

# INDIVIDUAL EMPLOYMENT AGREEMENT



June 2011



## Covering letter for Easy Read Individual Employment Agreement.

People First NZ Inc. is very pleased to present this Easy Read Individual Employment Agreement. This Agreement has been developed by a partnership of Works4Us, People First NZ Inc. and IHC. It has been a lengthy process to write the Agreement and to make sure it covers the employment laws of New Zealand while remaining accessible for people with learning disability.

During the process lots of other people have contributed to the document and People First wishes to thank them all. They include:

- People First members
- People First and Works4Us staff
- IHC staff including Advocates and Human Resource personnel
- Employment lawyers
- Department of Labour
- Representatives from the PSA, EPMU and SFWU

People First NZ assures you that this Employment Agreement is a legal document. It reflects the recent 2010 changes to the Employment Relations Act, 2000.

Everyone who has seen the Easy Read Employment Agreement have said that it is a great resource for workers with learning disability and will prove useful for other employees, including young people starting work.

### Guidelines for Use

1. **Read** the Agreement and think about the employment situation you are wanting an Employment Agreement for.
2. **Use** the Agreement after talking with the employee and anyone assisting them. You can add additional clauses to the Agreement to suit the situation.
3. **Give** the employee a copy and let them know they can take the Employment Agreement and show it to someone they trust before signing it. Let them know they can come back and talk to you about anything in the Agreement.
4. **Give** a copy of the signed Agreement for the employee to take home for their records.

\*If you require assistance to add additional clauses contact People First NZ.

The Easy Read Employment Agreement is available on the CD 'Work and Your Rights in NZ' and is also available on the People First NZ website: [www.peoplefirst.org.nz](http://www.peoplefirst.org.nz). For any further information or assistance contact Works4Us: **04 381 3244** or **0800 40 40 49** or People First NZ: **04 381 32 42** or **0800 20 60 70**.



## Individual Employment Agreement

This **Employment Agreement** is between:

1. The Boss \_\_\_\_\_

Name of company/ place you and your boss are working for:

\_\_\_\_\_

2. The Worker \_\_\_\_\_



## This is your Employment Agreement



It is what you agree to when you are working for:

\_\_\_\_\_



It keeps to the employment laws of New Zealand.



## The Employment Agreement is

**Please tick the box**

**1. Permanent Employment Agreement**

The job will start on \_\_\_\_\_.

No set end date.

**2. Fixed Term Agreement**

The job will start on \_\_\_\_\_.

The job will finish on \_\_\_\_\_.

The reason for the fixed term contract is \_\_\_\_\_.

**3. Casual work**

Work when needed.

**You can  
change things in your  
Employment Agreement  
if both you and the  
boss agree.**



## The Job



Your job is called \_\_\_\_\_.



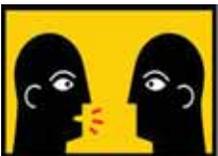
The main duties you have to do are:

\_\_\_\_\_.

\_\_\_\_\_.



The things you have to do are in your **job description**.

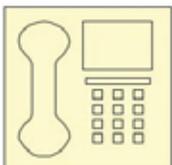


If you need to talk about your job you can contact:

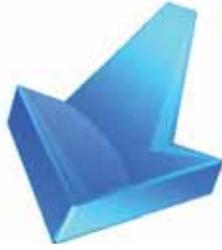
Name

Boss \_\_\_\_\_.

Supervisor \_\_\_\_\_.



Phone number \_\_\_\_\_.



## The place/area where you will work

The place/area where you work is \_\_\_\_\_.



## The hours of your job

Days: \_\_\_\_\_.

Hours per day: \_\_\_\_\_.

Start time: \_\_\_\_\_.

Finish time: \_\_\_\_\_.



Your morning tea break will be at \_\_\_\_\_.

Your lunch break will be at \_\_\_\_\_.

Your afternoon tea break will be at \_\_\_\_\_.



## Pay

You will get paid \$ \_\_\_\_\_ per hour.



## Holidays and taking time off work



### Holiday leave

1. You will get \_\_\_\_\_ weeks paid holidays **after** working for 12 months.
  - ▶ You have to work for 12 months before you get your leave.
  - ▶ You can take your leave before 12 months if your boss agrees.
2. Talk to your boss at least \_\_\_\_\_ weeks before you want to take your holidays.
3. If you don't use all your holidays they will be added onto the next year's holidays.
4. If you have a lot of annual leave days the boss can ask you to use some of your leave.



