

Responses to NZPF questions – REVISED 13 August 2018

Do principals have to complete a form to advise Novopay of who is a union member on strike?

A spreadsheet (Strike Action Form) will be sent from EPL to the Authorised User with highest level of access at each affected school on the day of the strike. It will be the responsibility of the board's duly delegated representative to sign the form on behalf of the board, and return it by 5 pm on 16 August (details are provided in the guidance).

*NZEI members covered by the strike notice are deemed by s 74AC(4) of the State Sector Act 1988 to be on strike, so the spreadsheet advises the Secretary for Education (via Novopay) of which union members were **not** on strike. Education Payroll Limited (EPL) will be issuing additional communications through Novopay News and an alert on the Novopay website.*

Some are of the belief that they have to complete a form for Novopay.

The requirements on boards are detailed in clause 3.2 of the joint guidance. The spreadsheet will be pre-populated with union members covered by the strike notice. Boards are required to advise of those employees who do not participate in the strike action for reasons such as sickness, bereavement, or (with union and teacher agreement) pre-arranged PD, school camp or trip. Boards will also need to advise hours that part-time employees would have worked on the day of the strike.

One school is planning to put all staff through as LWOP for that day as they have not been told otherwise.

This is not correct. The information is contained in the Joint Ministry/NZSTA Guidance which has been on the Ministry and NZSTA website since 31 July.

Some principals are considering paying/reimbursing their staff who "choose" not to strike/voted not to strike out of their operations grant.

Good faith requires that employers not undermine or do anything that is likely to undermine the bargaining or authority of the other party to the bargaining. A board of trustees that encouraged union members not to strike could face legal challenge and the board, not the Secretary, would bear the legal risk of that challenge.

Some schools are staying open with union members choosing not to strike. They are of the belief they will be paid.

Union members covered by the strike notice are deemed by s 74AC(4) of the State Sector Act 1988 to be on strike to participate in the strike unless their Board advises otherwise (by listing them on EPL's strike return form, eg the teacher or principal may be absent but for other reasons such as sickness,

bereavement, or (with union and teacher agreement) pre-arranged PD, school camp or trip).

Does a part timer who usually does not work on a Wednesday get docked?

No. The design of the electronic strike return documentation being sent to schools on the day of the strike, is intended to avoid this possibility.

Does a part timer working on a Wednesday get docked a % for that day?

Part-time teachers who work on a Wednesday will have the hours that they would normally have worked deducted, rather than a percentage.