

**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 2019-2021, 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 2019-2021, with all the necessary modifications applicable to an individual employment agreement. A copy of the Special Residential Schools’ Collective Agreement 2019-2021 is attached (*available on [www.education.govt.nz](http://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)**

### **INDIVIDUAL EMPLOYMENT AGREEMENT** **SPECIAL RESIDENTIAL SCHOOL STAFF**

The Employment Relations Amendment Act 2018 came into effect on 11 December. One of the provisions of this Act reinstated the '30-day rule' for new employees who are not union members.

The '30-day rule' requires new employees (who are 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 is covered by a collective agreement.

This statutory obligation is matched by the coverage clause (clause 1.4.1) of the collective agreement, which requires a board of trustees as employer, to inform each new employee of the existence of the Special Residential Schools' Collective Agreement 2019-2021, to be given a copy of it, and to be given the opportunity to join the PSA.

Employees who are not union members can sign an individual employment agreement (IEA) from 30 days after the start of their employment.

The attached document is the officially promulgated IEA for Special Residential Staff. Employers who want to offer employees something different from the promulgated IEA will still have to seek concurrence from the Employment Relations team at the Ministry of Education via [Employment.Relations@education.govt.nz](mailto:Employment.Relations@education.govt.nz)

*NZEI Te Riu Roa and the Ministry of Education are currently investigating several pay equity claims for support staff. If you are covered by one of these claims, you will receive a notice from the Ministry about the claim and your options, once you start your new role. For more information about pay equity or what this could mean for you, please visit <https://www.education.govt.nz/school/people-and-employment/pay-equity/>.*