## Public Holidays

There are 11 public holidays each year. These are:

- Waitangi day
- Good Friday
- Easter Monday
- Queens Birthday
- Anzac Day
- Labour weekend
- Christmas Day
- Boxing Day
- New Years Day
- Day after New Year
- Anniversary day of the region you live in.



**You have public  
holidays as well as  
your holidays.**



**Some people have to work on public holidays and some people don't. Please read the following carefully.**



If you don't have to work on a public holiday and it is one of your usual work days you will be paid for the day.



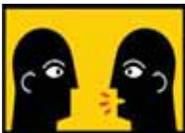
If you do have to work on a public holiday.



You will get paid \$ \_\_\_\_\_ per hour. This is called time and a half.



If you usually work this day then you will get an extra day of paid leave as well.



You can talk to your boss if you don't want to work on a public holiday.

**You will have to talk to your boss about when you can take your extra paid leave off.**



## Sick Leave



You can get sick leave **after** working for 6 months.  
You have 5 days paid sick leave each year.  
You can add up your sick leave to 20 days.



**You can take sick leave if:**



You are sick or injured



Your partner is sick or injured



Someone you usually look after is sick or injured



If you have used all your paid sick leave you can ask your boss to have unpaid sick leave.

**Let your boss know as soon as possible when you are taking sick leave.**



## Having leave from your job when someone close to you dies



You can have this leave **after** working for 6 months.



You can have up to 3 days paid leave if one of your family/whanau dies:

- Parents
- Grandparents
- Brothers and sisters
- Child
- Grandchild
- Partner or spouse
- Your partner's parents.



If you think you need more time off speak to your boss.

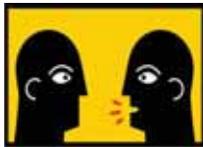
**Your boss  
can agree to you  
having 1 day of paid  
leave when a close  
friend dies.**



## Feedback from your boss about your work?



Your boss will meet with you at least once a year to talk about how well you are doing your job.



This is called a **Performance Review**.

You will talk about:

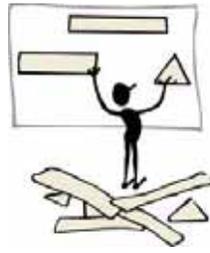
1. What you think is going well
2. What you think is not going well
3. Plans to help you get better at your job
4. Anything to do with your job.

**You will be told about your Performance Review at least a week before the meeting.**



You can have someone you trust or a Union representative with you.

Your plan will be written down and you will be given a copy.



## Making changes to your Employment Agreement

Any changes to your Employment Agreement must:



Be in writing



Agreed to by you and your boss.

**Before you agree to any changes talk to someone you trust or a Union representative.**



## Trial Period of up to 90 days

**Please tick the box:**

1. This Agreement does **not have** a trial period (up to 90 days).

2. This Agreement has a trial period.

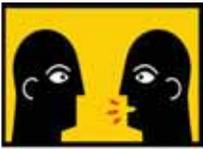


**If you have agreed to a trial period of up to 90 days, your boss can end your job at any time within the 90 days.**

**The boss doesn't have to tell you why your job has ended, but should.**



## Notice of ending your job



**If your boss wants to end your job:**



Your boss will tell you in writing and say why the job is ending



Your boss will give you \_\_\_\_\_ days notice before you have to finish.



**If you want to end your job:**



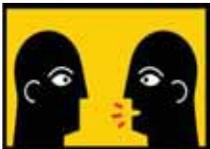
If you want to leave your job you must give \_\_\_\_\_ days notice before you can finish.



## There are rules that have to be followed if there is a problem with how you are working



If there is a problem with how you are working, the boss must tell you.



The boss must talk to you about the problem before they end your job.

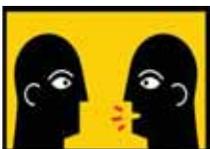
If you are told your job is going to end, talk to someone you trust. They can make sure the rules are being followed.



If you do something **seriously** wrong your boss can end your job straight away.



If you don't think what your boss said is fair or true you can get support to talk to your boss about what you think.



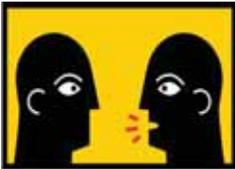
The boss must listen to what you have to say before making a decision to end your job.



## Being suspended from your job



If you do something **seriously** wrong your boss can tell you not to come to work.



This is called being **suspended**.



The boss may talk to others about what happened.



Support could come from someone you trust or a Union representative.

