

6 October 2023

s9(2)(a)

Talofa s9(2)(a)

RESPONSE TO AN OFFICIAL INFORMATION ACT REQUEST (REF: DOIA019-2023/24)

On 11 September 2023, you contacted the Ministry for Pacific Peoples (the Ministry) requesting under the Official Information Act 1982 (OIA), information relating to policies, guidelines, and information about flexible work arrangements and reasonable accommodations for disabled employees at MPP. I have outlined your specific requests and my responses to each below.

1. *Policies, guidelines, and/or general information provided to MPP employees regarding working from home or other flexible/remote/hybrid working arrangements that were in effect before 21 March 2020.*
2. *Policies, guidelines, and/or general information provided to MPP employees regarding working from home or other flexible/remote/hybrid working arrangements that have been put in place or changed on or after 21 March 2020.*

On 12 September 2023, you clarified your request with us for the following:

I'm fine with receiving information from after 2015.... So, the latest policy released before 21 March 2020 would be great, and if there have been any changes since then, a copy of those changed documents.

As advised in an acknowledgement email to you on 12 September 2023; the Ministry for Pacific Peoples (formerly known as the Ministry of Pacific Island Affairs) transitioned to a new information management system in 2015. Under section 27 of the Public Records Act; The Information and Records Management Standard states that information and records must be systematically disposed of when authorised and legally appropriate to do so.

You will find attached the following documents:

Two documents, that were in effect before 21 March 2020:

1. Flexible Working Policy – effective July 2016
2. Flexible Working Guidelines 2019

Six documents that have been put in place or changed on or after 21 March 2020:

3. Working effectively from home guidelines – March 2020
4. Flexible Work Policy – effective from June 2020
5. Flexible Work – Working from Home checklist – August 2020
6. Flexible Work Induction Presentation – 2021
7. Work from home guidelines – January 2022
8. MPP Staff Handbook 2023

Some information has been withheld under s9(2)(a) of the OIA to protect the privacy of natural persons. I am satisfied that there are no other public interest considerations that render it desirable to make the information withheld under section 9 of the OIA available.

3. *Policies, guidelines, and/or general information regarding reasonable accommodations for disabled employees at MPP that were in effect before 21 March 2020.*
4. *Policies, guidelines, and/or general information regarding reasonable accommodations for disabled employees at MPP that have been put in place or changed on or after 21 March 2020.*

I am refusing this part of your request under sections 18(e) of the OIA as the information requested does not exist.

In line with standard OIA practice, the Ministry proactively publishes some of its responses to OIA requests. As such, this letter may be published on the Ministry for Pacific Peoples' website. Your personal details will be removed, and the Ministry will not publish any information that would identify you or your organisation.

Should you wish to discuss this response with us, please feel free to contact the Ministry at: uia_requests@mpp.govt.nz.

If you are dissatisfied with this response, you have the right, under section 28(3) of the OIA, to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Fakafetai lasi



Leatigaga Jason Tualima
**Deputy Secretary,
Corporate Services**

Ministry for Pacific Peoples

Flexible Working Policy

Corporate Policy

RELEASED UNDER THE OFFICIAL INFORMATION ACT

This document contains policy relating to the flexible working arrangements for the Ministry for Pacific Peoples (MPP) employees.

| | | | |
|-----------------------|--------------------------|-------------------------|-----------------------------|
| Version | 2.0 | Contact | GM Capability Development |
| Status | In effect from July 2016 | Approved | Chief Executive, July 2016 |
| Owner | MPP | Owner(s) | Chief Executive |
| | | Due for Revision | Annually Date: July 2017 |
| File Reference | | Revision History | Version 1.0 |

Please do not make unauthorised electronic copies or new versions (drafts) of this corporate policy. Contact the General Manager Capability Development, to have new drafts initiated and recorded in the appropriate manner.

Sign Off

Name & Role

Signature

Date

Pauline A Winter
Chief Executive

Although all reasonable steps have been taken to ensure the accuracy of the information contained in this document, the Ministry for Pacific Peoples disclaims any and all responsibility for any inaccuracy, error, omission, or any other kind of inadequacy, deficiency, or flaw in, or in relation to, the information; and fully excludes any and all liability of any kind to any person or entity that chooses to rely upon the information.

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Purpose

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|-------------------------------|--|
| Purpose of this policy | The Ministry recognises that work life balance is about creating a productive work culture where the potential for tensions between work and other parts of people's lives is minimised. |
| | The purpose of this policy is to allow all staff flexibility in their hours and place of work, so long as operational business requirements are met. |
| Scope of this policy | This policy covers all employees. It outlines the processes for applying for and approving flexible working arrangements. |

Context

| | |
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| Employment Relations Act 2000 | Part 6AA of the Employment Relations Act 2000 gives all employees the right to request flexible working arrangements from their first day of employment. |
| Conflict between employment agreement and this policy | Where there is any conflict between a specific employment agreement and this policy, the employment agreement will take precedence. MPP employees should refer to the specific working hours and place of work provisions contained in their employment agreement. |

Definitions

| | |
|-------------------------------|--|
| Flexible hours | Start and finish times are set out in employment agreements (either 8.30am to 5.30pm or 8am to 5pm, with a one hour lunch break). "Flexible hours" is working the total number of hours set out in your employment agreement (usually 40), but starting and finishing work either earlier or later than the time provided in your employment agreement. |
| Varying total hours | Hours of work are set out in employment agreements (usually 40). "Varying total hours" is working either fewer or more hours than set out in your employment agreement. |
| Working remotely | Place of work is set out in employment agreements; usually one of MPP's offices. "Working remotely" is working from a location other than your usual workplace, most commonly your home or another Ministry office. |
| Occasional Flexibility | Usually arises on an ad hoc basis – sporadic, short periods - usually a day or part day (e.g. working from home due to a sick child or starting work late due to a Doctor's appointment and working late to compensate). |

Long-term Flexibility

Arrangements that are intended to last for a longer period (e.g. working from 7am to 4pm on a regular basis or working from home one day a week).

Procedures**Entitlement**

Under the Employment Relations Act 2000, all employees are entitled to request a flexible working arrangement, for any reason, from their first day in their role.

The Employment Relations Act 2000 requires employers to consider the request for flexible working arrangements. Employers can only refuse a request if the request cannot be accommodated on one or more of the following grounds:

- inability to reorganise work among existing staff
- inability to recruit additional staff
- detrimental impact on quality
- detrimental impact on performance
- insufficiency of work during the periods the employee proposes to work
- planned structural changes
- burden of additional costs
- detrimental effect on ability to meet customer demand.

Making a request

Employees must make all requests to their manager, in advance, and in writing on the attached form.

Unexpected Events

Where an unexpected event means it is not possible for an employee to seek agreement from their manager in advance, the employee must talk to their manager, discuss the request and, if approved, complete the attached form at the first opportunity.

Responding to requests

There is a legal obligation on employers to respond to requests for flexible working arrangements as soon as possible, managers must respond within 10 working days.

All people managers can approve flexible working arrangements. If the manager does not hold this delegation, he/she will refer the employee's request appropriately to their manager.

The matters that will be taken into account in making a decision are set out below. Responses will be provided on the form attached to this policy.

If a request is declined, reasons will be provided.

If a request is granted, the terms of the agreement and any conditions will be noted on the form attached to this policy.

All documentation will be placed on the employee's personal file.

Review of arrangements

Flexible arrangements must be managed according to the guidelines below and must be consistent and fair in application across the Ministry.

From time to time, employees may be required to alter their hours to meet the needs of the Ministry. In such situations the manager will give as much notice as possible of changes.

Any agreed flexible arrangement will be reviewed from time to time, and at least annually, to see whether it is still working for both the employee and the Ministry. If the arrangement is no longer suitable for either party, the working hours and/or location will be re-negotiated.

General Considerations

The Ministry will take into account a range of considerations when deciding whether to grant a flexible working request, including:

- how long the requested arrangements are to last
- the requirements of the particular role
- operational needs
- effect on team/resourcing
- support and supervision issues (both for the employee and any team members or direct reports)
- any cost to the Ministry

Considerations specific to working remotely

As well as the factors set out above, the Ministry will also take into account:

- how and where the work would be completed
- health and safety requirements (including associated costs)
- any technology issues
- information security risk
- the employee's willingness to return to the office, should the need arise

Requirements**General Requirements**

For the duration of a flexible working arrangement, staff must:

- clearly indicate their working arrangement in their office calendar
- set up an out of office email message to operate outside agreed working hours, which clearly states when the staff member is in the office

Requirements specific to working remotely

As well as the above requirements, staff working remotely must:

- agree with their manager on the work they intend to do remotely and report back on progress of that work on their return to the office
- provide contact details and remain contactable during regular office working hours while working remotely
- observe all Ministry policies when working remotely, including the

Ministry's Code of Conduct, ICT and Health and Safety policies.

Breaching the policy

Employee in breach

If a staff member is in breach of policy their manager will raise the issue and try to resolve the problem with the staff member.

If necessary, disciplinary action may be taken in accordance with the Ministry's disciplinary policy. (Advice from HR should be sought in all cases where potential disciplinary action could be taken)

MPP in breach

If a staff member feels that the Ministry is in breach of the policy, they should follow the process for the resolution of employment relationship problems set out in their employment agreement, including:

- first trying to resolve the issue by discussing it with their manager and, if necessary, taking the problem to the General Manager or HR.
- If the issue remains unresolved, referring the matter to a Labour Inspector.
- Seeking mediation assistance from the Ministry of Business, Innovations, and Employment (refer to the *Further information* section below for contact information).
- If still dissatisfied, an employee can apply to the Employment Relations Authority (refer to the *References* section below for contact information).

Further information

Legislation

The Employment Relations Act 2000 – Part 6AA.

Related policies

- Equal Employment Opportunities Policy
- Delegations Policy
- Parental Leave Policy
- MPP Code of Conduct
- State Services - Standards of Integrity and Conduct

Contacts

Employees should discuss flexible working issues with their manager in the first instance. Any further questions can be directed to HR.

