

# Administration support staff and Kaiārahi i te reo Pay Equity Claims **Settlement Implementation**

## Webinar questions and answers

Use this document to see answers to  
common questions

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## Webinar questions and answers

During the Administration support staff (APEC) and Kaiārahi i te reo (KPEC) Pay Equity Claim webinars on 3 and 4 August 2022, more than 200 questions were asked by attendees. All questions were later categorised into themes and responses, and prepared into this document for schools and kura.

The majority of questions asked relate to APEC; however, where possible, we have provided answers that apply to both claims.

If you can't see the answer to your question in this document, please contact one of our support teams directly.

### **Ohumahi Support Team**

The Ministry of Education is available for general enquiries relating to pay equity or funding at [ohumahi.support@education.govt.nz](mailto:ohumahi.support@education.govt.nz), or on 0800 114 117.

You can also visit the Taku online portal at [education.govt.nz/taku](https://education.govt.nz/taku)

### **NZEI Te Riu Roa**

NZEI Te Riu Roa is available for employees to seek advice on employment matters.

NZEI Te Riu Roa can be contacted by emailing [nzei@nzei.org.nz](mailto:nzei@nzei.org.nz) or on 0800 693 443.

### **NZSTA**

Schools, kura and school boards should seek advice from NZSTA for employment relations questions or specific questions for managing staff.

NZSTA can be contacted by emailing [eradvice@nzsta.org.nz](mailto:eradvice@nzsta.org.nz), or on 0800 782 435 (option #2).



## Coverage questions

Whether or not an employee is covered by the APEC Settlement is based upon the work that is routinely undertaken by the employee and whether it falls within the description of work described in the Administration support staff Work Matrix table [here](#) (clause 5.4).

The same applies to employees covered by the KPEC Settlement: whether or not an employee is covered by the settlement is based upon the work that is routinely undertaken by the employee and whether it falls within the description of work described in the Kaiārahi te reo Work Matrix table [here](#) (clause 5.5.).

For employees to receive payment following the settlement, they must be on the correct payroll designation code in Education Payroll. This is done by viewing your *My Employee's* tab via EdPay. **If an employee is not on the correct code, they will not be paid the new rates.**

Principals and authorised payroll users should make sure that employees whose work is covered by a current pay equity claim are on the correct designation code on EdPay. If employees are not on the correct designation code, this will need to be changed immediately, with the change backdated to the date on which they started the role, where possible. Designation codes can be changed on EdPay, or with a NOVO2nt form.



### What about sports coordinators?

We recommend sports coordinators are coded to S75 Admin - Administrative Services. We are asking for any required changes to designation codes to be made as soon as possible, with the change backdated to the date they started the role, where possible. Designation codes can be changed on EdPay, or with a NOVO2nt form.



### What about librarians and library assistants?

On 6 November 2020, NZEI Te Riu Roa raised a pay equity claim for librarians and those doing same or substantially similar work in state and state-integrated schools in New Zealand. A notification letter and factsheet about the claim were sent to all affected employees on 17 February 2021. Schools received a letter and copy of the notification and factsheet in the same week and are required to talk to their affected employees to make sure they have received a copy of this letter. The letter and factsheet will be sent to any new employees who start in a role covered by the claim until the claim is settled (the claim is nearing the end of the investigation stage of the process). You can find more information about the Librarian and library assistants pay equity claim [here](#).



### What about careers guidance roles?

Non-teacher Career Coordinator/Gateway Coordinator roles are covered by APEC so these employees need to be on an admin code (e.g., S75).

Careers Advisors (S33) and Guidance Counsellors (S31) are usually registered teachers and this work will be investigated as part of the Teachers' pay equity claim.



### What about school nurses?

In the specific case of school nurses, no union has yet raised a claim on behalf of the occupation and, from our perspective, we are not confident that the work of school nurses would fit into any of the settled or active support staff claims without thorough investigation.



### What is happening for employees who aren't covered by any of the pay equity claims?

Information about the pay equity claims that have been raised in the education sector can be found [here](#).

