

INDIVIDUAL EMPLOYMENT AGREEMENT
Special Residential Schools

BETWEEN the Board of Trustees (“the Board”) of
..... *[name of school]* (“the Employer”)
a statutory body constituted pursuant to section 93 of the Education Act 1989

AND(the Employee)

The Board appoints/continues the employment of *[delete one]* the Employee as a
..... *[job title/work to be performed]*,
working at *[place of work]*, with effect
from the date this agreement has been signed by both signatories (except as provided below) upon and
subject to the terms and conditions contained in this agreement.

Notwithstanding anything to the contrary in the Special Residential Schools’ Collective Agreement 2015-2018, the effective date of any of its provisions in respect to this agreement shall be the date this individual employment agreement is signed by the employer and employee and no sooner than the date of promulgation of this agreement.

The Employee’s hours of work will normally be

The Employee's Step (if appropriate) shall commence under this agreement at *[Step]*
.....and the Employee’s salary/hourly *[delete one]* rate shall commence under this
agreement at \$.....

The work to be performed by the Employee is set out in the existing/attached *[delete one & note that "existing" is not an option for a new employee]* position description.

The terms and conditions of employment under this agreement are those terms and conditions of the Special Residential Schools’ Collective Agreement 2015-2018, with all the necessary modifications applicable to an individual employment agreement. A copy of the Special Residential Schools’ Collective Agreement 2015-2018 is attached (*available on www.education.govt.nz*).

The terms and conditions of employment set out in this agreement replace any previous arrangements and understandings.

The Employee acknowledges he/she has had a reasonable opportunity to seek independent advice.

SIGNED by (Employee) on *[date]*

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

..... *[signature]*

..... *[print name and position]*

..... *[date]*

..... *[school number]*

REMINDER FOR BOARDS OF TRUSTEES

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

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SPECIAL RESIDENTIAL SCHOOL STAFF

The Employment Relations Amendment Act 2014 came into effect on 6 March 2015. One amendment was the removal of the '30-day rule' for new employees who are not union members.

The '30-day rule' required new employees (who were not union members) to be employed on the terms and conditions in the collective agreement for their first 30 days on the job – if their work was covered by a collective agreement. They could only add terms and conditions that were not inconsistent with (i.e. not lesser than the terms and conditions of the relevant collective agreement). After 30 days, the employer and employee could agree to change the individual agreement as they saw fit (unless the employee joined the union).

The removal of this rule means employees who are not union members can negotiate an individual agreement as they see fit from the start of their employment, even if there is a collective agreement that covers their work. Employers who want to offer employees something different from the promulgated IEA will still have to seek concurrence.

Employers will still have to give new employees a copy of the applicable collective agreement and proposed IEA. Employees can still join a union at any time and be covered by the terms and conditions of the applicable collective agreement.