- Ministry of Business, Innovations and Employment: www.mbie.govt.nz
 - Employment Relations Authority: www.era.govt.nz
-

Flexible Working Arrangement Request Form

Employee to complete:

Name _____

Position _____

Team / Office _____

Nature of request Flexible Hours Vary Total Hours Work Remotely

Current arrangement _____

Change requested _____

Proposed Start _____

Proposed End _____ N/A
(request for permanent change)

Reason for request _____

I have read and understood the Ministry's flexible working policy and make the above request in the knowledge of the requirement that must be met should it be granted.

Employee's Signature:

Date: / / 20

Manager Approval

Approved Not Approved

Name _____

Signature _____

Date received _____ Due Date _____

Comments _____

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Flexible Working Guidelines

Long-term Agreement for Working from Home

To assist with the decision to approve a long-term arrangement for working from home the following outlines the details required for the written agreement. The agreement can be in a letter form.

Written Agreement

A working from home agreement sets out the conditions and responsibilities that will apply to the work being carried out from home by the staff member.

Specifically, such an agreement should:

- be in a written form and signed by both the manager and the staff member as a record of their acceptance and understanding of the agreement;
- state a date from which the working from home arrangement is effective and an end date, at which stage the arrangement may be reviewed;
- include a specific list of equipment that has been provided for the staff member by The Ministry;
- state how the manager and the staff member will keep in contact during the working from home arrangement;
- state the expectations with respect to the staff member's attendance at team meetings, training and the like;
- state the minimum number of working hours per week required by the manager in terms of the contractual arrangement with the staff member and that work records must be completed (i.e. time recording);
- state that the staff member will ensure that their home environment complies with the minimum health and safety standards;
- state that all terms and conditions of the staff member's contract of employment with the office, including the State Services Code of Conduct, The Ministry's Policies and procedures including Information Technology Code of Conduct will continue to apply; and
- state that where staff members are using computer equipment, they will observe good practice. The staff member must advise the office of any issues that arise as a result of the use of computer equipment.



Working effectively from home guidelines

Working from home is not always easy and for most people it takes some practise.

Few of us will have a dedicated office space to use. But there are things we can do to make it easier for ourselves to maintain the focus working from home requires. We don't know how long we will be working from home, but we have a lot to do, to get our communities through this Covid 19 pandemic, and we all have our part to play. If you are finding it difficult to work effectively from home, see if any of these suggestions will help.

Create an 'office' for yourself.

It can be hard to find a great spot for work, but you need to set up a dedicated space where you 'go to work'. It could be a certain table, chair, or some place that is consistently your 'workspace.' This will help you get into the right frame of mind for work each day. You might need to try a few different setups before you find one that works for you. A desk or table in a quiet bedroom might work best. The kitchen table might not be so great - if there are other people home you will be constantly distracted, and if you are home alone you might find yourself called to the fridge or pantry.

Think about your health and safety too. The couch might look comfy but after several hours you could find yourself pretty sore and tired.

Prepare for the day.

Our normal routine of getting dressed for work and commuting to our work location helps us mentally prepare and get into the right head space for the day of work ahead.

We are no longer commuting, but you can still do all the things you'd normally do to prepare for work. Set the alarm, shower, make a drink and get to your desk 'on time' and ready to work.

Sitting at your computer monitor 'working' while in your favourite pyjamas, while comfortable, doesn't necessarily get you into the right head space for your days' work ahead. Don't get me wrong, I adore working from home while in the comfort of my track pants and t-shirt. However, there are a few advantages to 'dressing' for work:

- You feel more professional
- You are ready for any video-conference meetings you may 'attend' during your workday
- Your family can 'see' you are working and are less likely to interrupt you
- You are less likely to be tempted to mow the lawns or vacuum the floor in the middle of your workday if you are wearing your office attire.

And the advantage of 'dressing' for work is obvious when it comes to virtual meetings.

One of the challenges of working from home is the distraction of clutter in your new 'workspace'. If you are like me and are distracted by clutter, then take some time before you begin your workday to prepare your workspace.

Plan ahead

Plan out what you'll be working on ahead of time. None of us are at our best all day long so plan your schedule around your most productive times. Save your harder tasks for when you know you'll be in the right headspace for them. If you are a morning person, try diving into your to-do list as soon as you 'get to work'. Simply getting work *started* first thing in the morning can be the key to making progress on it gradually throughout the day. Otherwise, you might prolong breakfast and find yourself at lunchtime without getting much done.

Try taking time, a few days in advance, to plan your days tasks in calendar and even schedule reminders. Segment what you'll do, when, through the day. If you do particular work at particular times of the day when you're in the office, keep doing that now you are working from home.

Spending time figuring out what you'll do today can take away from actually doing those things. And, you'll have planned what you're going to work on so recently that you can be tempted to change your schedule on the fly. It's important to let your agenda change if you need it to, but it's equally as important to commit to an agenda that outlines what you are going to achieve and stick to it-within your working day. (Not by working extra hours). Even if you come up short of your goal, you'll still come out of the day with a solid list of tasks completed.

At your team meeting, share what you're working on for the day and slightly overcommit on what you'll deliver. It helps stop the urge to go do something else. If you know you've already committed a certain amount of work to the team.

Preparing for a video conference

Your home 'office' may be your lounge or perhaps your kitchen table, but even so there will be a few things you can do to prepare your workspace for an online meeting.

Start an online meeting with yourself as the only participant and take a good look at what can be seen in the background behind you.

Move the laundry basket full of clothes, the pile of unwashed dishes and any other things that may distract/draw the attention of those joining into the meeting.

Remember, when you participate in an online meeting you are virtually inviting the meeting attendees into your home/workspace. No need to do a renovation, but a simple sort or screening-off of the area behind you may be required.

You can always hang a sheet behind you to create a clean background, and at the same time create a visual barrier to others at home with you know not to disturb you.

Avoid distractions.

It can be hard to work remotely without distractions. Avoid cleaning your room, sitting around with family or watching Netflix. And watch out for social media. Its designed to be easy to open and browse. Don't let it distract you. Maybe put your personal phone in another room when you are working. In reality, successful remote employees sit at their desk during work hours and avoid home-life interruptions at all costs.

Let family know you are 'at work' and what you need from them

You still have a job to get done, but sometimes people in your life assume they can talk to you, hang out, or ask you to do stuff for them.

So how do you fix this issue?

Be blunt and fully transparent with friends or loved ones. You have to be able to say, 'I'm sorry, I'm at work right now, let's do this at lunch time or tonight.'

We know this can be hard to do but it's really important. Let everyone in your household know what you need and expect from them. Make sure everyone respects your space during work hours. Just because you're working from home doesn't mean you're 'home'.

If anyone else is going to be at home when you're working, they need to understand that when you're in your 'office', you're working -- even if it looks and feels like you're hanging out at home.

Finding energy.

You don't have your workmates to keep you energised and on track through the day so you might want to find other sources of energy and focus. If you listen to music, match your music to your work-high energy when you are working hardest, quieter music when you are scaling down. Apparently Video game soundtracks are great for this. In the game itself, the lyric-free music is designed to help you focus; it only makes sense that it would help you focus on your work as well.

Take breaks.

It can be easy to forget to do this. and don't just go on Facebook or watch YouTube comfort clips. Use your breaks to get away from your 'office', even if that is the couch. Go for a walk outside while we still have some lovely weather or spend time with others who might also be in the house. Breaks can really recharge you to do better work. Don't assume you need to be working 100% of the time while you're home to be more productive.

Block times in your calendar for work, lunch and personal activities, and then actually stick to them as much as you can. Without structure, you can end up losing your work-life balance.

Manage your working hours.

Pick an actual finish time each day. In lieu of co-workers, who's packing up and leaving the office reminds you to do the same, set an alarm at the end of the day to indicate your normal workday is coming to an end. You don't have to stop right then, but knowing the workday is technically over can help you start the process of saving your work and calling it quits for the evening.

We are relying on you to manage your time. Please take responsibility. We don't want you burning out from working too many hours. Let your manager know if you need help to 'stop work' each day.

Find a routine that works for you.

At first your daily routine will probably be a bit 'off'. Take the time to find a routine that works and stick to it. In the morning I wake up, shower, get dressed, walk my dogs, and jump in the car. I get to work, make my tea, respond to emails, and start my day. We're creatures of habit -- having a clear routine gives us structure and helps us to be productive.

RELEASED UNDER THE OFFICIAL INFORMATION ACT

Ministry for Pacific Peoples

Flexible Working Policy

Corporate Policy

DCE - Business Services, People & Culture

June 2020

Document

This document contains policy relating to Flexible Working Arrangements in the Ministry for Pacific Peoples (the Ministry).

Version history

| Version | Date | Author | Key changes |
|---------|-----------|---------------------------|-------------|
| 2.0 | July 2016 | GM Capability Development | |

| | | | |
|-----|---------------|---|--|
| 3.0 | May 2019 | GM Business Services People and Culture | Includes Domestic Violence. Updated form to reflect Domestic Violence legislative requirements. |
| 4.0 | February 2020 | Director, Services People and Culture | Includes Domestic Violence - Victims Protection Act 2018 updates. Amendments to meet legislative and government guidance requirements. |
| 5.0 | June 2020 | Principal Advisor, People and Culture | Incorporates SSC guidance on Flexible Work and experience during and post Covid 19 period |

Note: Do not make unauthorised electronic copies or new versions (drafts) of this corporate policy. Contact the Director, People and Culture to have new drafts initiated and recorded in the appropriate manner.

Status

| | |
|-----------------------|--|
| Contact | Director, People and Culture |
| Status | In effect from July 2016 |
| Approved date | June 2020 |
| Policy owner | The Ministry |
| Business owner | DCE, Business Services, People & Culture |
| Revision cycle | Every two years or as needed |
| Next review | June 2022 |

Signoff


| Name & Role | Signature | Date |
|---------------------------------------|--|--------------|
| Laulu Mac Leauanae Chief Executive |  <small>Mac Leauanae (Jul 28, 2020 08:56 GMT+12)</small> | Jul 28, 2020 |

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1. Introduction

1.1 Purpose

The Ministry recognises that work life balance is about creating a productive work culture where the potential for tensions between work and other parts of people's lives is minimised. The purpose of this policy is to normalise flexible work for everyone in the Ministry in a way that works for individuals, Managers, teams, and the Ministry.

1.2 Scope

This policy covers all employees, including fixed term employees.

It:

- provides options for how you can manage your work and non-work commitments and how you can balance flexible working with the need to deliver our work

- provides the process for considering requests for flexible working options
- outlines the obligations on all parties when considering and working under Flexible Working Arrangements.

