches of the act over six years ago.

Can MBIE confirm whether the payroll systems for Mcdonalds New Zealand is currently fit for purpose and compliant with the relative legislation?

The review of McDonald's Holidays Act compliance which resulted in its undertakings to remediate past breaches identified areas where its system would require changes. McDonald's advised that it made changes to its system in December 2020 so that it would be compliant going forward. The Inspectorate cannot confirm whether or not the payroll system is currently fit for purpose and compliant with legislation, as this is information that it does not hold.

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact OIA@mbie.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā

Simon Humphries
Head of Compliance & Enforcement
Labour Inspectorate

