

MYOB Essentials Payroll

Family Violence Leave

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Introduction

The complexity of the Holidays Act is well understood, and issues of implementation are an ongoing challenge for businesses across New Zealand.

MYOB Essentials Payroll is committed to helping employers meet their obligations under the Holidays Act 2003. There are areas of the Act which require manual intervention with MYOB Essentials Payroll to ensure compliance and avoid under or over payments for certain leave types.

This document provides an overview of the manual intervention required and what employers may need to consider when managing Family Violence Leave.

Manual intervention will be required by you if you have any employees who request and take Family Violence Leave.

Disclaimer: This document provides guidance on how to manage leave entitlements within our product. We recommend that you read the MBIE document "*Holidays Act 2003: Guidance on annual holidays, domestic violence, leave, bereavement leave, alternative holidays, public holidays and sick leave*" to understand how to meet your obligations as an employer under the Holidays Act 2003. If you have further questions or are in doubt, it is best to seek legal advice to ensure you are meeting your obligations.

MBIE Website Reference: [Family Violence Leave](#)

Background

From 1 April 2019, The Holidays Act 2003 provides legal protection in the workplace for employees affected by family violence including the ability to request paid Family Violence Leave. A brief overview of the paid leave is included below however this is only one component of the provisions and you will need to consider the full details and current MBIE guidelines by referring to the MBIE website above.

For the paid leave component, employees are entitled to up to 10 days of Family Violence Leave per year. This leave is not able to be accumulated and can't be carried forward to future years.

Employees must have completed 6 months of continuous employment to qualify for their initial entitlement. Further entitlements are due every 12 months after this (similar to Sick and Bereavement leave requirements).

If your employee intends to take Family Violence Leave, they must notify you:

- as early as possible before the employee is due to start work on the day that is intended to be taken as Family Violence Leave; or
- if that is not practicable, as early as possible after that time.

You may be able to require proof that your employee is a person affected by family violence, again please refer to MBIE guidance for details.

Payment for Family Violence Leave is calculated in the same way as other types of FBAPS (Bereavement, Alternative, Public Holiday & Sick) leave using Relevant Daily Pay (RDP), or Average Daily Pay (ADP) if you are unable to determine RDP.

What is required

MYOB Essentials Payroll does not have a default leave type to manage Family Violence Leave payments, however there is a manual process to allow you to set up and manage these payments.

We have created [a help topic](#) which steps you through setting up, paying, keeping track of balances and reporting on Family Violence Leave.

What next

If you have paid Family Violence Leave outside of the process in [the help topic](#), you will need to review and, if necessary, recalculate the rate the leave was paid at. If you have paid employees sick leave or annual leave, you'll need to reinstate the leave balances and review the payment. If you identify an underpayment, you'll need to back pay this in the employee's next pay.

Managing the Software

See the help topic [Family Violence Leave](#).