

Individual Employment Agreement (kindergarten teachers)

The effective date of this Individual Employment Agreement is the date it is signed by both parties or the date of promulgation, whichever is the later.

BETWEEN

[name of Association],

a Kindergarten Association that controls a free kindergarten within the meaning of section 10 of the Education and Training Act 2020 (the “employer” or “Association”).

AND

(the “Employee” or “You”)

Your Position and Hours of Work

The Employer appoints / continues your employment in the role of:

[tick the one that applies]

Teacher

Head Teacher

Senior Teacher

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

Your position is Permanent / Fixed Term or Long-Term Reliever [tick one]

Working at [identify Kindergarten(s)]

from

[enter the start date of this agreement whether you are a new employee or an existing employee]

Your Pay

Salary rates are paid in accordance with the Kindergarten Teachers, Head Teachers and Senior Teachers’ Collective Agreement 2023-2026. Note that minimum wage increases on 1 April each year. The pay rates of any employees on minimum wage will automatically be increased accordingly.

Other Terms and Conditions of Employment

Your other terms and conditions of employment are the terms and conditions of the Kindergarten Teachers, Head Teachers and Senior Teachers' Collective Agreement 2023-2026 (KTCA), with all the necessary modifications are applicable to an individual employment agreement for teachers employed by Kindergarten Associations. In addition, the [attached plain language](#) explanation of the services available for the resolution of employment relationship problem shall apply.

A full copy of the KTCA is published on the Ministry of Education website ([see www.education.govt.nz](http://www.education.govt.nz)).

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

You acknowledge you have had a reasonable opportunity to seek independent advice.

SIGNED by (Employee) on [date]

SIGNED for and on behalf of the above [date]
named Association by

[print name] and [position]

Reminder for School Boards

(NB: this reminder does not form part of the IEA)

INDIVIDUAL EMPLOYMENT AGREEMENT KINDERGARTEN TEACHERS - CASUAL OR SHORT TERM RELIEVER

New employees - where a collective agreement is in force

- New employees who are or become members of NZEI Te Riu Roa and who perform the work covered by the Kindergarten Teachers, Head Teachers and Senior 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 the promulgated individual employment 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 unions, and
 - if the employee joins either union, they will be bound by the collective agreement.
 - they can obtain information about their entitlements under the Holidays Act 2003 from their union (if they are a member) and 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.
- The employer must give the employee:
 - a copy of the collective agreement (it is available at <https://www.education.govt.nz/education-professionals/schools-year-0-13/people-and-employment>)

- a reasonable opportunity to seek independent advice. The employer must also consider any issues that the employee raises and respond to them, and
- If the employee agrees, the school board must inform NZEI Te Riu Roa as soon as practicable that the employee has entered into an individual employment agreement with the board
- If the parties wish to vary the promulgated individual employment agreement the Employer will need to obtain **prior concurrence from the Ministry.**

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; and
 - they can obtain information about their 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.
- The employer must also 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.