1.3 Relevant legislation

1.3.1 Employment Relations Act 2000 (ERA)

Part 6AA of the ERA provides employees with the 'right to request' Flexible Working Arrangements at any time. Employers may only decline the request if Grounds for Refusal are satisfied.

1.3.2 Domestic Violence – Victims Protection Act 2018

Domestic Violence - Victims Protection Act 2018. Where an employee is asking for Flexible Working Arrangements when they are affected by family violence, the legislative requirements as set out in the Domestic Violence - Victims Protection Act 2018 will apply.

Please refer to the Domestic Violence Policy for relevant and detailed information about the support available and the process for accessing that support.

1.4 Definitions

| Term | |
|---------------------------------|--|
| Individual Employment Agreement | An Individual Employment Agreement is a written contract between an employee and their employer setting out the agreed terms and conditions of their employment. |

| Term | |
|---------------------|--|
| Flexible by Default | <p>Flexible by Default means shifting from asking “why should a role be flexible?” to “why not?”. It means treating all roles as suitable for flexible working and exploring how flexibility could work unless there is a genuine business reason for any role not to be. It provides an opportunity to consider a range of working arrangements that work for the agency, teams, Managers, and individual employees.</p> <p>It does not mean that all types of flexibility will be possible for every role. Different types of flexibility may suit different types of roles. For example, the demands of frontline roles may preclude an employee working from home (one type of flexibility), but other types of flexibility (e.g. varied start and finish times) may be workable.</p> |

| | |
|-------------------------------|---|
| Flexible Working Arrangements | <p>Flexible Working Arrangements cover a wide range of arrangements outside of traditional working arrangements. Examples include:</p> <ul style="list-style-type: none"> • working flexible hours • varying total hours • occasional flexibility • working remotely (usually from home or another Ministry office) • job sharing • taking additional unpaid leave • condensed hours • flexi-role: allowing employees to manage their role more flexibly. E.g. phased return to work from long-term absence or phased retirement by reducing hours gradually as they approach retirement <p>In the case of an employee affected by family violence, additional flexible working arrangements that meet individual circumstances can be considered.</p> |
| Flexible Hours | <p>Start and finish times are set out in Employment Agreements. At the Ministry these are generally 8am to 5pm, with a one-hour lunch break.</p> <p>“Flexible Hours” is working the total number of hours set out in an Employment Agreement (usually 40 hours) but starting and finishing work either earlier or later than the time provided in the Employment Agreement.</p> |
| Varying Total Hours | <p>Hours of work are set out in Employment Agreements (usually 40 hours).</p> <p>“Varying Total Hours” is working either fewer or more hours than set out in your Employment Agreement. Varying Total Hours requires formal agreement with your manager and will generally be accompanied by a change in salary to reflect the change in total hours worked.</p> |
| Long-term Flexibility | <p>Arrangements that are intended to last for a longer period (e.g. working from 7am to 4pm daily or working from home two days a week).</p> |
| Occasional Flexibility | <p>Usually arises on an ad hoc basis and is sporadic and or for short periods - usually a day or part day (e.g. working from home due to a sick child or starting work late due to a Doctor's appointment and working late to compensate).</p> |
| Term | |
| Grounds for Refusal | <p>Under section 69AAF of the Employment Relations Act, 2000, employers may refuse a request for Flexible Working Arrangements only if they determine that the request cannot be accommodated on one or more of the following grounds:</p> <ul style="list-style-type: none"> • inability to reorganise work among existing staff • inability to recruit additional staff • detrimental impact on quality • detrimental impact on performance • insufficiency of work during the periods the employee proposes to work • planned structural changes • burden of additional costs • detrimental effect on ability to meet customer demand • if the request is from an employee who is bound by a collective agreement, which applies and is inconsistent with the collective agreement. |

| | |
|---------------------------|---|
| Informal Flexible Working | Informal Flexible Working (on a regular or ad hoc basis) usually occurs when managers agree that employees have flexibility over when and where they carry out their work subject to meeting position responsibilities and deliverables. This can mean that the exact arrangements (times or place of work) vary and are agreed between managers and employees as and when needed. It can also involve agreements to more regular arrangements, such as regular changes to start and finish times, or working from home regularly, as long as arrangements don't require changes to pay or employment terms and conditions. |
| Formal Flexible Working | Formal Flexible Working occurs when a recurring work arrangement impacts on pay or involves changes to employment terms and conditions. It may take place for an agreed period or on an ongoing basis with regular review. Examples could include regular part-time hours, job-sharing, or working remotely on a regular basis. |
| Leave Without Pay (LWOP) | Leave Without Pay (LWOP) is when an employer allows an employee time off work when they would otherwise be working but doesn't pay them for this time. LWOP doesn't end an employee's employment, and usually the employee returns to their same position and terms and conditions after LWOP (unless the employee and employer agree otherwise). LWOP can affect the employee's annual holidays payment and entitlement in some situations. |

1.5 Guiding Principles

The State Services Commission have published the following Guiding Principles for agencies including the Ministry to consider when implementing a Flexible-By-Default working approach.

1.5.1 If not, why not?

All roles are treated as flexible unless there is a genuine business reason for a role not to be. Flexibility is equally available to all employees regardless of gender, ethnicity, or disability, and irrespective of reasons for wanting it. Working flexibly does not undermine career progression or pay.

1.5.2 Works for the role

Every role should be suitable for some form of flexibility but not every type of flexibility will work for every role. Genuine business reasons may mean that some types of flexibility cannot be implemented for some roles.

1.5.3 Championed by leaders

Leaders support, champion and role model flexible working for their teams and themselves.

1.5.4 Mutually beneficial

Flexible working needs to work for employees, teams and MPP. It should not be viewed as something which is just agreed between an employee and manager. This means that the impact of flexible arrangements should be considered on teams and the agency as a whole.

Key considerations will be given to how flexible work arrangements can maintain or enhance the performance and delivery of the Ministry's work commitments. Another key consideration is that any arrangement should not result in increased workloads for

employees working flexibly or for other team members who are not, or for managers leading teams with some staff working flexibly.

1.5.5 Requires give and take

Flexibility requires some give and take between the employee, manager and team. It also places obligations on employees, managers, and teams to be open and adaptable so that it works for everyone. Arrangements that do not work for all parties will not be sustainable in the long term.

1.5.6 Safety and security

All flexible working options must satisfy the Ministry's security and Health and Safety requirements.

1.6 Procedures

1.6.1 Nature of arrangements

Flexible work arrangements can be formal or informal, ad hoc or regular, temporary or permanent.

1.6.2 Making a request

Before making a request for flexible work arrangements employees should familiarise themselves with the principles of flexible-by-default and the options that may work in their type of role.

The employee should discuss flexible options with their manager and be open to finding a solution that works for themselves, the whole team, their manager, and the Ministry. They should take account of the options available, in the context of their role and their team's responsibilities and deliverables and the impact their flexible work arrangement will have on others.

The employee does not have to provide a reason for their request, but they do need to discuss things like:

- the type of flexibility required
- whether or not it is a long-term arrangement
- what might be the impact of the new working arrangement – on team members, Manager, work deliverables
- how they think the new arrangement can be accommodated.

1.6.3 Ad hoc arrangements and unexpected events

Ad hoc flexibility may be planned ahead and simply needs to be agreed with the employee's manager.

Alternatively, ad hoc flexibility may be needed in response to an unexpected event. This may mean it is not possible for an employee to seek agreement from their manager in advance. Where this occurs, the employee should talk to their manager at the earliest opportunity.

1.6.4 Responding to requests

Managers will respond to a flexible work arrangement request as soon as possible. Where a request is made in writing they will respond no later than one month after receiving it.

In deciding about a flexible work arrangement, the Manager may seek advice from HR or their DCE.

Where agreement in principle is reached between an employee and their Manager, they will discuss the agreement with the team and as a group they will decide on mutual expectations and norms of behaviour.

If a request is granted, the arrangements agreed and any applicable conditions will be recorded in writing, by email or using the form attached to this policy. Manager sign-off is required for any agreed long-term flexible working arrangement.

If the Manager objects to the proposal they will explain why it is not workable and will work with HR and the employee to find a workable solution and to ensure all options have been considered.

Where a formal request is made in writing, reasons for declining it will be provided in writing within 1 month of receipt of the request, including:

- stating the Grounds for Refusal, referencing this policy
- explaining the reasons for refusing under these grounds
- advising the employee of their right of review.

All documentation will be placed on the employee's personal file.

The Ministry will act in good faith in assessing all flexible working requests.

1.6.5 Health and Safety

Under section 36 the Health and Safety at Work Act 2015, MPP must ensure, so far as is reasonably practicable, the health and safety of their workers' while they are at work. That means that when employees ask to work from home, MPP must consider the risks their employees might be exposed to in that work environment, the degree of harm those risks could cause, and how those risks can be mitigated. This includes ensuring that:

- employees do not work excessive hours, and that any hours in excess of standard working hours are agreed and monitored appropriately
- employees understand their health, safety and wellbeing responsibilities when working remotely

When considering working from home employees and their manager should consider and agree that:

- the employee's home workspace will be arranged by the employee so that it is comfortable and ergonomically sound
- the employee will complete on-line training for work-station set-up before working from home <http://www.habitatwork.co.nz> – (complete office 2.0 section) and an MPP Health and Safety self-assessment
- the employee will take regular breaks
- the employee will keep the workspace clear and free from obstacles or tripping hazards and well lit
- the employee and their manager will be in regular communication and that they will be proactive in raising and discussing any problems that arise from working from home

- the employee and their manager will proactively discuss any risks to the employees physical and/or mental health and safety arising from working from home and discuss ways this harm can be eliminated or minimised.

Under section 45 of the Health and Safety Act MPP workers have the following responsibilities:

While at work, an employee must—

- (a) take reasonable care for their own health and safety; and
- (b) take reasonable care that their acts or omissions do not adversely affect the health and safety of others; and
- (c) comply, as far as the employee is reasonably able, with any reasonable instruction that is given by the Ministry to allow the Ministry to comply with the Health and Safety at Work Act or regulations; and
- (d) co-operate with any reasonable policy or procedure of the Ministry relating to health or safety at the workplace that has been notified to employees.

