

# A pay equity claim has been lodged that covers your work

Under the new law, if you are working as:



Administration support

OR



doing the same or substantially similar work

You are automatically covered by the NZEI Te Riu Roa pay equity claim even if you are not a member of the union.

## What does it mean to be **automatically covered** by the claim?



Your name and contact details will be sent to NZEI Te Riu Roa, unless you opt out of the claim. NZEI Te Riu Roa will communicate with you about the claim, content of the settlement and the process for voting on any proposed settlement



You will be able to vote on any proposed settlement and be kept informed of the process for voting



If the claim is settled, the benefits of settlement will automatically apply to you and may result in a change to your terms and conditions of employment. You won't be able to raise your own pay equity claim

### **YOU WILL NOT BE COVERED BY THE CLAIM IF:**

- You've already raised or settled a pay equity claim or you've accepted the benefit of a settlement
- You're pursuing a claim under the Human Rights Act 1993 or Employment Relations Act 2000 instead, and proceedings have commenced
- You tell us in writing that you're opting out of this claim

## What does **opting out** of the claim mean?

If you choose to 'opt out' within 20 working days you **will not**:



Have your name and contact details sent to NZEI Te Riu Roa



Receive information about the claim from NZEI Te Riu Roa



Be able to vote on the details of any settlement

### **YOU WILL:**

- Be offered the benefits of any settlement
- Still be able to raise your own pay equity claim (if you do not accept the benefits of any settlement)

\*Please note, you can opt out of the claim anytime up to the final date of voting on the claim. However, after 20 working days from receiving this, you will need to do this by contacting NZEI Te Riu Roa and the Ministry.

## What happens if I **opted out** and a pay equity claim is settled?



If a pay equity claim is settled, you will be offered the benefits of the settlement regardless of whether you opt out of the claim

If you accept the benefits, your terms of employment may change and you may have to sign a new employment agreement. You will also not be able to raise your own pay equity claim

If you decline the benefits of any settlement, you will keep your right to raise your own pay equity claim

**You don't have to be a member of NZEI Te Riu Roa or pay any fees to the union to be covered by the claim or to be offered the benefits of any settlement.**

### **How to opt out of a claim**

To opt out, [click here](#) and complete the form, or email [payequity.claims@education.govt.nz](mailto:payequity.claims@education.govt.nz)

If you opt out of the claim within 20 working days of receiving the letter, we will not pass your name or contact details onto NZEI Te Riu Roa.

You will still be able to opt out of the pay equity claim until the final date of voting on any proposed settlement, but you'll need to let the union and the Ministry of Education know. You can do this by emailing [payequity@nzei.org.nz](mailto:payequity@nzei.org.nz) and [payequity.claims@education.govt.nz](mailto:payequity.claims@education.govt.nz).

If you are a member of the union, you can only opt out if you cancel your membership first. Even if you have opted out of a claim, you can stay up to date on the progress of a pay equity claim by visiting the Ministry of Education website: [www.education.govt.nz/pay-equity](http://www.education.govt.nz/pay-equity).

### **Raising a separate pay equity claim**

You can raise your own pay equity claim by writing to the Secretary for Education. As there is already a related pay equity claim lodged by a union, you will need to opt out of that claim before you can raise your own. To raise your own pay equity claim, you need to opt out of the union-raised claim before the final day of voting on a proposed settlement or before an application to fix remuneration is filed with the Employment Relations Authority by the union.

If you want to raise your own pay equity claim, the claim must include the following:

- state that the claim is a pay equity claim made under the Equal Pay Act 1972
- your name and address
- the date you make the claim
- your occupation, role, and a brief description of the work you carry out
- the name and address of the person representing you, if applicable
- a description of how your claim meets the requirements to be an arguable pay equity claim under section 13F of the Equal Pay Act 1972.

If you have raised a separate pay equity claim with the Ministry of Education or your school that has not been settled, you can choose to join the union pay equity claim instead by:

- writing to your employer or the Ministry of Education withdrawing your claim, and
- writing to the union telling them you want to join their pay equity claim.

**To further understand what these options mean for you, please contact NZEI Te Riu Roa on 0800 NZEI HELP or [payequity@nzei.org.nz](mailto:payequity@nzei.org.nz) or seek independent legal advice. For more information on these claims and the act, visit the Ministry of Education website: [www.education.govt.nz/pay-equity](http://www.education.govt.nz/pay-equity), MBIE's website: [www.mbie.govt.nz/business-and-employment/employment-and-skills/employment-legislation-reviews/equal-pay-amendment-act/](http://www.mbie.govt.nz/business-and-employment/employment-and-skills/employment-legislation-reviews/equal-pay-amendment-act/) or contact [payequity.claims@education.govt.nz](mailto:payequity.claims@education.govt.nz).**