An Introduction to Pay Equity on the Employment New Zealand website is a very useful and clear document, and you can access it [here](#). It has information on raising and responding to claims. Section 2 (from page 7) may be of particular interest as it includes flowcharts and information regarding the claims process.



### What about IT staff?

We recommend that IT employees be categorised under one of the Administrative Services designation codes.

More information can be found in the [Administrative Support Staff Evidence Report](#). ICT roles are covered on pages 66 - 68.



**My staff member is doing the work described in the work matrix but isn't on one of the covered designation codes. What do I do?**

In these instances, we are asking changes to designation codes to be made right away, with the change back dated to the date they started the role where possible. Designation codes can be changed on EdPay, or a NOVO2nt form.

[Here](#) is a list of designation codes for the administration support staff pay equity claim, you should use this list to determine which designation code best suits the scope of work for each employee covered by the claim.

Note that depending on the change involved, your employee may need to sign a different employment agreement and job description. Further advice can be provided by NZSTA.



## Designation code questions

Designation codes are payroll codes that let Education Payroll know what type of work your employees are undertaking. Designation codes don't reflect an employee's remuneration, so you can (and likely do) have employees on different pay grades or steps, who hold different levels of skill or responsibility on the same designation code.

Designation codes don't determine an employee's pay rate, but they are very important for the pay equity implementation process. Education Payroll will use the designation codes listed [here](#) as a reference to know which employees to pay the new pay equity rates.

In relation to pay equity, if an employee covered by a claim has a designation code that is listed in the claim, then they will automatically be included in the payroll translation process. The translation process will use their current grade and step (not designation code) to determine the automatic point-to-point grade translation and, therefore, the new pay rate. From a payroll perspective, it makes no difference which code they are on, as long as the code is within the set of applicable codes.

[Here](#) is a list of designation codes for APEC and KPEC. You should use this list to determine which designation code best suits the scope of work for each employee covered by the claim. It is good practice for employers to review designation codes regularly to ensure they remain current. If an employee feels their code is incorrect, they should discuss this with their employer.



### Are there any descriptors about the work associated with designation codes?

There are no descriptors for designation codes, other than their names.



### My office administrator also does librarian work. Should the library work be on a different code or as a separate job?

If an employee is performing multiple different and separate roles, such as an administrator and a librarian, they should have separate designation codes and job numbers for each role on EdPay. This is not decided by the employee, rather it is reflective of the actual work that is carried out.

For example:

Jane is working 10 hours as an administrator and 10 hours as a librarian. For her 10 hours as an administrator, she must be set up with an administrator designation code. For her 10 hours as a librarian, she must be set up under a librarian designation code with a separate job number.

Please note that we are currently investigating pay equity claims for librarians and science technicians and anticipate these will be settled in due course.



## Funding



### How long will the funding last?

We will provide ongoing funding to schools and kura to cover the cost of the Administration support staff and Kaiārahi i te reo pay equity settlements.

We have used 2021 payroll data to estimate the cost of the point-to-point translation from the pay scale in the previous collective agreement to the new pay equity pay scale. This has enabled us to calculate the initial settlement funding instalment. This instalment will be paid to schools and kura on 1 October 2022 and will include estimated funding to cover the cost of back pay (for period 20 August 2021 to 30 September 2022), and estimated funding for the hours covered employees will work during the remainder of 2022.

In July 2023 we will calculate a final wash-up adjustment which will be based on the confirmed hours worked in 2021 and 2022. Ongoing settlement funding will continue to be provided and calculated using this approach to ensure accurate funding is delivered.



### Is the Ministry's extra funding guaranteed for all future appointments we make?

We will provide settlement funding for all covered employees regardless of their start date. Covered staff are those employees who have not chosen to opt out of the pay equity settlements, and are on an administration or kaiārahi designation code.



### What calls are happening and when will we receive the summary report mentioned in the webinar?

We are currently in the process of calling all schools to discuss your covered employees. If you are yet to receive a call about your covered employees, you can view the information via your school's SUE report. When calling schools and kura, we are asking to speak to the authorised payroll user responsible for implementing pay equity at the school or kura.

