Payment for public holidays

Public holidays are days of national, religious, or cultural significance to New Zealand. Most employees receive a paid day off on a public holiday (provided they would have normally worked that day). If an employee is required to work they receive extra payment as compensation.

Payment when the employee did not work on the public holiday:

If the public holiday falls on a day the employee would have normally have worked, the employee is entitled to payment for the day. The payment is the amount the employee would have earned that day (their relevant daily pay or average daily pay).

An employee who does not work and wouldn’t normally work on the day in question is not entitled to payment. For instance, if a public holiday falls on an employee’s rostered day off, they are not entitled to payment for that day.

Payment when the employee worked on the public holiday:

An employee is entitled to be paid at least time and a half for the hours they actually work on the day. Specifically, they are entitled to the greater of:

- The employee’s relevant daily pay, or average daily pay, for the hours worked less any penal rates, multiplied by 1.5; or
- The relevant daily pay for the hours worked including any penal rates.

The former is most likely in the dairy industry. The latter would only apply if the employment agreement specifies a special penal rate for working on weekends or public holidays.

If the public holiday is an “otherwise working day” for the employee, they are also entitled to an alternative holiday (day-in-lieu) to be taken at a later date.

An employee who is on call during a public holiday and required to restrict their activities (e.g. stay home all day) is entitled to an alternative holiday to compensate them for being on call. They are only entitled to the time and a half payment if they are actually called in.
Payment when the employee is sick or bereaved on the public holiday:

If an employee is rostered to work on a public holiday but is off sick or bereaved, the day is treated as a paid unworked public holiday rather than sick or bereavement leave. The employee is entitled to be paid their relevant daily pay or average daily pay, they are not entitled to time and a half or an alternative holiday.