

## EASTER TRADING?

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In December 2017 Kapiti Coast District Council became one of the territorial authorities allowing trading on Easter Sunday. If your business is going to trade on Easter Sunday and you have staff, here's what you need to know.

ALL shop employees have the right to refuse to work on Easter Sunday and they don't have to give their employer a reason for refusing.

Employers must notify their employees in writing that they have a right to refuse to work on Easter Sunday.

Notification to employees can be delivered in one or more of the following ways :

- A letter or memo delivered in person
- A personal email group email
- Any other way which could be specified in the employment agreement.

Notification must be made at least four weeks before the relevant Easter Sunday, and no earlier than eight weeks before the Easter Sunday.

If an employee starts work within four weeks of the relevant Easter Sunday, the employer must give this notice (of the right to refuse) as close to the start date of the employee's employment as possible.

- This notice must be given *every* year the business wishes to trade on Easter Sunday.
- For a template employers can use to notify employees, go to <http://www.starpeople.nz/Resource.php> and download the Employers Form under Easter Trading.

If an employer doesn't follow the notice requirements and requires an employee to work on Easter Sunday, this is considered to be compelling them to work and the employee could bring a personal grievance.

Shop employees who are given notice of their right to refuse to work on Easter Sunday and wish to refuse to work, must give notice of this to their employer.

If an employee is going to refuse work on Easter Sunday they must:

- Let the employer know in writing no later than 14 days from the date they received their employer's notice.
- Deliver the notice to the employer. This could be in the form of a letter or memo delivered in person, or by email or in a way which could be specified in the employment agreement.
- For a template employees can use to notify an employer, go to <http://www.starpeople.nz/Resource.php> and download the Employees Form under Easter Trading.

Employers can't compel their shop employees to work on Easter Sunday or treat them adversely for refusing to work. Any provision in an employment agreement which *requires* a shop employee to work on Easter Sunday is unenforceable.

Legally, there are no days in lieu or penal rates payable for working on Easter Sunday, although employers may want to consider an incentive to encourage their employees to work on that day.

If you want more information about Trading on Easter Sunday, please contact your local employment experts at [www.starpeople.nz](http://www.starpeople.nz)