Following this conversation, the summary report and information email will be sent to both the person we spoke to and the school principal.





### How can we find out what funding is currently paid within the operational grant to cover the cost of admin and kaiārahi staffing?

We will provide ongoing funding to schools and kura to cover the increased cost of both the APEC and KPEC settlements. The initial settlement funding instalment, on 1 October 2022, will include estimated funding for covered employees, including back pay (for period 20 August 2021 to 30 September 2022), and an estimate of the hours they will work during the remainder of 2022. You will receive a funding letter, via the School Data Portal, prior to 1 October. This letter will provide a detailed breakdown of how your school's funding instalment has been calculated.

## Salary loading (SALLO)



### Could you advise how salary loading works in relation to point-to-point translation?

Education Payroll will automatically adjust any salary loading (or SALLO) when it comes to the translation process.

If the employee's new rate is higher than the previous SALLO inclusive rate, the SALLO will be totally absorbed into the new rate, so effectively the SALLO will disappear. This means the employee may get an increase.

If the employee's new rate is lower than the previous SALLO inclusive rate, the SALLO is adjusted so that the total the employee currently receives remains the same. No one will receive less pay as a result of the settlements.

SALLO payments are agreed between an employee and employer and are not covered by the pay equity funding; they are funded by the school/kura. Any payment or SALLO above the maximum rate in any grade is for discussion and agreement between the employee and employer. Remember that any SALLO should be agreed in writing.



## Employment agreements (APEC only)



### **Do employees on IEAs have to have signed a current IEA to receive the new pay equity rates?**

The recent updates made to IEAs sit separately to the outcomes of the pay equity claim settlements. The recent IEA changes occurred as a result of collective agreements being settled and ratified.

All employees covered by the pay equity claims will receive payment backdated to 20 August 2021 (or their start date, whichever is later) regardless of what type of employment agreement they are covered by.

As a matter of good housekeeping, we encourage employees to sign new up-to-date IEAs so that they can benefit from other updated terms and conditions such as additional leave or PLD provisions.



### **When completing the updated IEA, do we enter the new pay equity hourly rate or the hourly current rate?**

For existing employees updating their IEA, you should include the new grade and step. Once the IEA is signed, the school's payroll administrator will need to advise payroll using a NOVO22nt form in the usual way where staff sign a new IEA. The provisions of the new IEA will apply from the date an employee signs. Please note that due to practical considerations, the pay rates in the APEC Settlement will only be implemented from PP15 (18 October 2022) and backdated as per terms of settlement. For new employees signing a new IEA, please contact NZSTA or Ohumahi Support for advice.



### **Does the date an IEA is signed matter?**

Yes - updated IEAs are effective from the date that they are signed.



### **If employees are in the union, I assume they don't need to sign anything. Only non-union members need to sign IEA?**

The collective agreement has been automatically varied, so it is not necessary for union members to sign anything. As a matter of good housekeeping, we encourage those employees who are covered by an IEA to sign the most up-to-date version so that they can benefit from updated terms and conditions such as additional leave or PLD provisions.



### Why are there two IEAs (different dates) 21 June or 4 July? What's the difference?

There is only one published IEA at any given time. The two dates mentioned are (1) the date of settlement of the renegotiated collective agreement and (2) the date of settlement for the new pay equity rates of pay.

## Letters



### What letters are being provided (as discussed in the webinar)?

Over the next few months, we will be sending letters to your employees. These letters include:

- a) A letter to employees who opted out, which will be offering them the benefit of the settlement
- b) A letter to employees who were not notified of claim, offering them the benefit of the settlement
- c) A letter to covered employees, informing them of their point-to-point translation. This letter may be sent after payment is made, however it is still important information for your employees' records.

We will need you to give these letters to your employees. It's also good practice to take a copy and store these letters on your employees' files.



### Will these be provided as letter templates?

No, these will be populated letters. Schools and kura need to distribute these letters to their employees which are already filled in.



### When will we receive the letters?

At this stage, expected timeframes are for letters (a) and (b) to be distributed in August 2022. We plan for letter (c) to be provided in November 2022.



