



Section 3 – Leave Entitlements

Annual Leave

Annual leave is provided to enable you to enjoy a break from work. You are entitled to Annual Leave in accordance with the terms of the Holidays Act 2003. All employees, other than casual and some fixed term employees are entitled to 4 weeks' paid annual leave after each completed year of service based on their nominal hours worked. You are encouraged to use your accrued annual leave entitlement. Casual and fixed term employees working for less than 12 month terms are paid a loading on top of the normal hourly rate of pay to compensate for leave entitlements.

Booking and taking annual leave

Annual leave shall be taken at a time mutually agreed between you and your Store or Location Manager. Annual leave must be approved **before confirming any holiday booking**. In the absence of an agreement, annual leave shall be taken at a time fixed by the Company, whereby you will be given at least 14 days' notice. You should have accrued the required amount of leave you propose to take. **Location Managers may only approve annual leave up to 3 weeks. Any leave applications over 3 weeks, will need to be approved by the Managing Director.** Approval of annual leave requests will be dependent on the operational needs of your location to ensure there is sufficient cover and minimal impact to the business. Payment in lieu of annual leave is not offered by the Company.

Public holidays and annual leave

When a public holiday falls during annual leave, that day is paid as a public holiday.

Cashing up annual leave

Freedom will not consider a request by you to cash up annual leave.

Payment of annual leave on termination

Upon termination you will be paid any outstanding annual leave. Where you have been granted leave in advance of any entitlement and terminate your employment prior to accruing the appropriate leave, the Company shall deduct monies equivalent to such leave from any payment made on termination.

Additional Leave for Long Serving Employees

When an employee reaches 15 years' of service and each year thereafter the Company will credit the employee 5 days additional leave (pro rata for part time employees). The additional leave must be used in the year it is credited otherwise it will be forfeited. Additional Leave shall be taken at a time mutually agreed between you and your manager.

Public Holidays

You are entitled to public holidays in accordance with the provisions of the *Holidays Act 2003*. Where a public holiday falls on a day you would normally work, the Company reserves the right to require you to work on that day. For the purposes of the Holidays Act only, if you work on a public holiday that you would otherwise have a right to, you will be paid at the rate of time and one-half for all hours worked. If that work on a public holiday falls on a day that you would ordinarily have worked, you shall be entitled, in addition, to an additional day in lieu to be taken at a later date. **This alternative day to be taken within one month of the public holiday in consultation with your manager.**

If you and the Company cannot agree on a date to take the alternative holiday, the alternative holiday must be taken on a date determined by the Company. The Company will give you 14 days' notice of the requirement to take the alternative holiday on the date specified.

In the event that the Company is unable to trade on Easter Sunday due to the Shop Trading Hours Act Repeal Act 1990, you will not be offered work on that day and will be required to take either annual leave, or an alternative holiday, or leave without pay as appropriate.

Unpaid Leave

In cases of need where paid leave entitlements have been exhausted, leave without pay may be granted at the Company's discretion. For example, reasonable unpaid leave may be granted for circumstances such as study/exams, travel, care of a relative or natural disaster.

Applying for unpaid leave

You must consult your manager if you wish to apply for unpaid leave. Approval will be dependent on such factors as performance, attendance record and the operational needs of the Company.

Continuity of employment

Periods of leave without pay will not break continuity of service, but will not be counted in calculating length of service. For clarification, leave entitlement accruals i.e. annual or sick leave will be suspended during periods of leave without pay. You shall not be entitled to payment for any public holidays that arise during Unpaid Leave.

Sick Leave

Entitlements

You are entitled to Sick Leave in accordance with the terms of the Holidays Act 2003. Permanent employees are entitled to 5 days of sick leave in each year of service after completing 6 months' service which may accrue to a maximum of 20 days.

You may access sick leave due to your personal illness or injury, or for the purposes of providing care and support to your spouse or a dependent person (such as a child or elderly parent).

Notice and Evidentiary Requirements

If you wish to access Sick Leave, **you** must inform your manager by telephone as early as is practicable and where possible before your rostered starting time. **The use of SMS or other means is not sufficient.** You should, as far as practicable, give your manager an estimate of the duration and reason for the leave.

You must provide a medical certificate to substantiate all absences due to sickness which extend for longer than three calendar days or, at the Company's cost, at any time, in circumstances where the Company doubts the genuineness of your sick leave/or you have exhausted your statutory sick leave entitlement in any given year. If you do not provide a certificate when requested, the Company may withhold payment for the sick leave and may consider taking disciplinary action at any time.

Parental Leave

Parental leave is leave for the purposes of providing care for a newborn baby or newly adopted child. You are entitled to periods of parental leave in accordance with the Parental Leave and Employment Protection Act 1987.