Hazard identification and reporting

Even when employees are working remotely, they are required to identify and report on hazards in their workplace to their manager, HR or Health and Safety representative.

Incident Reporting

If an incident occurs when an employee is working remotely, as with a hazard that occurs at MPP's premises, the employee must notify their manager as soon as they are reasonably able.

1.6.6 Information security and privacy

When employees are working remotely, it is important that the security and privacy of information is maintained.

MPP will ensure the security and privacy of information is maintained when employees work remotely by assessing and addressing any concerns with:

- the work to be done at home
- procedures to minimise the security risk of storage and transmission of confidential information
- the classification of any information to be held at or transmitted from or to the home
- any security clearance requirements of the staff member
- the suitability (including past performance in security matters) of the staff member to work outside the usual environment
- requirements with respect to IT security/servicing and communications security, such as encrypted data, two-step authentication on electronic devices, and up-to-date protection software.

1.6.7 General considerations

In addition to health, safety and wellness considerations, the Ministry will consider a range of matters when considering a Flexible Work Arrangement request. These considerations may be specific to the person, team, and position. They may include, for example:

- how and where the work will be completed, if it is likely to have a detrimental impact on quality or performance
- the employee's willingness to return to the office when the need arises
- the requirements of the employee's role
- operational needs
- the effect of the arrangement on the team and the resourcing of work
- support and supervision (for the employee and other team members)
- any cost to the Ministry
- technology issues, like fast broadband in the home to enable productive work
- any additional matters which may result from the requested arrangements

While a range of matters can be considered when assessing a Flexible Work Arrangement request, the request can only be declined if it cannot be accommodated on one or more Grounds for Refusal.

1.6.8 Review of arrangements

When a flexible working arrangement is approved, the impact of that arrangement, within a team or in relation to a work outcome can often not be fully determined at the outset. Therefore, a review of the flexible work arrangement will occur between the employee and their manager after an agreed time (usually one to three months) and then ongoing at least every 12 months.

Changes to roles will also require a review of whether certain arrangements are still workable.

From time to time, employees may be required to alter their flexible work arrangement. This may be ad hoc, or on a more regular or even permanent basis, to meet the needs of the Ministry. In such situations, the manager will talk this over with the employee as early as possible and seek to find agreement on a flexible working arrangement that meets the needs of the employee, their Manager, the team and the Ministry.

2. Responsibilities

2.1 Employees

When working remotely, employees are responsible for:

- self-managing their work and continuing to meet delivery expectations
- communicating proactively with their manager and their team about the work they are doing remotely

- working with their manager and the team to ensure their flexible arrangements are working for everyone
- being as flexible as possible when temporary changes to flexible work arrangements are needed
- clearly indicating their working arrangement in their office calendar
- setting up an out of office email message to operate outside agreed working hours which clearly states when they are in the office
- remaining contactable during agreed work hours
- observing all Ministry policies, including, for example, the Ministry's Code of Conduct, ICT and State Services Standards of Integrity and Conduct and Health and Safety policies.

2.2 Managers

Managers are responsible for:

- considering in good faith any request for flexible working, approving these when they can, and declining only when (following consultation with HR) they have determined that one or more Grounds for Refusal exist
- ensuring that, prior to the first instance of an occasional arrangement to work from home, the staff member receives advice on health, safety, and security
- ensuring the Ministry's business requirements are met
- overseeing the team's workload, and monitoring any changes that result from a Formal Flexible Working arrangement
- providing reasonable notice to any employee with a flexible working arrangement of developments that may cause it to be revisited.

3. Breaches of this policy

The provisions under the Employment Relations Act, to deal with unresolved Formal Flexible Working request breaches are contained in Part 69 AAG, 69AAH, 69AAI of the Act.

3.1.1 Employee in breach

If an employee is in breach of this policy their manager will raise the issue and try to resolve the problem with the employee.

If necessary, disciplinary action may be taken in accordance with the Ministry's disciplinary policy. (Advice from HR should be sought in all cases where potential disciplinary action could be taken).

3.1.2 The Ministry in breach

If an employee believes the Ministry is in breach of this policy, they should follow the process for the resolution of employment relationship problems set out in their Individual Employment Agreement, including:

- first trying to resolve the issue by discussing it with their manager

- if necessary, taking the problem to the DCE, Business Services, People & Culture or HR for assistance

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- if the issue remains unresolved, referring the matter to a third party such as a Labour Inspector or Mediation, from the Ministry of Business, Innovation, and Employment at www.mbie.govt.nz
- if still dissatisfied, an employee can apply to the Employment Relations Authority at www.era.govt.nz

4. Further information

4.1.1 Legislation

- Employment Relations Act 2000
- Domestic Violence - Victims Protection Act 2018
- Health and Safety at Work Act 2015

4.1.2 Related policies

- Domestic Violence Policy
- Equal Employment Opportunities Policy
- Parental Leave Policy
- The Ministry Code of Conduct
- Health and Safety Policy
- State Services - Standards of Integrity and Conduct
- Leave Policy
- ICT Acceptable Use Policy
- Information Policy
- Privacy Policy

Appendix A: Flexible Work Arrangement Request

Employee to complete

(Details can be provided by email, but should include key details below)

| | | |
|---|--------------|--------------|
| Name: | Role: | Date: |
| Manager Name: | | |
| <i>I would like to request a variation to my working arrangements which are currently :</i> | | |
| Place(s) of work: Include address if not MPP premises | | |
| Days and hours of work: | | |
| My proposed flexible working arrangement is: <i>(Tick appropriate box)</i> | | |

| | | | | |
|---|-------------------|-------------|----------------------|------------|
| | Working from home | Flexi time: | Part-time: | Job share: |
| Condensed working week: | | | | |
| Alternative arrangement: detail below this may be a combination of two arrangements or a different version | | | | |
| Technology requirements, if applicable: | | | | |
| Place(s) of work If more than one location state all addresses | | | | |
| Days and hours of work Specify hours worked across all locations | | | | |
| I would like the new working arrangement to be <u>permanent</u> and start from: (Please allow at least 2 weeks notice of start date) | | | | |
| I would like the new working arrangement to be <u>temporary</u> (Please allow at least 2 weeks notice of start date) Starting : Finishing : | | | | |
| The reason for my request is to: | | | | |
| I have read and understood the Ministry's Flexible Working Policy and make this request in the knowledge and acceptance of the requirements that I must meet, should it be granted. If this includes working from home, my responsibility to observe all Ministry policies, including, the Ministry's Code of Conduct, ICT and State Services Standards of Integrity and Conduct and Health and Safety policies. I accept that the Ministry does not pay for home connectivity or any costs incurred when working from home and that having a suitable workstation is my responsibility. | | | | |
| Employee's Signature: | | | Date: / / 20 | |

Page

Appendix B: Manager Response Form

(Details can be provided by email, but should include key details below)

Approved

Not Approved

| | |
|---|-------|
| To: | Date: |
| I, _____ Manager Name, have considered your request for a flexible work arrangement | |

EITHER

I can confirm that I have approved your request for

Detail arrangements including place(s), days and times of work.

OR

I am unable to accommodate your original request. However, I am able to offer the following alternative arrangement, which we have discussed and you agreed would be suitable to you

Detail arrangements including place(s), days and times of work.

OR

I am declining your request at this time for the following reasons, and as discussed with you.

Detail the reasons

Your new working arrangement will commence from:

Start Date:

Finish Date:

(If temporary)

If permanent we will review this arrangement in approximately _____ months, to ensure it is working for you, the team, the Ministry, and myself. If it is not working, we will need to discuss and agree an adjustment to this arrangement that works for us all. We will review this arrangement not less than 12 monthly thereafter.

Name:

Signature:

Note to employee:

If you have any questions on the information provided on this form, please contact me as soon as possible to discuss.

You have stated in your Flexible Work Request that you have read and understood the Ministry's flexible working policy and make this request in the knowledge and acceptance of the requirements established in that policy.

If working from home is part of this arrangement, your responsibilities to observe all Ministry policies, including, the Ministry's Code of Conduct, ICT and State Services Standards of Integrity and Conduct and Health and Safety policies

In taking up this flexible work arrangement you accept that the Ministry does not pay for home connectivity or any costs incurred when working from home and that having a suitable workstation is your responsibility.






20200714 Flexible Work Policy

Final Audit Report

2020-07-27

| | |
|-----------------|--|
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| By: | s9(2)(a) |
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Work from Home checklist

Background

When working from home you are responsible for keeping yourself and your working area safe.

Please go to this link for further information - https://worksafe.govt.nz/managing_health-and-safety/novel-coronavirus-covid/working-from-home-under-alert-level-3#lf-coc-6_895

No matter when or where an employee works, ensuring their health and safety is a shared responsibility between the employer and the employee. When working from home you are responsible for organising a work area that is appropriately set up to ensure you can work safely. The following checklist is designed to assist you to keep yourself safe when working from home. You are expected to complete and provide the following documentation annually:

- This Work from Home checklist
- A photo of your home work station and surrounds

Once completed the checklist and photo need to be forwarded to tautagata@mpp.govt.nz

Please note completion of the home checklist and providing a photo is mandatory before work from home can commence or can continue annually

The Work from Home Checklist

Security of information

1. Do you have a workspace that is private and secure? (Please select one)

Yes No

If you selected **no** and your workspace is easily accessible to others, please:

- lock your screen and put work papers away whenever you leave your desk through the day and
- pack up your laptop and put your working documents away each night in a secure, safe place.

2. Are you required to access confidential or highly sensitive information in your role?

No Yes

If yes, please describe how you will keep this sensitive information secure.

.....

.....

.....

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3. Have you read, and do you fully understand our IT Acceptable Use Policy?

No

Yes

If not, please review the policy before commencing working from home.

Protecting work equipment

IT Support

4. Have your IT equipment, software and service requirements been confirmed with IT Services and can they be supported?

Yes

No

If not, please contact IT support to discuss your home office electronic equipment to ensure that it is compatible with your MPP IT equipment. If this is not the case you may have to consider alternative arrangements.

Surge protection

5. Do you have surge protected plugs or multi boards, in order to protect your IT equipment from power outages and surges? (Please select one)

Yes

No

If not, please consider purchasing one of these plugs or multi-boards before working from home.

