

3.2 Appointments

3.2.1 In appointing the person best suited to the position the employer will have regard to the experience, qualifications and abilities relevant to the position and such other relevant matters as it determines. Good employer and equal employment opportunities principles and responsibilities shall be applied and demonstrated in appointment procedures.

3.2.2 Advertising and Appointment

(a) The following vacant positions or roles must be advertised in the Education Gazette at least 14 days before the date specified in the advertisement as the closing date for applications, and no appointment (provisional or otherwise) shall be made before that closing date:

- (i) Permanent full-time positions;
- (ii) Permanent part-time positions;
- (iii) Long-term relieving positions of more than one term;
- (iv) Fixed-term full-time positions of more than one term;
- (v) Permanent Community of Schools Teachers (within school) roles, whether full time or part time.

Note: *It is not necessary to advertise where, by the agreement of the board, an existing permanent full-time employee transfers to a permanent part-time position within the same school.*

(b) A Community of Schools Teacher (across community) role is not required to be advertised in the Education Gazette but must be advertised within the Community of Schools. Where the appointment at the end of the initial fixed-term period of up to two years is renewed in accordance with clause 4.23.4, that renewal does not need to be advertised.

(c) A fixed-term Community of Schools Teacher (within school) role, of one school year or less, is not required to be advertised in the Education Gazette, but must be advertised within the school;

(d) In circumstances where clause 4.22.1 applies advertising in the Education Gazette is not required, but the role shall be advertised within the Community of Schools.

(e) The allocation of fixed-term units to an existing teacher does not require the position held by that teacher to be advertised.

(f) No person shall be appointed permanently to any position unless that person is eligible to be appointed to such a position in a state or integrated secondary school.

(g) Employers are required to make available to all applicants on request details of the duties to be carried out and the criteria being adhered to in making that appointment.

(h) Part-time teachers' hours of work shall be confirmed as follows:

- (i) All part-time teachers shall have their hours of work confirmed in writing on appointment.
- (ii) Any agreed changes to permanent hours of work will be confirmed in writing.
- (iii) Any non-permanent hours of work that apply for a period of four weeks or more will be confirmed in writing.

(i) Fixed-term teachers shall, in their letter of appointment, be advised when or how the employment will end and the reason for it ending in that way.

3.2.3 Fixed-term (non-permanent) employment

(a) Full-time and part-time teachers may be employed on fixed-term (non-permanent) basis where the employer and teacher agree that the teacher's employment will end:

- (i) At the close of a specified date or period; or
- (ii) On the occurrence of a specified event; or
- (iii) At the conclusion of a specified project.

(b) Before a teacher and employer agree that the employment of the employee will end in a way specified in 3.2.3(a), the employer must have genuine reasons based on reasonable grounds for specifying that the employment of the teacher is to end in that way.

(c) The following reasons are not genuine reasons for the purposes of 3.2.3(b):

- (i) To exclude or limit the rights of the employee under the Employment Relations Act 2000;
- (ii) To establish the suitability of the employee for permanent employment.

3.2.4 Job sharing arrangements

- (a) Where two people apply to share any advertised permanent full-time position, including a position above the base scale, and the employer is satisfied that the job share application is best suited for appointment and that the arrangements for sharing the position are acceptable to it then the position shall be filled as a job share position and the applicants appointed.
- (b) Teachers who are job sharing are entitled to the same terms and conditions of employment as permanent full-time teachers except that salary shall be paid on the appropriate pro-rata basis.
- (c) Where a teacher who is job sharing resigns or is removed from the position the other teacher shall elect to:
 - (i) Take up the entire full-time position; or
 - (ii) Find another sharer acceptable to the employer for the same or a different proportion of time as previously; or
 - (iii) Continue in the same proportion of time as previously or, with the agreement of the employer, a different proportion of time, as a permanent part-time teacher.
- (d) Where one teacher who is job sharing takes leave which entails absence for a period of time the other sharer shall:
 - (i) Elect to relieve in the vacant slot; or
 - (ii) Find another sharer acceptable to the employer who would be a reliever; or
 - (iii) Take leave also, in which case the employer may appoint a reliever.
- (e) Where it is proposed to vary the agreed proportions of time in a position the job sharers shall give one month's notice to the employer of their wish to do so, provided that no changes to such proportions of time shall be made without the consent of the employer.
- (f) Where the holder of a permanent full-time position wishes to job share that teacher's position and the employer is satisfied with the job share arrangements, and the teachers are suitable, they shall be appointed without advertising.

3.2.5 Relievers

A reliever may be temporarily employed in a teaching position during that teacher's absence (e.g. while on leave, or attending in-service courses or outdoor education). Relievers are defined as follows:

- (a) A short-term reliever is a teacher employed on a casual basis for a period not exceeding six weeks;
- (b) A long-term reliever is a teacher employed for a continuous period beyond six weeks.