

Employment law changes

There have been recent amendments to the Employment Relations Act 2000, as of 6 May 2019. The two most significant changes are to the 90 day trial period and meal breaks.

90 day trial period

The 90 day trial period can now only be used in employment agreements where a business employs up to 19 employees, including casual employees. This now means that a business that employs 20 or more employees, including casual employees, will no longer be lawfully able to use the 90 day trial period clause.

Genuine employment agreements that have been entered into prior to 6 May 2019, will remain compliant and can run their course.

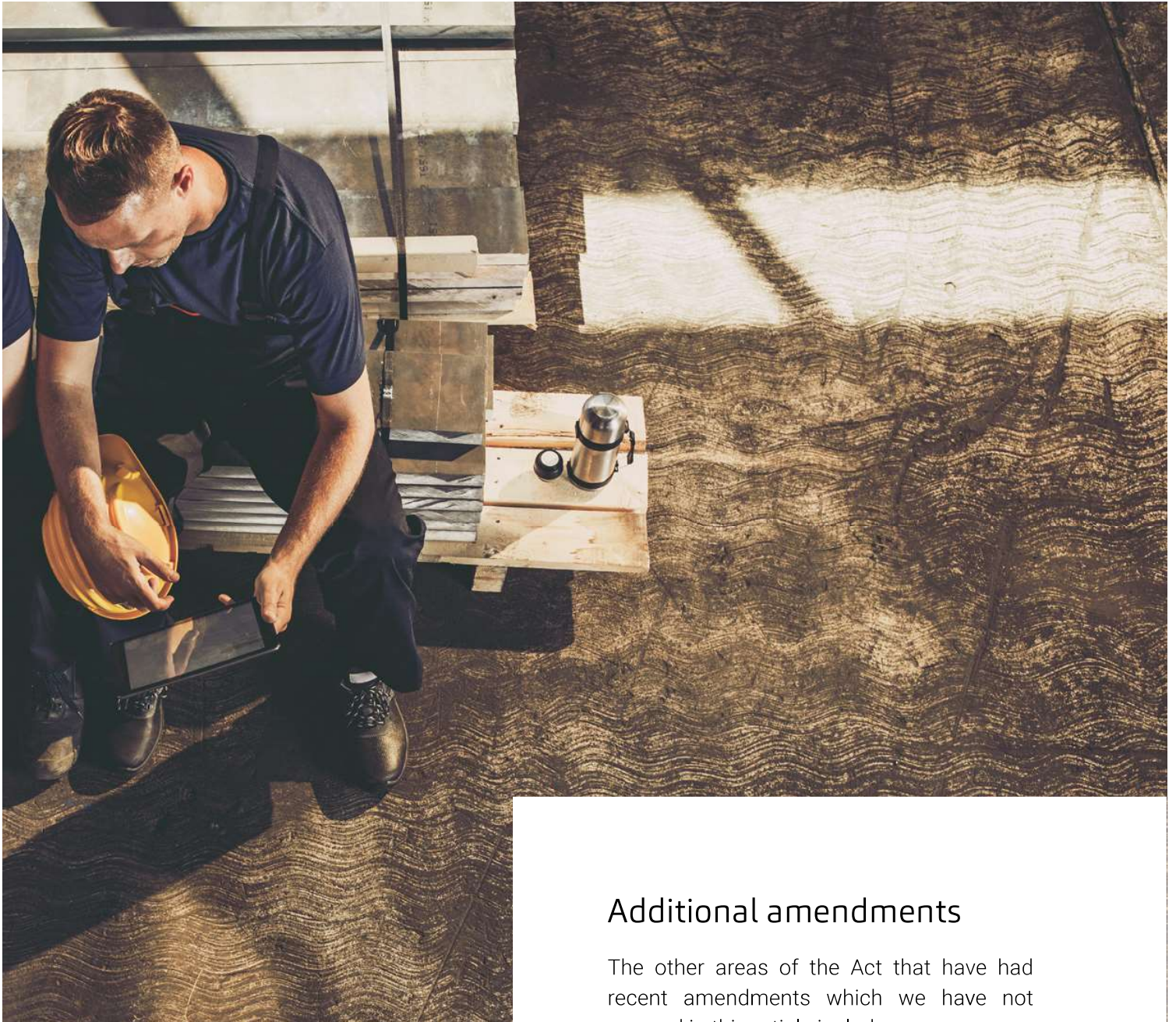
Businesses who are unable to use this may be able to use a probationary clause in their employment agreement, depending on their circumstances. There are a few requirements that need to be followed in order for the probationary clause to remain genuine, for advice on whether this fits your circumstances please do not hesitate to contact a Baker Tilly Staples Rodway HR advisor.



Meal breaks

From 6 May 2019, if an employee works for 8 hours per day, they are due to receive:

- A minimum 10 minutes paid tea break after two hours of work,
- A minimum half hour unpaid lunch break after four hours of work,
- A further minimum 10 minutes paid tea break after six hours of work.



The default provisions require the breaks to be around the middle of the relevant work period if that is reasonable and practicable.

If an agreement between the parties cannot be or is not reached, the Act also states the times at which the breaks are to be taken, with limited exceptions for workers in essential services or national security.

Additional amendments

The other areas of the Act that have had recent amendments which we have not covered in this article include:

- Redundancy and/or the sale of a business and protection requirements for vulnerable workers
- Collective employment agreements
- Union membership
- Collective bargaining.

If you have any concerns about how the recent changes may impact on your employment agreements or would like any further information on the above amendments, please contact your Baker Tilly Staples Rodway HR advisor.