Work environment

Tripping hazards

6. Is the floor space around your desk free of tripping hazards (cables etc.)?

Yes

No

If not, please tidy around your workspace before commencing working from home

Lighting

7. Is the lighting at your workstation adequate for the tasks you are performing?

Yes

No

If not, please correct the lighting before commencing to work from home

Ventilation, Temperature

Most employees will be accustomed to the air conditioning in the MPP offices which controls ventilation and temperature. At home you are responsible for ensuring that your workspace is adequately ventilated and heated/cooled.

Emergency Plan, First Aid Kit, Smoke Alarms

Please consider how you will exit your workspace, in case of an emergency. Think about alternative exits, should your usual exit be blocked for some reason.

We recommend you have access to a first aid kit when working from home. Please consider purchasing one, if you don't have one at home already.

Every workspace should have a smoke alarm installed. If you don't have one installed near your work area, we recommend you get one before commencing regular work from home activity.

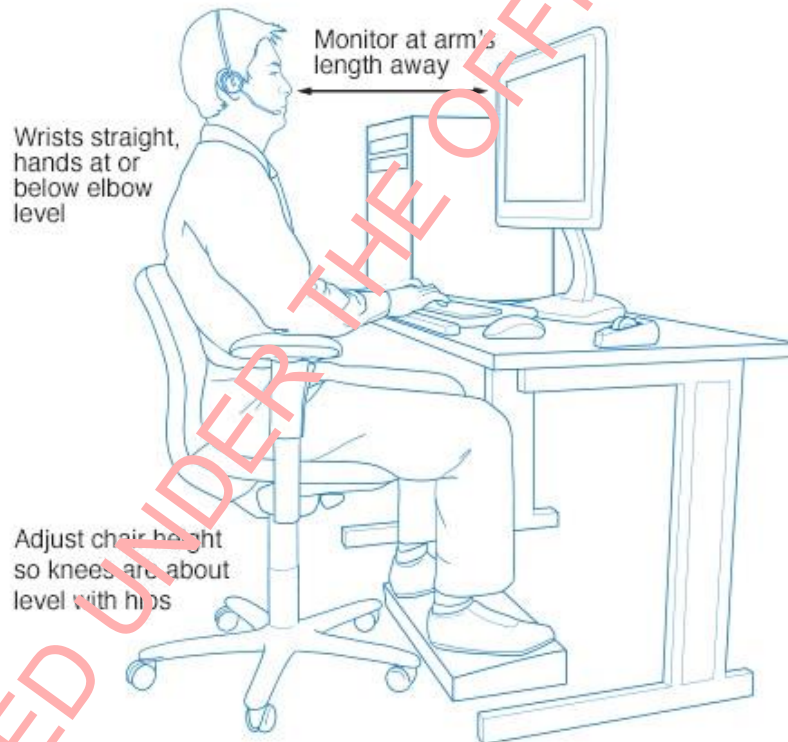
Office ergonomics when working from home

8. Have you set up your computer, desk and chair ergonomically?

Please adjust to the following recommendations:

- | | | |
|---|-----|----|
| <input type="radio"/> The top edge of your computer monitor is at your eye level | Yes | No |
| <input type="radio"/> The computer monitor is free from glare and reflections from lights | Yes | No |
| <input type="radio"/> The keyboard is at a comfortable tilt angle or flattened for touch typing | Yes | No |

This diagram provides you with an example of the preferred workstation set up.



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Chair

Choose a chair that supports your spinal curves. Make sure your hips are never lower than your knees. If you cannot adjust your chair and your feet cannot firmly touch the ground, use a book or ream of paper to raise your feet to the correct height. If your chair has adjustable armrests, check that your arms gently rest on them with your shoulders relaxed. If your chair is too low, consider using cushions on it. Avoid the "C" curve shape in your back while working. Try to keep an "S" curve in your spine; a support chair should help you with this.

9. Do you have an adjustable office chair with adequate lumbar support that supports your posture?

Yes No

If not, please ensure you have a suitable work chair before commencing to work from home. You may need to speak to your Manager about this.

Desk

Under the desk, make sure there's clearance for your knees, thighs and feet. If the desk is too low and can't be adjusted, place sturdy boards or blocks under the desk legs. If the desk is too high and can't be adjusted, raise your chair. Use a footrest to support your feet as needed. If your desk has a hard edge, pad the edge or use a wrist rest. Don't store items under your desk.

10. Does your desk enable you to meet the standards described above?

Yes NO

If not, please arrange this before commencing work from home. You may need to speak to your Manager about this.

Laptop

If you do not have a monitor, or if you use your laptop as a second screen, please consider putting some books underneath your laptop to elevate it so that it is at the same height as your eyes.

Avoid using your laptop on your couch or your bed.

11. Do you use a laptop computer? (Please select one)

No Yes

If yes, please ensure that your laptop screen is set up as recommended above.

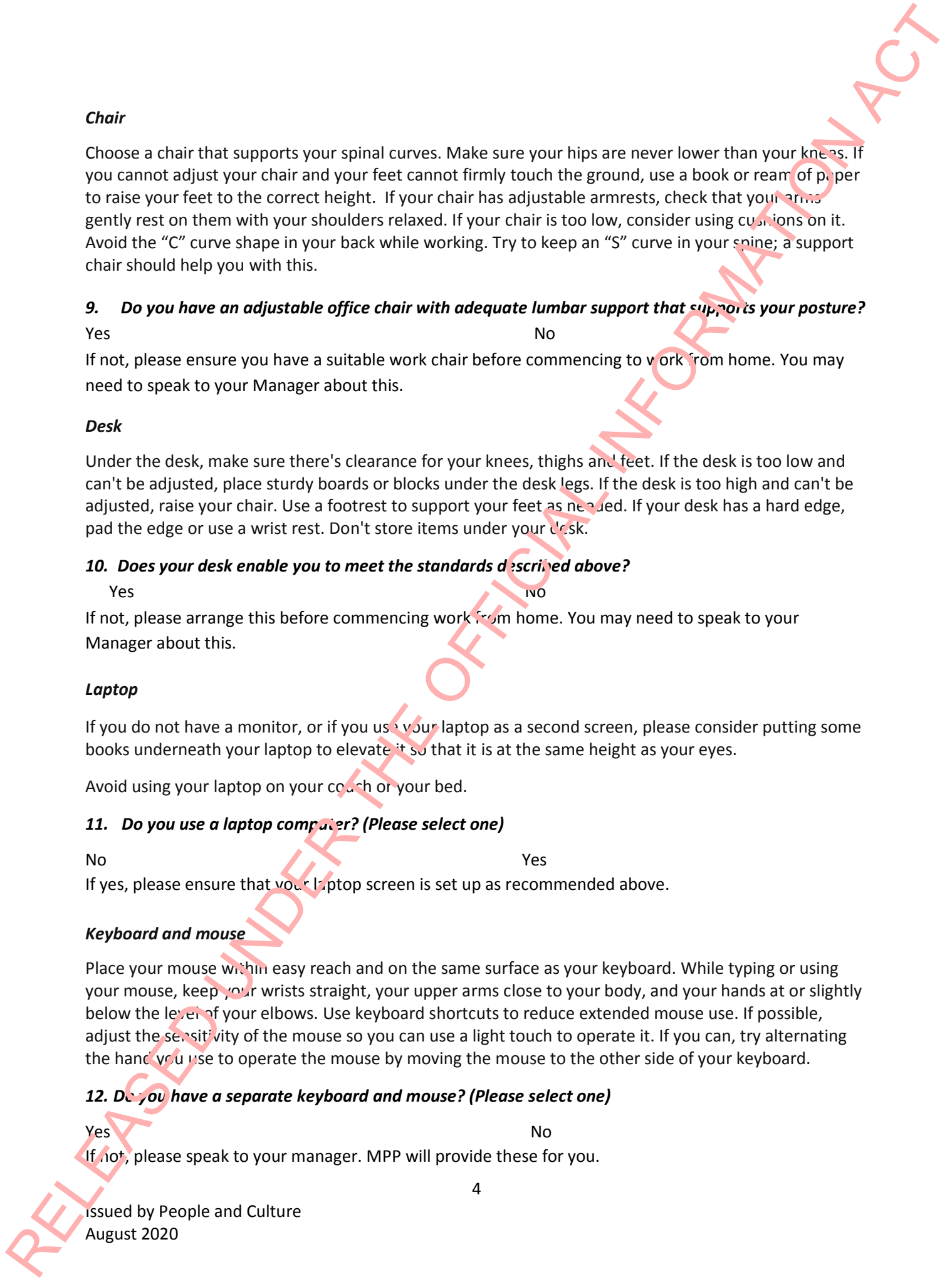
Keyboard and mouse

Place your mouse within easy reach and on the same surface as your keyboard. While typing or using your mouse, keep your wrists straight, your upper arms close to your body, and your hands at or slightly below the level of your elbows. Use keyboard shortcuts to reduce extended mouse use. If possible, adjust the sensitivity of the mouse so you can use a light touch to operate it. If you can, try alternating the hand you use to operate the mouse by moving the mouse to the other side of your keyboard.

12. Do you have a separate keyboard and mouse? (Please select one)

Yes No

If not, please speak to your manager. MPP will provide these for you.



Telephone

If you frequently talk on the phone and type or write at the same time, place your phone on speaker or use a headset rather than cradling the phone between your head and neck.

Key objects

Keep key objects — such as your telephone, or printed materials — close to your body to minimize reaching. Stand up to reach anything that can't be comfortably reached while sitting.

Reporting accidents and incidents

In the event that a workplace accident you must advise your manager as soon as possible and an incident form must be completed.

Wellbeing

Please ensure you take care of your wellbeing when working from home. We have a number of guides available on VakaPuna to support you with this.

If you would like further support, you can contact your manager, the People & Culture Team, or your Health and Safety Representative.

Breaks

Stretch and move frequently. The best way to prevent injury is to have micro pauses and ensure your body isn't in one stiff position for too long. If you have phone calls to make, get up and walk around your house or even outside while talking!

Please take regular breaks; you need to get away from your desk for short breaks through the day.

Any other relevant information (Please provide)

.....
.....

