

# Teacher Aide Pay Equity Claim Report

Processes, evidence and information for  
assessing pay inequity for teacher aides





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## Executive summary

In 2016 the New Zealand Education Institute Te Riu Roa (NZEI Te Riu Roa) made a claim on behalf of support staff, beginning with teacher aides, to the Ministry of Education (the Ministry) and the New Zealand School Trustees Association (NZSTA).

The teacher aide claim was investigated by these three organisations in partnership. This report contains the evidence gathered by the Ministry, NZEI Te Riu Roa, and NZSTA, and outlines the process and tools used.

Teacher aides work in primary, intermediate, area, secondary, bilingual and Māori medium classrooms, kura, and special schools. Since its introduction to the education sector in the 1960s, the teacher aide occupation has been female-dominated. In 2017, 89% of teacher aides were female.

The claim process was based on the Pay Equity Principles, put forward by the Joint Working Group and Reconvened Joint Working Group on Pay Equity and accepted by Government.

The scope of the claim was agreed, and the claimant role investigated (Principle 3). Teacher aides were found to be engaged in a wide range of tasks and responsibilities that required varying degrees of skills and effort.

The data collected from this stage supported the identification of 13 less visible skills linked to female dominated work and are likely to have been unrecognised or undervalued (Principle 6). Further discussion of less visible skills and their use by teacher aides in their day-to-day work is included in the section 'Understanding the work of teacher aides' on page 10. In addition, 16 areas of work with associated tasks and responsibilities, were also identified. The parties also agreed that within the sample there are teacher aides who undertake unpaid work, receive minimal training, and experience a range of verbal and/or physical abuse.

The next stage of comparison and subsequent assessment, detailed on pages 18 and 19, highlights the assessment process and its results (Principle 4 and 5). Assessment was undertaken as a joint exercise by the Ministry and NZEI Te Riu Roa. The assessment system chosen was adapted to ensure it took account of less visible skills and was fit for use across the education sector. Teacher aide roles were assessed in relation to 14 factors that covered knowledge, skills, responsibilities, demands, and working conditions. On the basis of assessment, the parties agreed that there are three clear teacher aide areas of work which often overlap:

- General support
- Additional needs
- Te Ao Māori.

The parties identified four distinct levels of work, and based on the evidence and the assessment outcomes, identified the expectations at thresholds between each level.

Male-dominated comparator organisations were agreed, investigated and assessed using the same process and assessment system as the claimant group (Principle 7). We interviewed Customs Officers, Corrections Officers, Oranga Tamariki (OT) Residential Youth Workers (including shift leaders) and School Caretakers. An overview of the process and assessment outcomes is detailed in the section 'Assessment and scoring of the roles' on page 19.

After completing the investigation and assessment of both claimant and comparator occupations, the parties have agreed that as a result of gender discrimination, teacher aide work is undervalued and there is therefore a pay equity issue to address.

## Introduction

In June 2016, NZEI Te Riu Roa wrote to the Secretary for Education on behalf of support staff members covered by the Support Staff in Schools' Collective Agreement (SSSCA). NZEI Te Riu Roa requested a meeting to investigate and begin the work necessary to resolve pay equity claims relating to support staff, with an initial focus on teacher aides (Appendix 1).

In December 2016, as part of its claim for renewal of the Support Staff in Schools' Collective Agreement and the Kaiārahi i te Reo Collective Agreement, NZEI Te Riu Roa made pay equity claims for all support staff, to the Ministry.

In July 2017, as part of the Support Staff in Schools' Collective Agreement terms of settlement, the Ministry, the New Zealand School Trustees' Association (NZSTA), and NZEI Te Riu Roa agreed terms of reference to participate in and address the Teacher Aide Pay Equity Claim (TAPEC).

In the terms of reference, the parties agreed that the claim was for teacher aides and those doing the same or similar work. This is the basis of the claim.

The Ministry of Education, NZEI Te Riu Roa and NZSTA (representing the parties to the claim<sup>1</sup>) agreed to progress the claim by applying the Government approved Pay Equity Principles recommended by the Reconvened Joint Working Group on Pay Equity (re-convened in 2018). These are provided in Appendix 6: Process.

The Pay Equity Principles were supplemented by further details on process set out in the TAPEC terms of reference.

