

TE AHO O TE KURA POUNAMU EARLY CHILDHOOD TEACHERS'
INDIVIDUAL EMPLOYMENT AGREEMENT

BETWEEN the Board of Trustees ('the Board') of Te Aho O Te Kura Pounamu a statutory body constituted pursuant to section 93 of the Education Act 1989 [school number] (the Employer)

AND(the Employee)

The Board appoints / continues the employment [delete one] of the Employee as a [job title/work to be performed] working at [place of work] working times as specified in Te Aho O Te Kura Pounamu Early Childhood Teachers' Collective Agreement 2013-2016: indicate either: full-time / part-time [delete one].

The Employee's hours of work will normally bewith effect from [date] upon and subject to the terms and conditions contained in this agreement.

Salary rates are paid in accordance with Te Aho O Te Kura Pounamu Early Childhood Teachers' Collective Agreement 2013-2016.

The work to be performed by the Employee is set out in the attached position description.

The terms and conditions of employment under this agreement are those applicable terms and conditions of Te Aho O Te Kura Pounamu Early Childhood Teachers' Collective Agreement 2013-2016 which, with all the necessary modifications, are applicable to an individual employment agreement for early childhood teachers employed by Te Aho O Te Kura Pounamu. In addition, the attached plain language explanation of the services available for the resolution of employment relationship problems shall apply. The terms and conditions of employment set out in this agreement replace any previous arrangements and understandings.

Any relevant term or condition in the collective agreement, including increases in remuneration, that has an implementation date prior to the date of this Individual Employment Agreement being signed shall apply from the date of signing.

A copy of Te Aho O Te Kura Pounamu Early Childhood Teachers' Collective Agreement 2013-2016 is available on the Ministry's website at: www.education.govt.nz

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

SIGNED by (Employee) on [date]

SIGNED for and on behalf of Te Aho O Te Kura Pounamu Board of Trustees by

..... [signature]

..... [print name and position]

..... [date]

REMINDER FOR EMPLOYER

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

TE AHO O TE KURA POUNAMU EARLY CHILDHOOD TEACHERS' INDIVIDUAL EMPLOYMENT AGREEMENT

In offering the promulgated Individual Employment Agreement (IEA) to new employees, the board is required to meet their obligations under the Employment Relations Act 2000. The following adapted extract from Ministry of Education Circular 2000/23 provides a guide to the obligations in relation to new employees where a Collective Agreement (CA) is in place.

New employees – where a collective agreement is in force

- The requirements of the Employment Relations Act 2000 apply in full to all collective agreements and individual employment agreements.
- New employees who are members of the union (or unions) party to the collective agreement and perform the work covered by a collective agreement will be bound by that collective agreement.
- 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 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.
- At the time the employee enters into the individual employment agreement and before the employee commences work, the employer must advise the employee:
 - that the collective agreement exists and covers the work to be done by the employee,
 - that the employee may join the union that is party to the collective agreement, and how they can contact the union, and
 - that if they join the union they will be bound by the collective agreement, a copy of which the employer will give to the employee.
- If the employee agrees, the employer will inform the union as soon as practicable that the employee has entered into an individual employment agreement with the employer.
- If the parties wish to vary the promulgated individual employment agreement they will require concurrence from the Ministry.