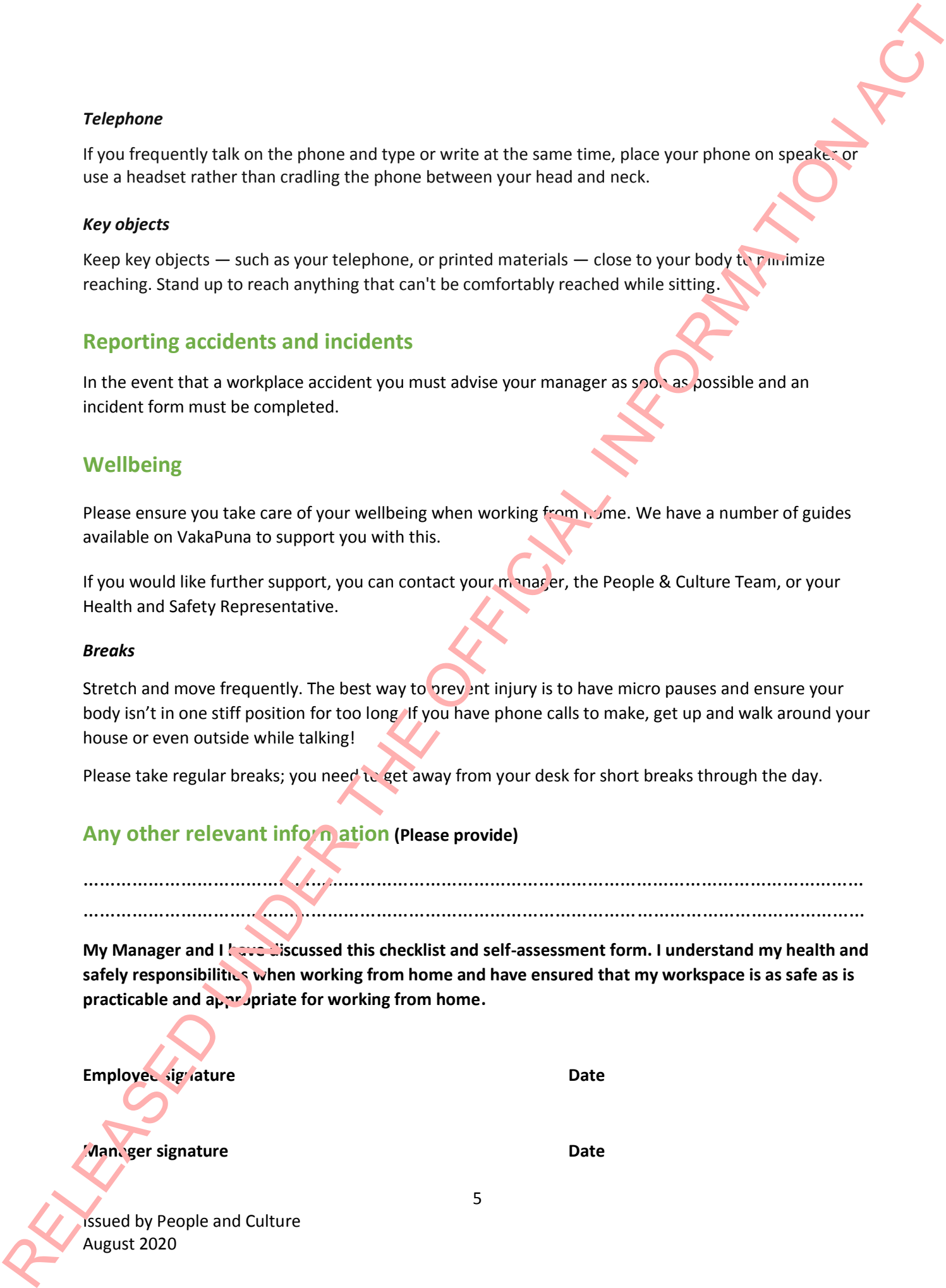
My Manager and I have discussed this checklist and self-assessment form. I understand my health and safety responsibilities when working from home and have ensured that my workspace is as safe as is practicable and appropriate for working from home.

Employee signature

Date

Manager signature

Date



Flexible Working Policy

People & Culture

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In Principle:

- If not, why not?
- Must work for the role and there may be some roles where this does not apply
- Mutually beneficial-for the employee, their manager, the team and the Ministry
- Requires give and take- for example: to come in to the office on some 'work from home' days
- Alternative arrangements must meet safety and security requirements

Flexible by default means;

- Exploring how flexibility could work unless there is a genuine business reason for a role not to be.
- Considering a range of working arrangements that work for the Ministry, teams, Managers, and individual employees.

It does not mean that all types of flexibility will be possible for every role. Different types of flexibility may suit different types of roles. For example, the demands of frontline roles may preclude an employee working from home (one type of flexibility), but other types of flexibility (e.g. varied start and finish times) may be workable.

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One size does not fit all

There are many options to consider, when thinking about flexible working arrangements.

These include;

- Regularly working flexible hours
- Varying total hours
- Occasional flexibility
- Working remotely (usually from home or another Ministry office) –for 1 or more days in a week
- Job sharing
- Taking additional unpaid leave
- Flexi role: E.g. phased return to work from long-term absence or phased retirement by reducing hours gradually as retirement approaches

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Requesting flexible work arrangements

- Discuss options with your manager and be open to finding solutions that work for all
- Consider;
 - The type of flexibility wanted
 - Is it long term or short term, regular or ad hoc
 - What might be the impact; on the team, the Manager and work deliverables
 - How the request can be accommodated, in a way that benefits all

If working from home

- Do you have a home work space that meets health and safety requirements?
- Do you have fast broadband, so you can work efficiently?
- How will you keep work information secure?
- Does your home situation support efficient working (For example: are you the only carer for young children at home)?
- How will you keep in touch with your manager and team?
- Are you willing to come in to the office when needed, whether or not it's a designated work-from-home day?

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Grounds for refusal

Section 69AAF of the Employment Relations Act (ERA) states the grounds for refusing a flexible work request.

These are;

- Inability to reorganise work among existing staff
- Inability to recruit additional staff
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes
- Burden of additional costs
- Detrimental effect on ability to meet customer demand

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Work from home Guidelines (to be read in conjunction with the Flexible Work policy)

The most common form of flexible work is working from home. These guidelines provide advice to Ministry staff in regards to the following areas: equipment, health and safety, reimbursement of costs while working from home, security of information and equipment and worker responsibilities.

Making the arrangements

Before working from home, the employee and manager should have already documented the arrangement through the completion of the flexible working form which should specify:

- The arrangement that will apply (how often you will work remotely, the duration of the arrangement, hours of work etc.)

Employees are also required to complete a 'home checklist' which outlines whether staff have a suitable working environment to work from home. Depending on the responses in this checklist employees and their manager may need to look at the type of work that is completed at home.

Equipment

To support an approved request for working from home from an individual employee, if they do not already have appropriate equipment at home, MMP may consider providing the following items of equipment to staff members:

- Laptop
- Keyboard
- Mouse
- Monitor
- Docking station

Providing additional equipment will depend on what is 'reasonably practicable' please see the worksafe website for this information and will be considered on a case by case basis only and must be approved by the Deputy Secretary, Corporate Services. Please note wifi connections are the responsibility of the staff member.

To assist staff with setting up their work station at home, they can refer to the home checklist.

Health and Safety

No matter when or where an employee works, ensuring their health and safety is a shared responsibility between the employer and the employee. When working from home, the employee is responsible for organising a work area that is appropriately set up to ensure that they can work safely. On an annual basis, Ministry staff working from home, will be expected to complete or provide the following documentation:

- Home checklist
- A photo of their work station at home

Once completed the checklist and photo needs to be forwarded to tautagata@mpp.govt.nz

Please note completion of the home checklist and providing a photo is mandatory.

As well as this staff are required to report any hazards or incidents (big or small) through to their Manager. A hazard is a situation or thing that has the potential to harm a person while a incident is an unplanned event that doesn't result in an injury but does cause damage to property or has enough significant risk to merit recording.

Where there is no public health requirement to work from home, if an employee does not have an ergonomic set-up at home or is experiencing pain and discomfort at home and it is not practicable to provide ergonomic equipment at home, it may be more reasonable to expect them to return to the office. However, the Ministry may consider reasonable adjustments to their general approach, to support people with disabilities.

Reimbursement of expenses relating to working from home

There is no expectation on the Ministry that they will offer additional compensation or allowance be provided for expenses arising from a request to work from home, as part of flexible working.

Security of information and equipment

All policies that apply to employees who are working in the office, also apply when employees are working remotely. It is the employee's responsibility to keep all work information secure, especially customer records and any other sensitive material. It is also important that reasonable care is taken of company information and equipment.

Employee's responsibilities

When working remotely, the employee should ensure that employee's:

- Comply with the guidelines contained in this document as well as all other organisational policies and procedures
- Only work from a location that is safe and suitable for working remotely
- Comply with all health and safety requirements
- Do not work during annual leave or sick leave specified on a medical certificate
- Do not hold meetings with customers or other employees at their home
- Make necessary childcare arrangements and don't treat working from home as a substitute for childcare
- Take reasonable steps to keep the organisation's technology, equipment and information safe and in working order.

MINISTRY FOR PACIFIC PEOPLES STAFF INDUCTION HANDBOOK



Kimberly Polata-Ahotolu
Director, People and Culture

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Ministry for Pacific Peoples Staff Induction Handbook

MPP Overview

Welcome

Noa'ia, Mauri, Ni Sa Bula Vinaka, Fakaalofa lahi atu, Tālofa, Kia orana, Mālō e lelei, Mālō nī, Talofa lava, Tēnā koutou katoa and warm Pacific greetings to you all.

The Ministry for Pacific Peoples (MPP) is the principal advisor on policies and interventions that improve outcomes for Pacific Peoples. We bring the Pacific voice, perspective and understanding into policy. We are the guardians and the caretakers of Pacific knowledge, culture, and identity, and we support and take stewardship over our Pacific communities and peoples.

The purpose of this handbook is to give you an overview of MPP and its functions. It is also to provide you with an overview of all the key information you will need as an employee of MPP. It is your manager's and your responsibility for ensuring you have read and understand ALL the policies held in Vaka Puna as they relate to your employment at MPP.

Our Minister



Minister for Pacific Peoples
Hon Barbara Edmonds

Hon Barbara Edmonds is the Minister of Internal Affairs, Minister for Pacific Peoples, as well as Associate Minister of Health (Pacific Peoples) and Associate Minister of Housing.