## Payroll



### What grade and step do we use for new employees that we need to load now? The old matrix or the new?

The new pay equity rates, with an accompanying letter of offer which clarifies that up until implementation, the actual rate of pay will be the old rates and then they will receive backdated arrears.



### Will the lump sum of backdated payment be taxed?

Please see the IRD website for information on lump-sum payments – also called extra pay. [www.ird.govt.nz/employing-staff/payday-filing/non-standard-filing-of-employment-information/lump-sum-payments](http://www.ird.govt.nz/employing-staff/payday-filing/non-standard-filing-of-employment-information/lump-sum-payments)

## Progression



### Rather than an annual increase on admin staff anniversary dates, can we make them all annual step increases at the beginning of each year?

The settlement agreement was negotiated by NZEI Te Riu Roa and the Ministry of Education and this stipulated the parameters of employee progression. The terms and conditions of the settlement have been agreed in accordance with the Equal Pay Act so cannot be amended.



### If an anniversary date is after 18 October 2022, would the first step up the grades in the new matrix be on that date?

No. The effective date is 20 August 2021 and rates will be backdated to then, meaning that progression on pay equity rates need to start occurring from 20 August 2021.



### Will the admin staff yearly increments become automatic like teacher aides?

Yes – both the PE settlement agreement and the CEA confirm that progression will occur automatically. Progression is subject to the employee meeting or exceeding standards of performance as assessed by the employer against the job description and/or written requirements for the position. When an employer considers this requirement has not been met, they need to have informed the employee in writing, no later than two months prior to the progression becoming due.



**Clause 5.3.3 of the APEC Settlement – if the employer fails to advise an employee within 2 months prior to progression becoming due, does that mean the employee automatically progresses even if the employee fails to meet standards of performance?**

Yes.



**Why do admin in Grades 2,3,4 in the APEC Work Matrix automatically progress from one grade to the next? What if their role sits in Grade 2 only?**

Progression between grades for Grades 2, 3 and 4 will not occur where the employer considers the work is solely within the current grade and has informed the employee in writing no later than two months prior to the progression becoming due. Education Payroll need to be notified of this via the attestation-report process that is initiated by Education Payroll.



**When an employee reaches the top step in a grade, do they automatically go to the next grade unless the principal tells the employee they will stay in their current grade?**

#### **APEC**

In Grades 2 and 3, progression is automatic to the last step of Grade 4. Progression does not occur beyond the top step of Grade 4. Performance is assessed against the job description and/or written requirements for the position.

Progression will occur unless:

- a) the employer considers this performance requirement has not been met, or
- b) where the employer considers the work is solely within the current grade.

In either of these two situations, the employer needs to inform the employee in writing, no later than two months prior to the progression becoming due.

In Grades 1, 5, 6, 7, there are step increments only within each grade.

#### **KPEC**

Automatic progression does not occur beyond the top step of a grade.



## Pay equity regrading

Many questions raised about regrading are situational and will need to be properly discussed and explored in more detail. We encourage you to contact one of the support teams to discuss your personal situation or question.



**If we agree someone should be regraded, but the Ministry do not approve the regrade application, does this mean that we are left to pay the extra?**

If funding is declined, the school or kura would need to pay the increase through the operational grant.



**What if they translate to a higher grade than the job description?**

Pay equity regrading can't be used for a change in responsibilities or to correct an historic employment or grading error. These changes would go through the normal regrading process.

You cannot apply for a downwards regrade.

Please contact NZSTA, Ohumahi Support or NZEI Te Riu Roa for advice on this topic.



**For administrators, what is historic vs non-historic i.e., if someone's on the top of a grade but with the new matrix it seems some tasks would fit the next grade, would that be historic?**

An historic error would be based on the employee's placement against the old Position Elements Table (PET) e.g., the employee is Grade B but when compared against the PET, they should have been in a higher grade



**If an administrator was on the EMG rate and translates to Grade 6, step 4, am I right in reading that if they and their employer agree that they are Grade 7, they would need to apply for regrading?**

If an employee routinely undertakes work laid out in the new Work Matrix, that is at a higher grade to their new translated grade, the employee should be regraded.