### Purpose of this report

This report sets out the process used to assess TAPEC, and the evidence and information gathered through that process.

The evidence reported here is drawn from the interviews of claimants and comparator roles, and the subsequent analysis of the evidence, including during the process of assessment and comparison.

This report also shares the work undertaken by the Ministry in line with the agreed process and Pay Equity Principles. The methods used for key processes are described in the report, as well as any conclusions agreed by the parties, or reached solely by the Ministry.

To proceed to bargaining settlement of the teacher aide pay equity claim, parties will draw on this report, along with the body of evidence gathered, to determine where pay inequities on the basis of gender exist, and how these should be addressed.

### The process used to assess the claim and inform parties views of undervaluation

Parties agreed that the Pay Equity Principles, supplemented by processes agreed in the TAPEC terms of reference, would be the method used to assess TAPEC and determine undervaluation.<sup>2</sup>

These processes were generally followed, except where a different process or method was subsequently agreed by parties, for pragmatic reasons, or as there were changes to the approach to pay equity agreed for State agencies. For example, in the TAPEC terms of reference there was agreement to *assess merit* of the claim because this was in line with the original Pay Equity Principles. These Pay Equity Principles were reconsidered and confirmed in 2017 and merit replaced with *arguability* for a pay equity claim. The report speaks to arguability of TAPEC.

A summary of the key steps in the process is listed briefly here and in more detail in Appendix 6: Process.

The key steps were:

- 1 Investigation to further define the scope of TAPEC
- 2 Confirming arguability of the claim

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<sup>1</sup> E Tū potentially represents some of the claimants.

<sup>2</sup> The TAPEC terms of reference note that the agreement to participate in a pay equity process for teacher aides is further to an exchange of letters between the State Services Commission (SSC) and the Council of Trade Union (CTU), and subsequent terms of reference agreed between the SSC and CTU. Each of these documents is provided in appendixes (Appendix 2, 3 and 4).

- 3 Interviews and information analysis to form a thorough assessment of the work of teacher aides: their responsibilities and tasks, the skills and degree of effort required by those tasks and responsibilities, and the conditions of work
- 4 Agreeing the work of teacher aides and considering a matrix for roles
- 5 Selection of male-dominated work with which to compare the claimant roles
- 6 Interviews and information analysis to assess the comparator work's responsibilities and tasks, and the skills and degree of effort required by those responsibilities and tasks
- 7 A comparison of the claimant and comparator work, and the remuneration paid, to establish if the work of teacher aides has been undervalued due to sex based discrimination.

## Scope and arguability of the teacher aide pay equity claim

### Scope of the claim

In the teacher aide pay equity claim (TAPEC) terms of reference, parties agreed that the claim is for teacher aides and those doing the same, or similar work.

It was agreed that other occupations included in the Support Staff in Schools' Collective Agreement, such as librarians, laboratory technicians and administrative staff were out-of-scope for the teacher aide pay equity claim.

Teacher aides not directly employed by a school Boards of Trustees are not in scope for TAPEC, because their employers are not party to TAPEC.

The TAPEC terms of reference note that the designation 'teacher aide' is long standing in schools and has been used since the early 1960s, and potentially covers a number of different roles with a range of work and responsibilities decided at the school level.

The terms of reference note that the TAPEC might be refined, as the teacher aide role was investigated. They establish that existing role information held by employers be used to define teacher aide work (i.e. occupational scope), and in doing so refine the scope of the claim.

Job descriptions were gathered from 20% of schools, and on their basis, the parties agreed that the claim was for teacher aides and those doing the same or similar work regardless of job title.

At the end of 2017, there were 18,182 employees demarked in the Education Payroll Limited payroll system as teacher aides working in primary, intermediate, area, secondary, bilingual and Māori medium classrooms, kura and special schools.

Parties accepted that some employees, based on the role description will be teacher aides but not currently labelled as such in the payroll system. An employee who is undertaking the work of a teacher aide as established via the TAPEC assessment process (whether or not they are currently designated as such in a payroll system) is a teacher aide and any TAPEC settlement agreed by parties will be offered to them.

### Arguability of the teacher aide pay equity claim

The arguability of TAPEC has been formally confirmed by NZEI Te Riu Roa, E Tū and the Secretary for Education.

