

---

Date 2 November 2015

Circular 2015/15

Category Industrial Relations

---

## Settlement of the Secondary Teachers' Collective Agreement and a new Individual Employment Agreement

<b>This circular is about</b>	The details of the recent settlement of the Secondary Teachers' Collective Agreement and information on applicable Individual Employment Agreements.
<b>This circular replaces</b>	This circular does not replace any other.
<b>The action needed is</b>	To note the contents of this circular and complete the requirements concerning Individual Employment Agreements if applicable.
<b>It is intended for</b>	Chairpersons of boards of trustees and principals of all state and state-integrated secondary schools, and of other state and state-integrated schools that employ teachers covered by the Secondary Teachers' Collective Agreement or a secondary teacher Individual Employment Agreement.
<b>For more information</b>	Email the Industrial Relations Unit: industrial.relations@education.govt.nz  All agreements are available on the Ministry's website: <a href="http://www.education.govt.nz/school/running-a-school/employing-and-managing-staff">http://www.education.govt.nz/school/running-a-school/employing-and-managing-staff</a> .

### Introduction

The Secondary Teachers' Collective Agreement 2015-2018 (STCA) was settled on 21 September 2015 and has since been ratified by the members of the Post Primary Teachers' Association (PPTA) and signed by the parties.

The settlement is for a 36 month term, effective from 28 October 2015 and expiring on 27 October 2018. Base salary adjustments have been made for both the trained and untrained teachers' salary scales.

This circular provides a summary of the changes and new provisions. The full collective agreement is available on the Ministry of Education's website. Printed copies will be available from the New Zealand School Trustees Association (NZSTA).

The pay increases provided for in the STCA are not available to employees on Individual Employment Agreements (IEAs) unless a new IEA is entered into between the Board and the employee, and in no case can such an increase be effective before 28 October 2015, or the date the IEA is signed, whichever is the later.

## **Key features of the settlement**

### **Salary**

An amended base salary scale for both trained and untrained teachers has been introduced. Pay increases of 2 per cent for the next two years - effective from 2 September 2015 and 2 September 2016 - and an average 2.5 per cent increase, effective 4 September 2017, have been agreed.

Please note that the unit rates, middle management and senior management allowances, and all other terms and conditions, have not been affected by the settlement and remain the same.

### **Coverage**

The parties have agreed to amend the coverage clause as it relates to specialist secondary teachers of technology of Year 7 and 8 students (historically known as manual teachers).

### **Sabbaticals**

Ten additional sabbatical leave awards per annum (a total of 50) have been agreed from the beginning of the 2016 school year. The criteria for these additional awards will have a greater focus on professional learning.

### **Motor car reimbursement rates**

A flat rate of 62c per kilometer irrespective of the number of annual kilometers run on official business has been introduced. Prior to this change, a rate of 47c applied over 1600 kms.

### **Field allowance**

An increase to the field allowance from \$12.72 to \$25 and to subsume the incidentals allowance within the field allowance has been agreed. Where the teacher receives the field allowance, the incidentals allowance is not payable.

### **Removal of (two) reimbursing allowances**

The trailer towing and relieving allowances have been removed.

### **Sick leave and salary credits for calculating equivalent service**

Changes have been made to Appendix A (Salary on Appointment) and Part Six (Sick Leave) in order to make the collective agreement easier to understand. It is not intended that any entitlement of any teacher is reduced as a result of these changes.

### **Revision of service/qualification increment eligibility**

The wording in relation to service/qualification increment eligibility has been revised. Historic eligibility criteria have been retained in a new "Supplement 2".

### **Payment in lieu of notice where appointment is terminated**

Boards now have the ability to pay out up to two months' salary in lieu of notice to any teacher who is dismissed with notice, except in cases of serious misconduct.

### **Salary scale progression of short-term relievers**

The agreement has been amended to clarify when short-term relievers can progress to the next step on the salary scale.

## Good employer guidelines in respect of Māori

The clause has been updated.

### Other matters

The following matters were also agreed:

- The Ministry has agreed to pay secondary teacher practising certificate fees to the new teacher professional body, the Education Council, for the three years between 1 November 2015 to 31 October 2018
- Two working groups will be established to focus on secondary teacher workload and secondary teacher supply. The terms of reference for each working group are attached to the terms of settlement at the back of the collective agreement
- The variations agreed to during the term of the last collective agreement have been incorporated into the STCA as have agreed technical changes.

## Individual Employment Agreements for Secondary Teachers

An Individual Employment Agreement (IEA) based on the terms and conditions of the renegotiated STCA has now been promulgated and is available on the Ministry's website at <http://www.education.govt.nz/school/running-a-school/employing-and-managing-staff/individual-employment-agreements/>.

Teachers who are not members of the PPTA but whose work could be covered by the STCA coverage clause may be offered the newly promulgated IEA to access the applicable terms and conditions of the renegotiated STCA.

IEAs are only effective from the date of signing and cannot be effective before the date they were promulgated by the Secretary for Education.

The previous requirement that an employer had to offer a new employee, who is not a member of a union party to a collective agreement that would cover the employee's work if he or she was a union member, the terms and conditions of that agreement for the first 30 days of employment no longer applies. However, employers are still required to inform new employees that a collective agreement exists and provide them with a copy of the agreement, as well as information regarding how to contact and join the union.

If you are intending to offer existing employees who are not union members the promulgated IEA then you must draw their attention to the details of the applicable terms and conditions of the new STCA.

**Please note** that if the board and the employee do not sign the new IEA then salary increases will not apply. Existing employees on old IEAs will be entitled to the new salary rates from the date that they sign the new IEA (or 28 October 2015, whichever is the later).

In the event a board has concerns and/or questions regarding its employment arrangements with individual employees, the board should contact its NZSTA adviser or its own employment adviser.

### Issued by

**Nick Kyrke-Smith, Senior Manager Industrial Relations, Education Workforce, Student Achievement Group**

Ministry of Education, National Office, 45 – 47 Pipitea Street, Thorndon, P O Box 1666, Wellington, New Zealand, Phone 04-463 8000, Fax 04-463 8001, Email [industrial.relations@education.govt.nz](mailto:industrial.relations@education.govt.nz)