### If you are suspended:



You may still be paid

You will have a meeting with your boss

You can have support at the meeting

You can have your say at the meeting

Your boss must write to you to say why you are **suspended**.

**You might be given a chance to do better at your job before the boss tells you to leave.**



## Not turning up to work



If you can't go to work you must tell your boss.



If you don't tell your boss for 3 working days in a row then the boss can take steps to end your job.

**The boss must try and find out why you are not at work before they take steps to end your job.**



## Support for the worker

You might need some support to do your job.



This could be:

- Changes to the work place
- Hands on support
- Extra tools to do your job.



The support can come from places like:

- Other workers
- Family/Whanau and friends
- Unions
- Supported Employment Agencies
- Workbridge
- Department of Labour
- Works4Us
- People First New Zealand Inc.

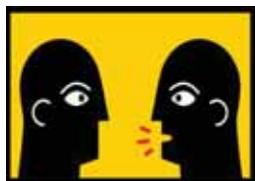
**Any of this extra information about your work should be written down and you will get a copy.**



## Keeping healthy and safe at work



There are laws in New Zealand about keeping safe and well at work.



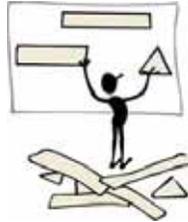
You and your boss must know about the Health and Safety information for your job.



If you get hurt at work you must tell your boss as soon as you can.



Talk to your boss and fill out an ACC form.



## Changes at work or to your job



If there are going to be changes at your work place or to your job the boss must tell you about the changes before they happen.



If the changes mean that your job will not be there anymore, this is called **redundancy**.



The boss will give you \_\_\_\_\_ weeks notice that your job will end.

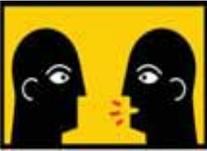


If the organisation or business is sold the boss will try to get the same terms and conditions that you already have.



There are rules about your job if:

- The boss decides to sell the business
- Someone takes over the contract that you are working on.



If the new boss can't employ you, you can talk about what you will get for losing your job.

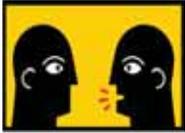


If you and the new boss can't agree to what you should get for losing your job there are places you can go to get help:

- Works4Us
- People First New Zealand Inc.
- Unions
- Supported employment agencies
- Workbridge
- Department of Labour.



## What will happen if there are problems at work?



If you have any problems at work tell your boss as soon as you can.



You can have someone you trust or a Union representative with you when you talk to your boss.



Sometimes there are problems called **Personal Grievances**.

Personal grievances are things like:

- Losing your job for no good reason
- Being discriminated against
- Being treated unfairly
- Sexual harassment
- Racial harassment
- Feeling pressured about joining a Union or not.



If you have a workplace problem you need to talk to someone you trust or a Union representative as soon as you can.



You have to talk to your boss about your Personal Grievance within 90 days of the situation happening.



If you can't fix your workplace problem or your Personal Grievance with your boss you can get help from:

- The Department of Labour's mediation service **0800 20 90 20**
- A Union



## Sign here if you agree with this Agreement

I \_\_\_\_\_ (your name) agree:

- I was given time to read through this Employment Agreement
- I know I can get support from someone I trust to help me with this Agreement
- I have been given a copy of this Employment Agreement
- I understand the information in this Agreement
- I agree with the information in this Agreement

Name \_\_\_\_\_ (worker).

Signed \_\_\_\_\_ (worker).

Date \_\_/\_\_/\_\_

Signed \_\_\_\_\_ (boss).

Name \_\_\_\_\_.

Name of place you are working for \_\_\_\_\_.

Date \_\_/\_\_/\_\_

## Glossary



**Employment Agreement** - A written agreement for your job.



**Job description** - A list of tasks for your job.



**Performance review** - A yearly meeting with your boss to talk about your work.



**Public holidays** - 11 paid days off work each year.



**Sick leave** - Time off work when you are sick.



**Suspended** - Being told by your boss not to come to work for a number of days because they think you have done something seriously wrong.



**Redundancy** - A change that means your job will not be there anymore.



**ACC** - Accident Compensation Corporation.



**Personal Grievance** - Taking a complaint like those listed on page 23 against someone at work.



**Department of Labour** - The Government department in charge of work and work places in New Zealand.

**Employment Relations Authority** - An independent organisation that helps sort out serious employment issues.





This Easy Read Employment Agreement has been written by People First NZ Inc  
Nga Tangata Tuatahi and Works4Us with help from many other interested people.