Some of the aspects of the teacher aide work and workforce that make a claim for pay equity arguability are given below. This is not an exhaustive list, but is provided to illustrate why TAPEC is arguable, in line with Pay Equity Principle 2.

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#### The teacher aide workforce is female dominated

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The large majority of teacher aides are women. For example, 89% of people designated as teacher aides in 2017 payroll data were women. It is accepted by all parties that the teacher aide workforce has always been female dominated. There is a historical record of this going back to the 1960s. Teacher aide work has historically been done by mothers. This is arguably affected by labour market segmentation, with consequent ease of recruitment and no difficulties with retention.

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There is historical and current evidence that teacher aides were seen as doing typically undervalued female tasks and activities

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The teacher aide occupation was introduced to schools in the mid-twentieth century. Its initial purpose was to assist teachers in basic classroom tasks and, with school inspector approval, to assist with basic teaching tasks. In the 1970s, teacher aides became responsible for some of the support provided to an increasing number of children with special educational needs attending mainstream schools. Helping other adults to do more prestigious and complex work and caring for children were historically seen as typically female activities, not requiring much in the way of acknowledgment, training, or remuneration. This included the belief that caring for children came naturally to women. Women worked as teacher aides, with married women with children of their own seen as particularly suited to the role.

As set out in this report, there is evidence currently that some aspects of teacher aides skills and the knowledge which applied to work is less visible, and so not always recognised and equitably remunerated.

Most teacher aides are employed on Individual Employment Agreements and only 28% of teacher aides are union members on Collective Employment Agreements. There are 22,000 teacher aides employed each year and around 18,000 working at any one time across schools and kura, which equates to approximately 5,000 with union representation.



## Investigation of the teacher aide role

### **Investigating the teacher aide role to assess work, responsibilities and occupational scope.**

As noted in the introduction and the TAPEC terms of reference, the designation potentially covers a number of different roles with a range of work and responsibilities decided at the school/employer level.

#### *The investigation process*

Job descriptions were gathered from 20% of schools, and after reviewing these, the parties agreed interviews were required. This is in line with the TAPEC terms of reference, which included an interviewing phase.

All parties took part in the preparation of question schedules. Of the total interviews, 78% of them were conducted by teams that included Ministry or NZSTA, and NZEI Te Riu Roa staff and teacher aide members. All interviewers went on training to learn how to perform interviews for a pay equity investigation.

A representative sample of New Zealand schools was prepared by the Ministry. The factors taken into account were decile, size, school type (e.g. primary, secondary, special, Māori medium), and location.

Schools often identified the teacher aide who was interviewed. They were asked to choose teacher aides with more than a year's experience, who worked at least five hours per week. This was to ensure the full scope and challenges of the role were covered and explained.

Also in support of this broad scope, all parties agreed that 12 additional teacher aide interviews be added to the original interview schedule, to extend coverage to special schools, English to Speakers of Other Languages (ESOL), Māori medium and kura.

Interviews were conducted with teacher aides, their supervising teacher or Special Education Needs Coordinator (SENCO), and the school principal. A total of 92 teacher aides, 82 supervising teachers/SENCOs, and 87 principals were interviewed.

The work discussed by the teacher aide was confirmed and sometimes extended by the supervising teacher, particularly in regard to key tasks, challenges, demands and required skills and knowledge. Principals were able to confirm information gathered about teacher aide roles with a focus on the nature of their employment, key responsibilities and tasks.

The interviews were analysed by all parties to identify the skills, responsibilities and tasks the work requires, and the conditions in which it is done. After interviewing and initial analysis was completed, the results were checked with the sector, giving all schools the opportunity to confirm that the full range of teacher aide responsibilities and tasks were covered. At the end of the interviewing and analysis, all parties were confident that the full range of teacher aide work had been covered.

### **Information about the teacher aide workforce, work and remuneration settings**

Payroll data from 2017 shows that 89% of all teacher aides were female.

Teacher aides predominately work part-time (up to 30 hours per week), with an average of 19.5 hours per week worked.

Their average pay rate is \$19.50 per hour which equates to a broad average remuneration of \$16,865.78 gross per year, (inclusive of annual leave, exclusive of ACC and Superannuation employer contribution).

