

15 October 2024

Adrian Cuison
fyi-request-28328-150d565b@requests.fyi.org.nz

Tēnā koe Adrian

Your request for official information, reference: HNZ00062405

Thank you for your email on 7 September 2024, asking Health New Zealand | Te Whatu Ora (Health NZ) for the following under the Official Information Act 1982 (the Act):

I would like to make an OIA request for how many former Auckland Metro Districts casual nursing and health care assistants staff since 2010 are owed or underpaid for holidays act breaches.

I would also like to know the figure of how much is owed for this type of staff who works full time for a year before the Auckland metro remediation last year.

Response

Anyone that worked for Health NZ, one of the former District Health Boards (DHBs), HealthAlliance, New Zealand Health Partnerships, HealthSource or Northern Regional Alliance at any time since 1 May 2010, may have been paid incorrectly for their leave. Health NZ is committed to addressing these issues to ensure that current and former staff receive their correct leave entitlements. As agreed in a Memorandum of Understanding with unions and the Labour Inspectorate in 2020, we are paying current employees in each payroll first, then former employees.

When Health NZ was established, it inherited 20 separate payrolls. Each payroll was set up differently, with different practices and local arrangements in place, and a majority were no longer suited for modern payroll requirements. Health NZ is working with each district's project team to ensure that the scale of work is clear, resources are engaged, and activities are completed. The complexities of the Holidays Act, the size of the workforce, the hours people work and the variety of the employment arrangements, as well as the state of the payroll systems and processes, all make this a very challenging programme of work.

Project teams around the country are working hard to remediate payments to employees on each of these payrolls. Before payments can be approved, each project team needs to complete a rigorous series of checks and testing, to ensure that any remediation payments will be correctly calculated and leave entitlements will be correct in the future. The complexities of the Holidays Act, the size of our workforce, the hours people work and the variety of the employment arrangements, as well as the state of the payroll systems and processes, all make this a huge and complex project requiring specialist skills. Health NZ appreciates our current and former employees' patience as we progress with this significant programme of work.

So far, payments have been made to current Auckland district staff in late 2023, with further projects due to be completed in the coming months. We plan to complete Holidays Act Remediation payments to our current employees in 2024/25.

how many former Auckland Metro Districts casual nursing and health care assistants staff since 2010 are owed or underpaid for holidays act breaches.

Nationally, the Holidays Act Remediation covers around 130,000 former employees. We are not able to provide the level of detail you requested in relation to specific groups of former Auckland employees at this time. Until the detailed remediation calculations are completed for former Auckland employees, we can't confirm whether individual employees have been underpaid for their leave. Some people have been paid correctly and will not be owed a remediation payment. The remediation calculations involve assessing the payroll of every former employee on an individual basis – one group is not separated out from others. Therefore this part of the request is refused under section 18(e) of the Act as this information does not exist.

the figure of how much is owed for this type of staff who works full time for a year before the Auckland metro remediation last year.

Not everyone is due to receive payment, as some people have been paid correctly for their leave. The amount owed to each individual is different, depending on their starting date, salary, hours worked, leave taken, and the settings in their payroll system. It is not possible to give an estimate of how much each employee will receive because each person's earnings history and leave patterns are unique. As mentioned above, we cannot provide this information prior to the completion of the remediation calculations. Therefore, your request for this information is being refused under section 18(e) of the Act as this information does not exist.

Each person who is entitled to a payment will receive a statement of how that entitlement was calculated.

How to get in touch

If you have any questions, you can contact us at hnzOIA@tewhatuora.govt.nz.

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

As this information may be of interest to other members of the public, Health NZ may proactively release a copy of this response on our website. All requester data, including your name and contact details, will be removed prior to release.

Nāku iti noa, nā



Andrew Slater

Chief People Officer

People and Communications

TeWhatuOra.govt.nz

Health NZ, PO Box 793,

Wellington 6140, New Zealand