Eligibility	Parental Leave is available to employees who have at least 6 months' continuous service at the expected date of birth or adoption. To be eligible employees must work a minimum average of 10 hours per week.	
Duration	<p>If you have 6 – 12 months' service:</p> <ul style="list-style-type: none"> ▪ Up to 14 weeks Maternity Leave following the birth. ▪ Up to 1 week of Partner/Paternity leave which can be taken during a 21 day period either side of the expected birth date. 	<p>If you have 12 months + service:</p> <ul style="list-style-type: none"> ▪ Up to 14 weeks of Maternity Leave following the birth. ▪ Up to 52 weeks of Extended Leave (inclusive of Maternity Leave) following the birth. ▪ Extended leave may be shared by the partners in the child's first 12 months. ▪ Up to 2 weeks of Partner/Paternity Leave which can be taken during a 21 day period either side of the expected birth date. ▪ Up to 52 weeks of Adoption Leave following the placement of an employee's adopted child under the age of 5 years.
Continuity of Service	Parental leave does not break continuity of service, but is not counted in calculating length of service.	
Notification	<p>An employee must provide written notice of no less than 12 weeks prior to the expected date of commencing Parental Leave, with the following information:</p> <ul style="list-style-type: none"> ▪ What type of leave they want to take ▪ When they plan to start their leave ▪ The period of leave they intend to take ▪ Details of any Partner Leave if sharing any part of their leave ▪ A copy of a medical certificate confirming the pregnancy and the expected date of birth should be included ▪ If sharing leave with their partner they must also include a written declaration stating that they and their partner are going to share the care of the baby 	
Special Leave	In addition to Parental Leave female employees are entitled to up to 10 days Special Leave (without pay) in relation to their pregnancy.	
Returning from Parental Leave	Employees must provide 4 weeks' written notice to their manager, confirming the date intended to return to work, prior to the expiration of Parental Leave. An employee is entitled to the same position they held immediately before taking Parental Leave. Where such position no longer exists, but another suitable position is available, the employee will be offered that position as long as they meet the role requirements.	
Payment for Partner's Paternity Leave	Full time and part time employees are entitled to 5 days of paid partner's paternity leave (pro rata for part timers) at the employee's ordinary weekly rate of pay (exclusive of penalties and loadings) for birth or adoption.	

Paid Parental Leave Scheme

Eligible employees are entitled to participate in SAP's paid parental leave scheme.

Details of the scheme are as follows:

Eligibility	<ul style="list-style-type: none">▪ Paid parental leave is available to all employees who have at least 12 months' continuous service at the expected date of birth or adoption.▪ To be eligible employees must work a minimum average of 10 hours per week.▪ Payment is only available if the employee is the primary carer of the child.
Payment for Maternity Leave	<ul style="list-style-type: none">▪ An eligible employee will be paid the difference between their ordinary weekly rate of pay (exclusive of penalties, loadings or allowances) and the government-funded paid parental leave scheme for a period of 6 weeks. For part time employees the average weekly rate of pay (exclusive of penalties, loadings or allowances) for the 12 months prior to parental leave will be used to calculate the payment.▪ For those employees who have opted into KiwiSaver SAP will contribute to the scheme for the SAP payment only.▪ The payments for government-funded paid parental leave for up to 14 weeks are processed and paid for by Inland Revenue.
Payment of parental leave scheme	<ul style="list-style-type: none">▪ Payment to an eligible employee will be made in their normal pay cycle on commencement of parental leave.▪ Employees will need to provide payroll with a copy of the schedule of payments received from Inland Revenue. This is for the purpose of calculating the top up payments
Return From Maternity Leave	<ul style="list-style-type: none">▪ Should an eligible employee return to work earlier than the 6 week period, SAP will only pay the Top Up for the period the employee is on parental leave.

For further information please refer to the Parental Leave Toolkit on the intranet.

Flexible Working Requests

The Company acknowledges that employees need to be able to achieve an effective balance between their work and outside-work commitments. Outside-work commitments may include family and carer responsibilities, further education, and involvement in various community organisations and activities.

An Employee is able to request more flexible working arrangements under the applicable provision of the Employment Relations Act 2000, this request must be in writing and include the following:

- (a)
 - (i) the employee's name; and
 - (ii) the date on which the request is made; and
 - (iii) that the request is made under Part 6AA of the Employment Relations Act 2000;and
- (b) specify the variation of the working arrangements requested and whether the variation is permanent or for a period of time; and
- (c) specify the date on which the employee proposes that the variation take effect and, if the variation is for a period of time, the date on which the variation is to end; and
- (d) explain, in the employee's view, what changes, if any, the employer may need to make to the employer's arrangements if the employee's request is approved.

The company will respond to the request as soon as a decision has been reached but no later than one month after receiving it.