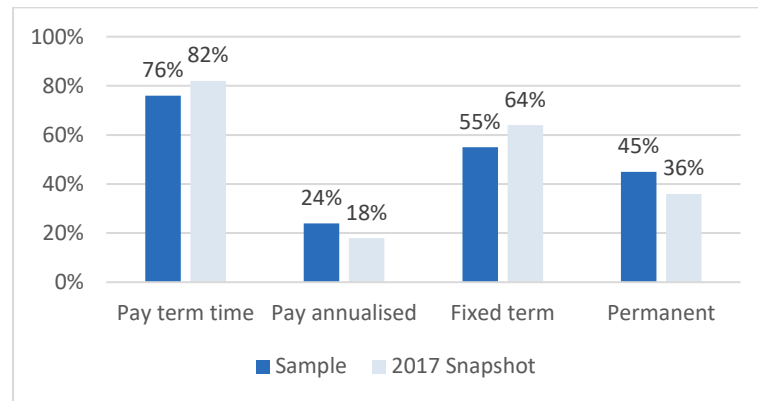
Seventy-one percent of teacher aides are on Grade B, which varies from \$17.70/hour at the lowest step of that grade to \$20.69/hour at the top of the grade.

#### *Sample data compared to 2017 payroll data*

The match between the interview sample and the whole teacher aide population is close, but not exact. Of those interviewed, 96% were female, whereas 89% of all teacher aides are female.

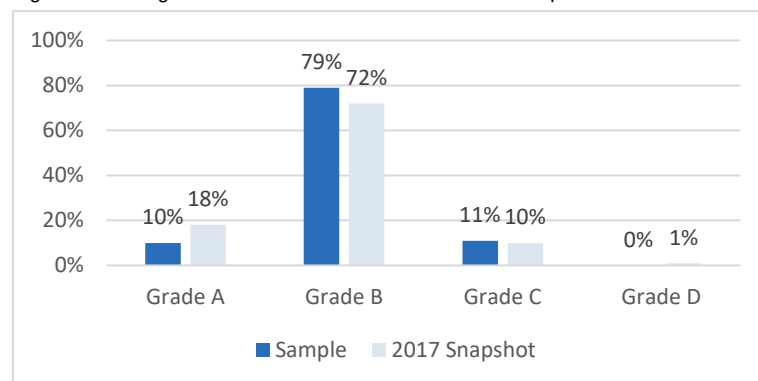
The pay and employment type of those interviewed and the broader population are close, see Figure 1 below.

Figure 1: Pay type<sup>3</sup> of teacher aides<sup>4</sup> interviewed and 2017 snapshot



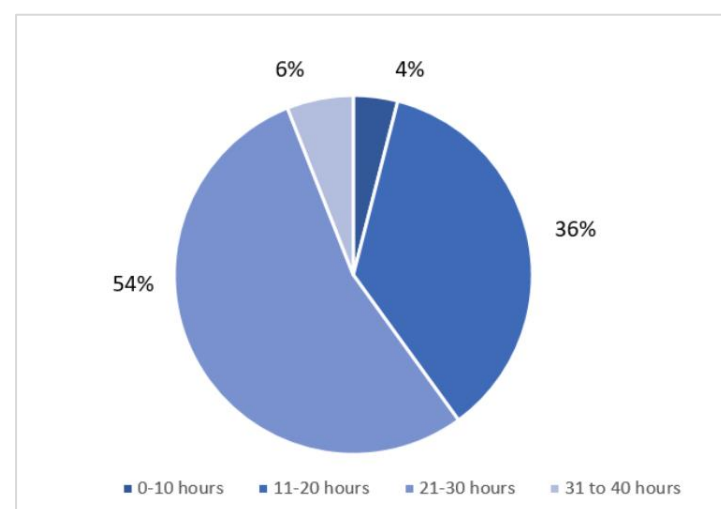
The pay grades of the sample and the broader teacher aide population are also similar – see Figure 2 below. From our sample, wages ranged from \$17.70 to \$25.00 per hour.

Figure 2: Grading of teacher aides interviewed and 2017 snapshot<sup>5</sup>



Of the teacher aides sampled, 94% worked 30 hours per week or less, with 54% of these working between 21 and 30 hours per week – see Figure 3. This is compared to a snapshot of pay run for the broader teacher aide population.

