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(<http://www.mbie.govt.nz>)

Sick leave

If your staff members are sick, encourage them to stay home. Not only will it give them a chance to rest and recover, but it will help stop others in your team from getting sick. In the long run, it'll keep your business more productive.

What you need to know

After an employee has been working for you for six months, they're legally entitled to at least five days' paid sick leave a year.

You must:

- carry over up to 15 days of unused sick leave into the next year, and add the five days for the current year
- allow employees to use sick leave to care for a sick or injured spouse, partner, dependent child or any other dependent individual
- pay a sick employee what they'd get if they'd worked a normal day, including bonuses, overtime etc.

You can:

- let employees who've worked for you for less than six months take sick leave in advance
- choose to let employees carry over extra sick leave, beyond the 15 day requirement from year to year
- offer more than five days of paid sick leave a year.

This also applies to casual workers if, after six months, they have worked:

- an average of at least 10 hours a week and
- at least one hour a week or 40 hours a month.

[Sick leave entitlements\(external link\) \(https://employment.govt.nz/leave-and-holidays/sick-leave/sick-leave-entitlements/\)](https://employment.govt.nz/leave-and-holidays/sick-leave/sick-leave-entitlements/) - Employment New Zealand

Case study

Too soon for sick leave

Steve has been working at Toni's Hair Salon for five weeks when he catches the mumps. He can't come to work but isn't yet eligible for sick leave.

Toni gives Steve the option of taking annual or sick leave in advance, or taking unpaid leave. Because Steve wants to save his annual leave for a family trip to Australia, he opts to take his future sick leave.

Toni also asks for a doctor's certificate. As Steve has been sick for less than three days, Toni must foot the bill for this.

If an employee is injured

If it's at work, they don't need to take sick leave. Once the accident is registered and acknowledged by ACC you must pay them at least 80% of their normal wages for the first week they're off work.

If it's somewhere other than work, they can choose to take sick leave for the first week they're off work — they can also choose to take annual leave or leave without pay.

After the first week, ACC will pay them 80% of their usual salary while they're off work. Your employees can ask you to pay them for one day's sick leave each week if they want to and they have the sick leave available. You have no other obligation to pay them while they're on ACC. However if your employee returns to work on part-time duties, you may need to make a contribution towards their salary.

[Sick leave and ACC\(external link\) \(https://employment.govt.nz/leave-and-holidays/sick-leave/sick-leave-and-acc-payments/\)](https://employment.govt.nz/leave-and-holidays/sick-leave/sick-leave-and-acc-payments/) - Employment New Zealand

Asking for doctor's certificates

You can ask for one of these:

- after an employee has been sick or injured for three consecutive days
- before they've been sick or injured for three consecutive days, but only if you cover the cost of getting the certificate.

Your employee can choose which doctor they'd like to see.

If they can't provide a doctor's certificate or other proof that they're really sick, you don't have to pay them for their sick leave.

If you have more questions about holidays and leave:

See [Employment NZ's contact us page\(external link\) \(https://www.employment.govt.nz/about/contact-us/\)](https://www.employment.govt.nz/about/contact-us/).

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