Bereavement Leave

Entitlement

On completion of six months' continuous employment with the Company, permanent employees are entitled to bereavement leave in accordance with the Holidays Act 2003. This provides for:

- up to three days' paid leave after the death of a member of your immediate family. Immediate family is defined as spouse, child, parent, grandparent, grandchild, sibling or spouse's parent.
- one day's paid leave in the event of a death outside the immediate family that causes a person to suffer a bereavement subject to the Company's acceptance of relevant factors which include:
 - how close the association was between the employee and the other person
 - whether the employee is responsible for any aspects of the ceremonies around the death
 - whether the employee has any cultural responsibilities he or she needs to fulfil in respect of the death

Additional leave may be granted on a paid or unpaid basis at the discretion of your manager in consultation with senior management.

Notification of Bereavement Leave

If you wish to access Bereavement Leave you must inform your manager by telephone as early as is practicable and where possible before your rostered starting time. **The use of SMS or other means to provide notice is unacceptable.** You should give your manager an estimate of the duration and reason for the leave.

Evidence of Bereavement Leave

If you wish to access Bereavement Leave you may be asked to provide evidence e.g. a medical certificate or death notification. If you fail to provide this your application may be declined.

Blood Donor Leave

Permanent employees are entitled to a period of up to two hours off work without loss of pay, on up to four occasions in each year of employment, for the purposes of donating blood at a registered blood donation facility. Employees who have exhausted their Blood Donor Leave entitlement, or casual employees, may seek the approval of their location manager to take Annual Leave or Unpaid Leave for the purposes of donating blood. If you who wish to access Blood Donor Leave you must agree a suitable time for the taking of the leave with your manager. The time of the leave should coincide with your normal start or finishing time. The Company has the right to reject a request for Blood Donor Leave or propose an alternate time for Blood Donor Leave at its discretion to meet operational requirements. If you take Blood Donor Leave you should provide proof of attendance from the blood donation facility of the time and date that you attended to give blood.

Jury Service

The Company supports and encourages employees to attend jury service wherever possible as part of their community service.

If you apply for a period of Jury Service Leave you must provide the following:

- evidence of you attendance for jury service (e.g. court notification);
- evidence of the duration of your attendance for jury service; and
- evidence of any and all payments received by you for your attendance for jury service.

Payment Whilst on Jury Service Leave

Whilst an employee, other than a casual employee, is on a period of Jury Service Leave, the Company will continue to pay the employee the monies the employee would have received had they not been on Jury Service Leave (excluding any overtime which may have been payable), provided

that the employee repay any and all payments that the employee receives as a result of their attendance (excluding travel expenses and meal allowances).

Jury Service and Annual Leave

If you are required to attend for jury service during a period of Annual Leave you will, on producing satisfactory evidence of attendance, be credited with Annual Leave for the period for which jury service as attended.

Jury Service Leave and Rosters

While on jury service you do not have to attend work until the completion of jury service. If you are released from jury service earlier than the half-way point of your rostered shift on that day, you are required to return to work to complete your normal rostered shift. Otherwise, you are released from work for the remainder of the day. An employee on a roster including weekend work, shall be given time off without loss of pay, so that the combination of consecutive jury service and work days do not exceed 5 days per week.

Emergency Services Leave

The Company will, subject to satisfactory evidence, pay permanent employees who volunteer for a recognised emergency management body up to 5 days in any calendar year when they are required to attend to an emergency such as a bush fire, flood, hail damage, storm, or severe weather. Any additional leave is subject to approval by the Managing Director.

Notification of Membership of a Volunteer Service

You must inform your manager that you are a member of a recognised emergency management body when you commence employment or as soon as you join a recognised emergency management body thereafter.

Notification of Volunteer Emergency Duty

As soon as you are directed to attend to perform volunteer duties, you must contact your manager to confirm you may be relieved from your rostered shift. Once permission has been granted you may miss your shift. You must as far as possible, contact your manager on the preceding day to indicate whether you will be required to perform volunteer functions the following day. If you cannot inform your manager on the preceding day, you must inform your manager prior to your rostered start time of your inability to attend work. Upon completion of your volunteer duties, you should gain a statement from the body's supervisor, confirming your attendance at the emergency, and whether you have received any payment from any source for the performance of your volunteer duties.

Payment Whilst on Volunteer Emergency Duty

Pay will be at your ordinary rate of pay, less any amount that you receive as a payment for your performance of volunteer services for a recognised emergency management body.

Procedure When Taking Leave

If you take Volunteer Emergency Services Leave you must, upon your first day returning to work, submit a leave application form for the period you were absent from work. Proof of Volunteer Emergency Duties should also be forwarded to the Remuneration and Benefits department on your first day returning to work. A failure to comply with these requirements may result in the Company rejecting a request for Volunteer Emergency Services Leave.

Defence Force Leave

At its discretion, the Company may grant employees leave without pay to attend Defence Force training. In particular, the Company will give favourable consideration to attendance at the annual two week training camp.