## Executive managers



**My executive manager is currently being paid an annual salary which is made up of a rate in the D-RR grade with SALLO. Should they sit on the EMGR pay grade?**

In this case, it is particularly important to consider the work that the employee does on a routine and ongoing basis.

The Executive Management Group is reserved for staff who:

- (i) are part of the Senior Management Team (SMT) of the school; and
- (ii) have whole-of-school responsibility for functions such as Finance and/or Human Resources and/or Property; and
- (iii) are employed for their specialist skills.

If all of these conditions are met and they are routinely performing work as described in the new work matrix grades 6-7 on an ongoing basis, then a school should consider using an EMGR rate and code for correct translation to occur. Employees need to be paid a minimum of \$79,567 (base excluding SALLO) in order for the correct EMGR translation to occur. NZSTA are available to provide personalised advice to employers on this.

There may be situations when an executive manager's role does not meet the criteria described above and it may therefore be more appropriate for the D-RR or D8 grade to apply. In this case, we encourage employers to have a conversation with the employee to explain the situation and what their translation to the pay equity rates will look like.

**Please note:** an employee currently paid a D-RR grade will translate to a corresponding pay equity rate in Grade 5 (as per translation rules) and the relevant step based on where their base pay sits within D-RR. Their SALLO will be fully or partially absorbed into the new rate (see the [SALLO FAQ](#) for more info).

Executive managers, who at the date prior to the pay equity rates coming into effect, are paid on the current entry step of \$79,567, will translate to Grade 6, step 4; an annual rate of \$94,661 per annum.

3B.4.3 Executive managers, who at the date prior to the pay equity rates coming into effect, are paid above \$79,567 and up to \$115,688 per annum, will translate to the nearest higher step on the pay scale between Grade 6, step 4 and Grade 7, step 6 as set out in clause 3B.3.3.

3B.4.4 There is no pay equity correction required for executive managers, who at the date prior to the pay equity rates coming into effect, are paid above \$115,688 per annum.



### I'm not sure if my employee should be on an executive manager designation code or not?

If an employee meets the criteria for an executive manager role, then they should be on an executive manager designation code (S71, S64). Executive managers should:

- Have a job description that matches the relevant grades in the work matrix
- Meet the minimum entry point (base pay of \$79,567 per annum)
- Meet the Executive Manager Group requirements as detailed in the CEA: (i) are part of the Senior Management Team (SMT) of the school; and (ii) have whole of school responsibility for functions such as Finance and/or Human Resources and/or Property; and (iii) are employed for their specialist skills.

If all of the above bullet points can be met, designation code S71 or S64 should apply.

If not, employers will need to change designation codes to another more suitable code within the set of listed administration codes [here](#).



### My employee meets all of the executive manager criteria but is on D-RR, what now?

If you have an executive manager who is currently on the wrong grade (likely D-RR or D8) and their remuneration is made up of base pay and SALLO, you will need to go through a business-as-usual change of grade process prior to 30 September 2022 to correct this. When submitting this change to payroll the effective date will need to be the date the employee began in the executive manager role to ensure they are paid the backdated rate adjustments and entitlements.

**Please note:** this would not be part of the pay equity regrading process. Pay equity regrading is used where the automatic point-to-point translation does not align with the skills, responsibilities and demands of an employee's role as outlined in the new work matrix. It is not used for corrections to historic employment issues, changes to responsibilities or incorrect placement under the previous grading system. In these cases, you would follow the business-as-usual process for changing an employee's grade (or step) using the NOVO2nt form.





## Translation



**So, if a staff member has been placed previously on a higher grade than their job description covers, we cannot change this? It will automatically slide across to the new rate?**

Employers cannot lower the grade and step of an employee. If the employer appointed and paid a certain grade and step, this will remain the grade and step applied to the translation. There will be a future mechanism to prevent moving up a step if the role sits firmly within the existing grade and step, and the employer carries out the process correctly.



