



April 2025 Employment Law Updates – What Employers Need to Know

There's been a flurry of legislative activity recently that employers need to be aware of. You can read my January 2025 post about other planned or recent law changes [here](#). This post provides a quick summary of a few further changes and proposed future changes that caught the attention of the media in April:

30-Day Union Rule to be Scrapped

For employers who have a collective employment agreement – the government has announced that the rule requiring employers to apply union-negotiated terms to new employees for their first 30 days will be repealed. Employers would then be free to offer their own terms from day one - but they would of course still need to act in good faith and avoid undermining union relationships. This change, along with others previously announced, are to be included in the Employment Relations Amendment Bill that will be introduced this year, which is expected to be passed by the end of 2025.

Crimes (Theft by Employer) Amendment Bill Passed into Law

I have assisted many employers with processes to address allegations of employees stealing company, client or employee property, stock, cash, time etc. Most would agree that this sort of behaviour by employees is unacceptable and should be able to

be addressed, including applying appropriate sanctions when such behaviour is substantiated.

Now, there are some new potential sanctions for employers that could be applied if they intentionally withhold any money owed to an employee under their employment agreement or legislation. Where that is found to have occurred the employer now risks criminal charges under the Crimes Act 1961 and a fine, imprisonment or both.

It's perhaps important to note that no additional requirements have been introduced with this change – employers have always been required to make payments to employees that they are entitled to receive. However, this law change provides an additional deterrent to any employer who might think that they can avoid making payment of an amount owed to an employee.

So, can you show that it wasn't intentional when a payment was not made in error? Or do you have sufficient evidence that there was a reasonable excuse for not making the payment?

This change reinforces the need to not only ensure all payments are made as they should be, but also that you have accurate policies, payroll, leave, and timekeeping practices - and robust systems for resolving disputes early.

Health and Safety at Work Act Reform Announced

On 31 March 2025, Workplace Relations and Safety Minister, Brooke van Velden, announced that the Government will boost economic growth by reforming health and safety laws to lessen the cost and burden of compliance on low-risk businesses. She said that, in addition to “help[ing] end the proliferation of road cones by providing a hotline for the public to report overzealous

road cone use, and for WorkSafe to confirm and provide guidance on instances of over-compliance”, Cabinet has agreed to:

- “Reduce tick-box health and safety activities that do not protect workers from harm by sharpening the primary purpose of the Health and Safety at Work Act to focus on critical risk,
- Address over-compliance due to overlapping health and safety duties by clarifying the boundaries between the Act and regulatory systems that already manage the same risk,
- Cut compliance costs by reducing notification requirements to the regulator to only significant workplace events (deaths, serious injury, illness and incidents),”


Not all details of proposed changes to the Health and Safety at Work Act have yet been finalised but in addition to the announcement on 31 March, there have been further announcements, on 1, 2 and 3 April 2025 providing some further information.


On 1 April the announcement related to the use of land for recreational purposes following discussion in the High Court decision in *Whakaari Management Ltd v WorkSafe New Zealand* [2025] NZHC 288 about who has H&S obligations when land is used for recreational purposes.

On 2 April the announcement was that the Government intended to clarify the distinction between governance and operational management health and safety responsibilities.

On 3 April, we heard the Minister announce that there would be a greater focus on Approved Codes of Practice (ACOPs), with confirmation that if someone complies with an ACOP, this will

mean that they have done enough to meet their health and safety duties.

 **Tip:** While the process to reform the Act continues, employers can take this time to consider whether their current H&S system is likely to be ready for these types of changes.

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