

Individual employment agreement

(Area school teachers)

BETWEEN

the School Board (“the Board”) of

[name of school]

(“the Employer”)

AND

(the “Employee” or “You”)

1. Job Description and place of work

The work you are to perform is set out in the existing / attached position description.
[tick one and note that “existing” is not an option for a new employee]

working at [Your place of work will normally be]

2. Employment

The Employer appoints / continues your employment as a [tick one]
[name of role]

You are employed full time / part time [tick one]

If part-time insert the proportion of full time FTTE to be worked per day, noting that these can be changed in accordance with the Area School Teachers’ Collective Agreement 2023-2025
[eg: 0.04 on Monday plus 0.2 on Tuesday plus 0.16 on Wednesday = 0.4 for the week]:

Monday	Tuesday	Wednesday	Thursday	Friday	Total FTTE
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3. Remuneration

You are entitled to the remuneration set out in the Area School Teachers' Collective Agreement 2023-2025 (ASTCA). Any increases in remuneration only apply to you from the date this Individual Employment Agreement (IEA) is signed by you and the Employer.¹ However, if you meet the criteria for the additional payment described in clause 1.10.3 of the ASTCA then you are entitled to that payment provided that:

- this IEA is signed by 14 November 2023; and
- you have not received since 3 July 2023 a lump sum under another employment agreement with an employer in the Education Service.²

Please note that the new pay rates will not be processed by Education Payroll until 13 December 2023, so you will receive backpay if you are entitled to a payrise that is effective before then.

4. Other Terms and Conditions of Employment

Your terms and conditions of employment under this agreement are:

- (a) Those terms and conditions of the ASTCA, modified as necessary to apply within this IEA; and
- (b) Any other terms and conditions set out in this IEA.

Your terms and conditions are not backdated, so any terms and conditions that are in the ASTCA that have an implementation date prior to the date of this IEA being signed shall only apply from the date of signing.

A copy of the ASTCA is available on the Ministry of Education website www.education.govt.nz

Part 8 of the ASTCA contains a [plain language explanation](#) of the services available for the resolution of employment relationship problems.

You can obtain information about your entitlements under the Holidays Act 2003 from the Ministry of Business, Innovation and Employment. Information about the Holidays Act and other minimum entitlements can also be found at www.employment.govt.nz.

5. Independent Advice

The Employee acknowledges that they have had reasonable opportunity to seek independent advice on the proposed agreement.

6. Completeness

In signing this agreement the Employee and Employer agree that the terms and conditions of employment set out in this individual employment agreement replace all previous arrangements and understandings.

¹ Note that this cannot be earlier than the date this IEA is promulgated.

² "Education Service" is defined in section 10 of the Education and Training Act 2020.

7.**Signatories**

SIGNED by the Employee

[date]

SIGNED for and on behalf of the above
named School Board by

[date]

[print name] and

[position]

New Employees

In offering the promulgated Individual Employment Agreement to new employees, Boards are required to meet their obligations under the Employment Relations Act 2000. Set out below is a guide to the obligations in relation to new employees, but Boards should also seek advice from NZSTA.

New employees – where a collective agreement is in force

- New employees who are or become members of the NZ Post Primary Teachers' Association (NZPPTA) and the NZ Educational Institute – Te Riu Roa (NZEI Te Riu Roa) (the unions) and who perform the work covered by the Area School Teachers' Collective Agreement (the Collective Agreement) will be bound by that collective agreement.
- New employees who are not members of the union and who perform the work covered by the Collective Agreement must be offered an individual employment agreement which, for the first 30 days of employment, contains terms and conditions of employment of that collective agreement.
- Before agreeing to the individual employment agreement and before the employee commences work, the employee must be advised that:
 - they are entitled to seek independent advice about the proposed employment agreement
 - the collective agreement exists and covers the work to be done by the employee
 - the employee may join the union, and how they can contact the union, and
 - if the employee joins the union, they will be bound by the collective agreement.
- The employer must give the employee:
 - a copy of the collective agreement
 - any information about the role and functions of the union that the employer is required to provide to prospective employees in accordance with a request by a union under section 30A of the Employment Relations Act
 - a reasonable opportunity to seek independent advice. The employer must also consider any issues that the employee raises and respond to them, and
 - within 10 days after they commence employment, a copy of MBIE's "Form for new employees to indicate if they intend to join a union", for the employee to complete and return. A copy of the form can be found [here](#) and further guidance can be found [here](#).
- At the end of the first 30 days of employment, if the employee has not joined the union, the employer and employee may agree to vary the terms and conditions of employment.
- If the parties wish to vary the promulgated individual employment agreement, whether on appointment or after the 30 day period, they will require prior concurrence from the Ministry. Note that the employee must be informed that they are entitled to seek independent advice about any variation to the promulgated agreement that is offered.
- If the employer and employee choose not to vary the terms and conditions of the promulgated individual employment agreement after the 30 day period it remains in force unchanged.

**New employees –
where a collective agreement is not in force**

- Before agreeing to the individual employment agreement and before the employee commences work, the employee must be advised that they are entitled to seek independent advice about the agreement offered.
- The employer must give the employee:
 - a copy of the individual employment agreement being offered, and
 - a reasonable opportunity to seek independent advice. The employer must also consider any issues that the employee raises and respond to them.
- If the parties wish to vary the promulgated individual employment agreement they will require prior concurrence from the Ministry.