Before Parliament, Barbara acted as a senior advisor to Ministers under successive governments and was a key contributor to the Government's law reforms following the March 15 Terror Attacks. She's proud of her work in helping to make Aotearoa New Zealand a safer place.

Titahiāsa / Porirua has been home to Barbara, her husband Chris (Ngā Puhī) and their eight children for the last 12 years. She's privileged to be the MP for Mana and for the opportunity to serve the place she loves.

Our Leadership Team – Tautua



Gerardine Clifford-Lidstone
Secretary for Pacific Peoples
and Chief Executive

Tuaopepe Abba Fidow
Deputy Secretary,
Service Delivery



John Tuamoheloa
Deputy Secretary, Regional
Partnerships

Aiono Matthew Aleone
Deputy Secretary,
Policy, Research, Evaluation,
Languages and Housing



Leatigaga Jason Tualima
Deputy Secretary,
Corporate Services

Ali Ajmal
Chief of Staff,
Office of the Secretary



Organisational structure

Our organisation is constantly growing, you can see our [organisation chart](#) and [MPP Contact list](#).

Message from the Secretary for Pacific Peoples

At MPP our goal is to support the prosperity of Pacific Peoples living in Aotearoa. Our vision of a confident, more resilient and more prosperous Pacific community is core to everything we do at MPP. Through our work we support Pacific identities, languages, and cultures.

We also aim to be a nurturing place to work for talented, and motivated people like you who have a passion for making a difference in our Pacific communities and across Aotearoa, New Zealand. We will strive to provide you with a positive, productive, and ethical workplace. We will give you clear direction in your role and in MPP, along with professional development opportunities and great leadership as you progress through your career with us.

Vision, Strategy and Lalanga Fou

Our vision

Pacific values are our anchor, with each generation weaving the foundations for the next to stand on. Pacific communities are innovative leaders within Aotearoa, the Pacific region, and the world.

We are confident in our endeavours, we are thriving, resilient and prosperous Pacific Aotearoa.

Realising our vision is critical not only for Pacific Peoples, but as an investment in New Zealand's future well-being and prosperity. Our work and the changes we are making, will help us to enable and foster this vision.

Strategy

MPP's strategic direction aims to generate opportunities for Pacific Peoples in New Zealand to prosper, by delivering robust policy and interventions that receive widespread support from stakeholders and the confidence of the government.

Due to an increasing diversity of our Pacific Peoples in New Zealand and the flexibility with which we must operate, no one-size-fits-all approach or strategy will realise success. As such, our approach is about harnessing our relationships, knowledge, and expertise – to better connect Pacific Peoples and government.

As a small department, MPP has limited resources. By focusing our resources and interventions into areas that make the greatest difference, by working with others, by using a partnership approach, and by facilitating knowledge and expertise between groups, MPP can provide more value from the government's investment.

Our Lalanga Fou Goals

Through engagement with wider Pacific communities, four priority areas have been identified to achieve our vision. For this reason, our work programme priorities will focus on:

- Thriving Pacific languages, cultures, and identities
- Prosperous Pacific communities
- Resilient and healthy Pacific Peoples
- Confident, thriving, and resilient Pacific Young People

Values

At MPP, we have defined three core values which are:

- **Service** is our calling and our purpose,
- **Culture** guides and connects us,
- **Integrity** and passion for our work is what we deliver.

Culture

At MPP we celebrate all cultures and ethnic backgrounds. We centre ourselves in Pacific cultures and bring a Pacific heart to our organisation, but we are also inclusive of all our people. This includes Tangata Whenua and our people who descend from countries outside the Pacific. We find common ground and purpose through shared values and a desire to create better prosperity of Pacific Peoples living in Aotearoa.

One of our greatest celebrations of Pacific cultures at MPP is through our Pacific Language Weeks. There are internal events held throughout the language weeks which are open to staff to attend.

Matai titles

You will notice that some staff have names before their first names. This is more so with Samoan staff. These names are matai (Chief) titles. The status of a matai is highly respected and acknowledged in Pacific cultures. Matai titles are a great honour bestowed by a person's aiga/ family and nu'u/ village that they are connected to predominantly by ancestry and sometimes by marriage.

It's common within MPP to hear staff members being called by their matai names. When these staff members are introduced to you, it's common for some of us to introduce them to you using their matai name. Please learn how to say these matai names with the audio guidance provided and use them as it displays the utmost respect. Most matai titles for reasons unknown have not been included in MPP emails. This might be confusing at first so please see the matai in MPP and their emails below:

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Tongan navigator matāpule title, bestowed by His Majesty King George Tupou VI of Tonga :

s9(2)(a)

Full high ranking male title: s9(2)(a) who should not be confused with our colleague s9(2)(a)

Educational achievement is of pivotal importance to Pacific peoples and so is the acknowledgement of people in our organisation who have attained doctoral degrees or higher qualifications.

Doctorate holders:

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Religion

Religion is very important to our Pacific staff. Most if not all Pacific peoples have grown up attending church since birth. While not all attend church now, we respect all denominations of religion and church. Almost 80% of Pacific peoples in Aotearoa are still religious, observing in comparison to just over 40% of all New Zealanders. Ninety-seven per cent of this number for Pacific peoples are Christian. Christian prayers and songs of religious worship are very important to Pacific peoples within our organisation and at external public meetings and events.

Meetings

Depending on what business unit you are part of in the Ministry, most meetings start and end with a prayer and/ or hymn. It's not compulsory to say a prayer and if you are asked, it's ok to politely decline. You might want to share a non-religious inspirational saying/ blessing or karakia Māori that is appropriate for the occasion. We ask that when prayers are said that you remain silent while this takes place, texting, eating/ drinking or working while the prayers are being said is seen as being disrespectful.

We encourage all staff to utilise the language cards, which you would have received on your first day. These cards include prayers and hymns in all nine languages MPP celebrate yearly through Pacific Language Weeks.

All staff events that involve food

With a staff event like a welcome or a farewell, please wait for the guests of honour to eat first. This is practiced in most Pacific cultures and is a sign of respect. Reciprocity is very important to Pacific peoples. It is important that we share the workload at events and occasions, so where you can, please help to set up and to tidy up/ pack down even if it is not an event connected to your business unit.

Emails asking staff for donations due to a bereavement or significant event

Sometimes you will see emails asking for contributions. It's not compulsory to contribute if you don't want to. From a cultural perspective this is something most MPP staff do within our own families. Many of us regard our workplace colleagues as an important extension of our magafaoa/ kōpū tangata/ kāiāga/ aiga/ fāмили/ whanau and a way to show love and support. It is always up to each staff member how much they would like to contribute, if at all. There is no expectation to contribute.

Asking for assistance or feedback about your work

The Ministry for Pacific Peoples is very much about nurturing relationships within our organisation and with the wider Pacific communities whom we serve. Sending emails without taking the time to connect with colleagues face to face or via video calls is not conducive for establishing and maintaining relationships. Reciprocity and respectful approaches are very important to solid collegial relationship-building.

Giving feedback

It's better that this is done in person or online. When doing this please consider using the sandwich method:

1. Start first with positive points
2. Then share the critique/ criticism/ issue to be discussed and then
3. End with encouragement.

Questions about HR

If you have questions about your contract, leave etc. and don't want to ask your manager, please send an email to the People and Culture inbox – tautagata@mpp.govt.nz

Induction

In your first few weeks you will be invited to attend short induction presentations from key business units. This will give you a brief introduction to all the important functions across MPP. It is compulsory that you attend these presentations and complete this induction process as part of your employment agreement.

MPP's People and Culture policies are designed to ensure all employees enjoy fair and equitable pay, employment conditions and opportunities. The following sections gives you an overview of our key policies that we are all required to follow. Go to the [Policies and Procedures](#) page for all business unit's key documents.

Dress Code

The dress code is set at a professional tidy standard Monday to Thursday, where at any time a Minister may visit our offices whether Head Office or Regional. Fridays are tidy casual. Please ensure you adhere to this expectation.

Public Service Association (PSA)

Upon signing your employment agreement, you are automatically joined to the PSA which is the Union supporting the NZ Public Service. It is an individual's choice whether you wish to subscribe to and join the Union, you have 30 days to confirm or revoke your membership. The PSA can be found at www.PSA.org.nz.

Code of Conduct

The [Code of Conduct](#) is one of MPP's critical documents which reflects the values, standards of behaviour and responsibilities of all MPP staff.

It is aligned to Employment Law, Human Rights Law, Health and Disabilities Commission Rights and many other Civil rights laws. It is imperative you read and understand the code of conduct thoroughly to both protect yourself, the organisation and our partners and communities.

Breaches to the Code of Conduct are taken seriously and will be aligned to the [Performance Improvement Policy](#) and [Disciplinary and Dismissal Procedure](#).

Conflicts of Interest

Because of the nature of our community and whānau connections Conflicts of Interest can occur quite often.

This need not be a barrier to progressing the outcomes for MPP and our communities. However, you MUST declare all conflicts of interest you have with any work you have. The declaration is to be lodged formally on the [Conflict of Interest Disclosure Form](#) (Appendix 1) and given to your direct line manager who then lodges it with People and Culture.

The conflict could require a management plan, or that you are given support to protect you professionally, or a colleague may be called in to navigate any decisions and actions that could cause challenges. This process keeps you and MPP safe from accusations of bias, preferential treatments, or prejudice in the integrity of how we operate. For more information see the [Conflict of Interest Guidelines](#).

Flexible Working

MPP recognises that work life balance is about creating a productive work culture where the potential for tensions between work and other parts of people's lives is minimised. The purpose of the [Flexible Working Policy](#) is to normalise flexible work for everyone in MPP in a way that works for individuals, managers, teams, and MPP.

Flexible working may include the place of work and/or the starting and stopping times for work. You are employed to work specific hours within your working week. From time to time your manager may grant you the flexibility to work at a different location, or at different times within your employment agreement requirements.

This arrangement can be reviewed at any time with priority being to the deliverables of MPP.

Should you wish to present a case for flexible working arrangements you must provide certainty that you can work independently in another location, and or deliver what is required within the hours required. For more details on requesting and working within flexible working arrangement parameters, refer to the [Flexible Working Policy](#), [Flexible Work – Working from Home Guidelines](#) and the [Flexible Work – Working from Home checklist](#).