**When do the employers know what the increases will be?**

Employers can refer to all guidance material at [education.govt.nz](https://www.education.govt.nz), on [NZEI Te Riu Roa's website](https://www.nzei.govt.nz) and [NZSTA's website](https://www.nzsta.govt.nz).



**What happens if employees have changed hours quite dramatically from 2021?**

Changes to the number of hours being worked from year to year when permanently employed do not affect or change the grade and step they are on. Whatever grade and step they were on as at 20 August 2021, is what they will translate to for implementation.



**Reading the guidelines provided through the Ministry, someone on Grade C step 7 on the APEC Work Matrix will translate to Grade 4 Step 12. Why not Grade 4 Step 11, which would appear to be the direct line across?**

The old Grade C7 was actually graded as a C-D grade, so was essentially the lowest step you could pay if graded in D. The translation rates were calculated to ensure no employees were disadvantaged when translated. The rates were agreed to and settled.



**For administration support staff, how does the D range of rates get translated?**

As well as the guidance materials already provided to schools and kura, the new SSSCA provides detail of the new rates (Part 3B Administration Support Staff Remuneration, clause 3B.4 Translation rates). You will find the exact figures for employees employed on the old Grade D range of rates.



**For translation, is it from the grade/step that applied 20 August 2021, or the grade/step that applies on settlement date, or the grade/step that the employee is currently on in October 2022?**

Point-to-point translation is taken from the grade and step an employee was on as at 20 August 2021 - employees who received anniversary step increments (increases) will have these factored into calculations for the backdating of arrears.



**If an admin member has had a negotiated increase since August 2021, will this be picked up in the translation process? (or just the anniversary date?).**

If Education Payroll is your school's payroll provider, and an employee received a step increase at anniversary of employment, this should be picked up by Education Payroll based on the payroll records, and will result in two calculations being actioned to adjust the rates from two dates - that of 20 August 2021 and then from the increase date.

## Work matrix



**I can't find a matrix job description on the website - only a generic one. Do you have the link for the ones that have the matrix info?**

The matrices are contained within their respective collective agreements. Job descriptions are just templates which employers need to populate with the regular and ongoing tasks/duties and responsibilities which have made up the role.



**Do you have an example of administration staff on Grade 5?**

Case Study 3, page 5 of the Translation Guide for administrators is available on [education.govt.nz](http://education.govt.nz).



**The descriptors are subjective e.g., specialised skills, in-depth knowledge, more complex...how will we ensure they are being interpreted the same way?**

You can receive advice from NZSTA and consider that each corresponding grade to the new work matrix is about the increasing complexity, skills, knowledge, experience and/or qualifications required to carry out the role



## Former employees



### What will the process look like for staff who have finished or retired since August 2021?

Employees covered under the APEC or KPEC Settlement, who are on the correct designation code, will be paid the backdated rate adjustments and entitlements from 20 August 2021 (or their start date if after 20 August 2021) to the last date of employment. There will be more guidance coming out around this shortly.

## Employment relations



### Who will resolve disputes about who is on what scale and what step?

Employment disputes can and should be resolved at the lowest level possible i.e., between employer and employee. However, if assistance is required, NZSTA, Early Resolution Service of Employment NZ, NZEI Te Riu Roa (for members), or an alternative disputes resolution service, could be called in to assist. Some are free, some would incur a cost.



### What process is in place for schools and kura that have gone through schooling reorganisation, such as merger or closure since August 2021?

Relevant employment agreement provisions would apply. In terms of pay equity – pay adjustments required will be paid to past employees.

## Webinars



### Are you sending out these slides and all the guidance to all webinar participants or do we access via the website?

The webinars supplement the written guidance material provided to employers, which can be accessed from NZSTA, NZEI or Ministry websites.

A recording of the webinar as well as copy of slides is available here:

[www.nzsta.org.nz/advice-and-support/pay-equity/](http://www.nzsta.org.nz/advice-and-support/pay-equity/)

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kia **rangatira** ai, kia **mana taurite** ai ōna **huanga**