
Date 13 May 2016

Circular 2016/05

Category Industrial Relations

Settlement of the Area School Teachers' Collective Agreement and other related matters

This circular is about

The details of the recent settlement of the Area School Teachers' Collective Agreement 2016-2019 (ASTCA) and information on applicable Individual Employment Agreements. Agreed provisions for variation of the ASTCA, to reflect Communities of Learning (CoL) and the terms and conditions associated with CoL roles, have also been incorporated in the new ASTCA.

This circular replaces

This circular does not replace any other.

The action needed is

To note the contents of this circular and complete the requirements concerning Individual Employment Agreements if applicable.

It is intended for

Chairpersons of boards of trustees and principals of all state and state-integrated area schools.

For more information

Email the Industrial Relations Unit:
industrial.relations@education.govt.nz

All agreements are available on the Ministry's website:
<http://www.education.govt.nz/collective-agreements/>

Introduction

The Area School Teachers' Collective Agreement 2016-2019 was settled on 8 April 2016 and has since been ratified by members of the New Zealand Educational Institute Te Riu Roa (NZEI Te Riu Roa) and the Post Primary Teachers' Association Te Wehengarua (PPTA Te Wehengarua), and signed by the parties.

The term is for 36 months from the date of settlement (8 April 2016 to 7 April 2019). The agreed base salary adjustments will take effect from 2 March 2016, 2 March 2017 and 2 March 2018 for teachers who were, on the date of settlement, a member of either the NZEI Te Riu Roa or the PPTA Te Wehengarua employed under the terms of the ASTCA.

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

The pay increases provided for in the ASTCA are not available to employees on Individual Employment Agreements (IEAs) unless a new IEA is entered into between the Board and the employee. In no case can such an increase be effective before the date the Secretary for Education promulgated the new IEA (13 May 2016) or the date the IEA is signed, whichever is the later.

Key features of the settlement

Remuneration

An amended base salary scale has been agreed as follows:

Increase to the base salary rates as outlined below:

- 2% on the current base scale effective from 2 March 2016;
- a further 2% effective 2 March 2017; and
- a further increase of an average 2.5% effective 2 March 2018.

The actual salary scale is set out below:

Step	Rates effective 20 May 2015	Rates effective 2 March 2016	Rates effective 2 March 2017	Rates effective 2 March 2018
A1	\$31,646	\$32,279	\$32,924	\$33,748
A2	\$33,022	\$33,682	\$34,356	\$35,215
A3	\$35,775	\$36,491	\$37,220	\$38,151
A4	\$38,526	\$39,297	\$40,082	\$41,085
A5	\$42,652	\$43,505	\$44,375	\$45,485
A6	\$46,781	\$47,717	\$48,671	\$49,888
A7	\$48,316	\$49,282	\$50,268	\$51,525
A8	\$50,143	\$51,146	\$52,169	\$53,473
A9	\$53,101	\$54,163	\$55,246	\$56,627
A10	\$57,088	\$58,230	\$59,394	\$60,700
A11	\$61,084	\$62,306	\$63,552	\$64,925
A12	\$66,125	\$67,448	\$68,796	\$70,235
A13	\$69,099	\$70,481	\$71,891	\$73,650
A14	\$73,000	\$74,460	\$75,949	\$78,000

Other changes

Māori immersion teaching allowance

The current additional allowance of \$1,000 per annum after 5 consecutive years' relevant teaching has been revised to: \$2,000 per annum after 3 continuous years' relevant teaching, increasing to \$4,000 per annum after 6 continuous years' relevant teaching.

Refer clause 3.14 of the ASTCA.

Sabbatical leave awards

From 2017 the number of sabbatical leave awards will increase from 6 to 12 awards per annum.

Refer clause 5.6.10 of the ASTCA.

Sick leave and salary credits for calculating equivalent service

A new Appendix 7 has been added (Salary on Appointment) and the sick leave provisions in Part Five of the ASTCA have been revised to make the relevant provisions easier to understand and be applied. Associated amendments to clause 3.2 of the ASTCA have also been made. It is not intended that any entitlement of any teacher is reduced as a result of these changes.

The parties have agreed to the following:

- a new Appendix 7
- a revised clause 3.2.1(d)
- deletion of clause 3.2.2
- renumbering of pre-settlement clauses 3.2.3, 3.2.4 and 3.2.5 to 3.2.2, 3.2.3 and 3.2.4 respectively
- revised sick leave provisions, clause 5.1.

Revision of service increment provisions

The wording in relation to Service Increment eligibility has been amended. Historic eligibility criteria have been retained.

Refer clause 3.18 and new Schedule 3 of the ASTCA.

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.

Refer clause 2.8 of the ASTCA.

Removal of trailer towing reimbursing allowance

The trailer towing reimbursing allowance has been removed.

Removed clause 1.4 of Appendix 1 and clause 6.4.2 of Part Six of the pre-settlement ASTCA.

Other matters

The following matters were also agreed:

- The Secretary for Education has agreed to cover the cost of area teacher practising certificate fees to the new teacher professional body, the Education Council, for the three years between 8 April 2016 to 7 April 2019
- Amendments to Part Eight of the ASTCA (to correct and update its content)
- To ensure that resources are best directed to areas of need the Secretary of Education will consult with the other parties and NZSTA during the term of the agreement about the extent to which the staffing incentive provisions in the ASTCA are fit for their intended purpose
- That any ratified variation amendments agreed to following settlement to vary the Area School Teachers' Collective Agreement 2013-2016 to reflect the introduction of Community roles
- Technical changes.

Individual Employment Agreements for Area School Teachers

An Individual Employment Agreement (IEA) based on the terms and conditions of the renegotiated ASTCA 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 NZEI Te Riu Roa or PPTA Te Wehengarua but whose work could be covered by the ASTCA coverage clause may be offered the newly promulgated IEA to access the applicable terms and conditions of the renegotiated ASTCA.

IEAs are only effective from the date of signing and cannot be effective before the date they were promulgated by the Secretary for Education (i.e. 13 May 2016).

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 relevant 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 ASTCA.

Please note that if the board and the employee do not sign the new IEA then the new provisions will not apply. Existing employees on old IEAs will be entitled to the new provisions from the date that they sign the new IEA. In no case can pay increases be effective before the date the Secretary for Education promulgated the IEA (i.e. 13 May 2016), or the date the IEA is signed, 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

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