Salary and Employee Benefits

Salary

Salary/pay is paid fortnightly. All positions at MPP are placed into a pay band, with a corresponding pay range. Each range contains a group of positions that have similar job responsibilities etc. As you progress in your skills and experience your pay be renegotiated within the limits of the Governments pay decisions. At times MPP is restricted by Central Government on whether we can give Salary

increases. For information on the Salary pay bands and job families see [Remuneration Info - Salary Bands](#).

Health Insurance

MPP has a partnership with Southern Cross Care Health and can/may provide Health Insurance Cover for you and your family under our partnership programme subject to Southern Cross Policy approval. The service is available to permanent employees working 20 hours or more a week. For more information on the Ministry-subsidised health insurance, see section 2.4 of the [Wellbeing Policy](#).

Visual Health and Flu Vaccinations

MPP also support staff through other ways please see section 2.7 Visual Health and 2.3 Flu Vaccinations of the [Wellbeing Policy](#) for more information.

Leave

For more information for any of the below leave types please see the [Leave Management Policy](#). Leave can be applied for on the [EasiPay](#) website or by using the My Pay mobile application.

Annual Leave

All roles are required by law to work according to their employment agreement AND to take leave if applicable to ensure your health and wellbeing. Annual leave is available as your entitlement is available but should be planned as far ahead as possible.

Sick Leave

The purpose of sick leave is to support employees when they are unable to attend to their normal duties because of illness or injury and protect fellow employees from contracting a contagious illness. Sick leave may also be used where a partner or person who is dependent on the employee requires caring for.

Employee's employment agreements set out their entitlements to sick leave. Employees are expected to use this leave responsibly.

Where a fixed term employee's employment agreement ends before the completion of the term, sick leave taken over and above the employee's entitlement (for the proportion of the time worked) will be deducted from the employee's final pay.

Special/Discretionary Leave

Special leave (also known as Discretionary leave) may be available in special circumstances. The employee must discuss any Special Leave with their manager in the first instance. Where the manager supports such a request, approval must be given by the Director, People and Culture before the Special Leave can proceed. Special leave is paid leave.

Time-Off In Lieu (TOIL)

Where an employee is required to work additional hours **over and above** what is reasonably expected to meet the requirements of their role, and where flexible work arrangements are insufficient to meet reasonable requirements, TOIL may be applied for in advance and approved in advance of the TOIL. MPP does not pay overtime. Please see the [Leave Management Policy](#) for ways in which TOIL is requested and taken.

Bereavement Leave

Bereavement leave is granted for a minimum of 3 days if an employee suffers a bereavement on the death of a close family member. Please see the [Leave Management Policy](#) for more information on who is deemed to be a close family member and the process to complete when applying for Bereavement leave.

Domestic Violence Leave

As of 2020 the Government brought in new Legislation to help whānau in situations of domestic violence. You are allowed up to 10 paid working days to support you to leave a domestic violence situation, or to work through the issues related to domestic violence.

The leave is subject to manager's discretion and decision whilst maintaining your privacy.

Jury Service Leave

MPP's perspective is to support Jury service wherever possible. It is a community good that we do contribute to our wider whānau and a legal responsibility. Leave to take Jury service is at the discretion of the manager. It cannot place undue burden on MPP. Should you not be able to attend Jury Service, a letter to decline Jury Service will be provided by your manager.

Ministry days

Ministry days represent the three days between Boxing Day and New Year's Day. These days are given as paid leave days that are on top of your annual leave entitlement. They cannot be swapped for any other days. If you are required to work (in exceptional circumstances) this will be approved by the Secretary for Pacific Peoples.

Finance

Gifts and Hospitality

MPP accepts that from time to time our staff are recognised by being given gifts. There are boundaries and limits set to protect you and MPP, please see how gifts can safely be accepted through the [Hospitality, Gifts and Entertainment Policy](#).

Expenses

When incurring an expense, staff must ensure they keep a valid tax invoice and/or receipt to be able to make a claim. Claims must be completed on the correct form and within a timely manner and sent to Finance. Expenses incurred while conducting your work must be preapproved by your reporting manager before the expense is to be incurred. Please see the [Business Expenditure Policy](#) for more information.

Travel policy

MPP must show financial responsibility regarding travel and its operating costs. All domestic travel outside of a staff members work area must be signed off by their manager prior to the travel taking place. MPP uses preferred suppliers and, more information and the travel form can be found in the [Travel Policy](#)

Health, Safety and Wellbeing

Health, Safety and Wellbeing is everyone's responsibility regardless of the location of your workplace. There are Health and Safety guidelines for different places of work and the H & S Committee representatives meet regularly to discuss how policies, procedures and activities ensure the Health, Safety and Wellbeing of all.

The Committee is required to alert management to any changes and risks to staff safety. For more information refer to the [Health and Safety Policy](#).

Reporting an incident, accident or near miss

It is critical that staff report incidents, accidents and near misses to enable MPP to put in place any new H & S protocols required. The [Health and Safety – Early Report Form](#) and the [Incident and Accident Reporting Form](#) can be found on the Human Resources [Forms/Templates](#) page.

MPP provides an external Employee Assistance Program through [EAP Services](#). The service is available on 0800 327 669 (Monday – Friday business hours).

Bullying and Harassment

Bullying is repeated and unreasonable behaviour that is direct or indirect towards a worker or a group of workers that can lead to physical or psychological harm. Unwanted and unwarranted behaviour that a person finds offensive, intimidating or humiliating.

Bullying and harassment of any nature is not tolerated nor warranted within MPP.

Both the complainant and responder are entitled to confidentiality. Confidentiality means that only those involved in the process (which includes the manager, People and Culture and to a more limited degree witnesses) have access to relevant information in relation to the complaint.

MPP must apply a fair and impartial process to fully investigate any concerns raised. Should you feel bullied or harassed please seek support from your manager or People and Culture or someone you trust. For more details, refer to the [Harassment and Workplace Bullying Prevention Policy](#).

Social Media

Regardless of the social media platform being used (personal or professional), employees must not do anything which could potentially damage or misrepresent the reputation of MPP or the wider State Service.

The use of personal social media apps to undertake MPP's work is prohibited. If it is needed for urgent communication, it should be used only for a simple message, for example, "I am trying to contact you". Employees must not discuss any business-related information or send any files related to MPP on personal social media apps. For further information regarding the use of Social Media see the [Social Media Policy](#).

Privacy

The collection, use, storage, and disclosure of personal information is governed by the [Privacy Act 2010](#). We can only collect information for the use of MPP. We cannot share without the knowledge and permission of the person involved. You are also able to request to see any information held on file regarding you. For more in depth rules and requirements around other people's personal information and Privacy rules please refer to the [Privacy of Employee Information Policy](#).

Protected Disclosure

MPP is committed to maintaining an environment that encourages high ethical conduct and will always treat all allegations of wrongdoing seriously, including those not protected under the [Protected Disclosures Act 2000](#). Employees who report wrongdoing are helping to promote integrity, accountability, and good management within MPP, and that reporting is highly valued.

Protected disclosure is in place for Employees who become aware of actual or possible Serious Wrongdoing within or by MPP and wish to disclose this information. Provided that the disclosure of information is made in good faith, in accordance with the 'Whistle-blowing' [Protected Disclosures Act 2000](#), employees of MPP will be protected from:

- civil and criminal prosecution, and
- disciplinary, retaliatory action or victimisation by MPP.

Any reports of wrongdoing are to be sent confidentially to tautagta@mpp.govt.nz, the People and Culture Team inbox.

Performance

Performance setting and development

MPP has a six-monthly formal performance development process. You are required to have a Performance and Development Plan. Within six weeks of starting your role your direct line manager will sit with you to develop your first set of accountabilities reflecting your job description and the tasks you are to carry out. The manager may at this time set a development plan with you. The performance objectives reflect SMART actionable tasks and deliverables. More information can be found in the [Performance and Talent Management Guidelines](#).

The Plan is reviewed formally every six months, in addition your work responsibilities and tasks are discussed regularly at your one to one with your direct line manager. This second review may be timed to align with the MPP's remuneration setting. Your development plan is set to develop you in your role.

Performance improvement

If at any time during your time at MPP you begin to have difficulties with completing your work accountabilities, your manager will sit with you to discuss what additional development needs you have.

If you are not meeting expectations a Performance Improvement conversation may have to take place. MPP is legally obliged to support you through a Performance Improvement process and give you the opportunity to improve in areas you may not be achieving.

A [Performance Improvement Plan](#) (PIP) will be put in place to clearly outline what is required for you to succeed. It is the goal for MPP to develop and support its staff to successfully achieve in their roles.

If the PIP process has not been able to resolve a Performance deficit MPP will move to a Disciplinary Process. The process moves through setting actions in place to improve performance through to warnings and final dismissal. Under extreme circumstance an instant dismissal could take place. Please familiarise yourself with the policy the [Performance Improvement Policy](#) and [Disciplinary and Dismissal Procedure](#).

Disciplinary

It is expected that all employees, working for MPP will conduct themselves in a manner which is appropriate and consistent with MPP's values and culture, as set out in the MPP Code of Conduct and the State Services Standards of Integrity and Conduct. It is also expected that MPP and all its employees will act in a responsible manner towards each other and towards MPP's property and stakeholders.

A breach of these statements of appropriate behaviour or any other reasonable and lawful standards of behaviour may form the basis of disciplinary action, up to and including dismissal. For further information see the [Disciplinary and Dismissal Procedure](#).

Leaving MPP

Resigning

Upon resigning you are required to advise your manager in writing giving four weeks' notice. Your manager will accept your resignation in writing and pass this to People and Culture. People and Culture will arrange the offboarding process including notifying finance to organise your final pay.

Retirement/Medical incapacity

There are a range of reasons why people leave MPP, and each has a slightly different process. Please see the [Ending Employment Guidelines](#) for more details on anything to do with ending employment with MPP.

Final Pay

Your final pay will be made up of any final entitlements you have been carrying. You will be required to return all property to MPP you have been using.

Exit Survey

Prior to your last day People and Culture will send you a link to an exit survey. We would appreciate your free and frank comments that are constructive to us making MPP a better place to work. This survey is completely confidential. If you would also like to speak to a member of the People and Culture team, feel free to contact them.