Figure 3: Average hours worked per week (sample teacher aides only)



<sup>3</sup> The fixed term data includes teacher aides employed as a mixture of both fixed term and permanent hours

<sup>4</sup> Data included in all figures are derived from the teacher aides from the 80 sample schools, it does not include those added to supplement the sample.

<sup>5</sup> No teacher aides in the sample were in grade D. In the 2017 snapshot there were 176 teacher aides in grade D, 1% of the total.

### *Remuneration settings*

Teacher aides covered by TAPEC are employed by school Boards of Trustees (Boards) and various employment relationships exist. The employment of teacher aides by Boards is covered by the Education Act and the State Sector Act as well as employment legislation.

Around 28% of teacher aides are employed under a collective agreement. Most teacher aides are employed on individual employment agreements promulgated by the Secretary for Education. These often mirror the terms of the collective agreement.

In practice, because the Support Staff in Schools' Collective Agreement is a 'minimum rates' document, schools can, and do, pay above the printed rates in individual cases. Initial grading is set by reference to a grading matrix.

Progression is by annual increment, based on satisfactory performance as judged against job description or other agreed documentation.

Most teacher aides work hours which coincide with their school's hours of instruction, so a working day of 8:45am or 9:00am to 3pm is common. Some teacher aides are contracted to work less than this - mornings or afternoons only for example.

Teacher aides, like other support staff, are entitled to overtime if they work over 40 hours in a week. This provision is rarely called upon.

The vast majority of teacher aides work only during term time. They do not work, and are therefore not paid, during term breaks<sup>6</sup>.

The collective agreement allows schools to unilaterally vary the hours worked by teacher aides. In permanent positions, hours can be varied from year to year. Schools can vary the hours worked by teacher aides engaged for a fixed term either year to year if the agreement is for more than twelve months, or when the agreement is entered into.

A summary of leave and allowances can be found in Appendix 7: Summary of leave and allowances in the 2018 Collective Agreement.

### *Funding settings*

In general, state and state-integrated schools receive the bulk of their resourcing in two ways - via staffing entitlement and operational grants. Schools use operational grants, rather than staffing entitlements to fund teacher aides.

Beyond operational grant funding, around 58% of teacher aide financing is linked to students as part of a learning support intervention. Student-linked teacher aides-support is funded through Ministry and Crown Learning Support appropriations. In these circumstances, the Ministry pays the school a contribution towards the cost of employing a teacher aide, or a lump sum per student.

A limited amount of financing for teacher aides also comes from the Accident Compensation Corporation, the Ministry of Social Development, the Ministry of Justice, and Oranga Tamariki - Ministry for Children. Some schools will also be using locally raised funds for teacher aides' costs.

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<sup>6</sup> Some teacher aides elect to have their pay annualised, which spreads payment across 52 weeks. Reasons for annualisation were not investigated, but NZEI describes it as enabling teacher aides to better predict income, making access to other necessary forms of income support easier. A steady or regularised income also allows for maintaining general life administration that those on 52-week income consider normal, such as regular bill payments. For those teacher aides who do not have their pay annualised, accrued annual leave is paid at the end of each school year in December, or for those working less than a school year, when their employment agreement ends.

## Understanding the work of teacher aides

In the teacher aide pay equity claim (TAPEC) terms of reference, parties agreed that a thorough assessment of work covered by the claim was critical. This aligns with Pay Equity Principles that require the work of claimants to be thoroughly understood (Principles 3, 6, 10).

Pay Equity Principles 6 and 10 set out that particular attention should be paid to skills, responsibilities, effort and conditions that are commonly overlooked or undervalued in female-dominated work.

Based on the review of job descriptions for teacher aides, interviews and analysis of these, all parties have a greater and shared understanding of the skills (including less visible skills) used by teacher aides, and have agreed descriptions of their tasks, responsibilities and areas of work.

This section includes information about the teacher aide work, remuneration settings, and working conditions.

### Less visible skills

Using the interview data, the Ministry, NZEI Te Riu Roa and NZSTA focused in particular on less visible skills. Many of those that were identified fit within the areas noted by the Pay Equity Principles<sup>7</sup>.

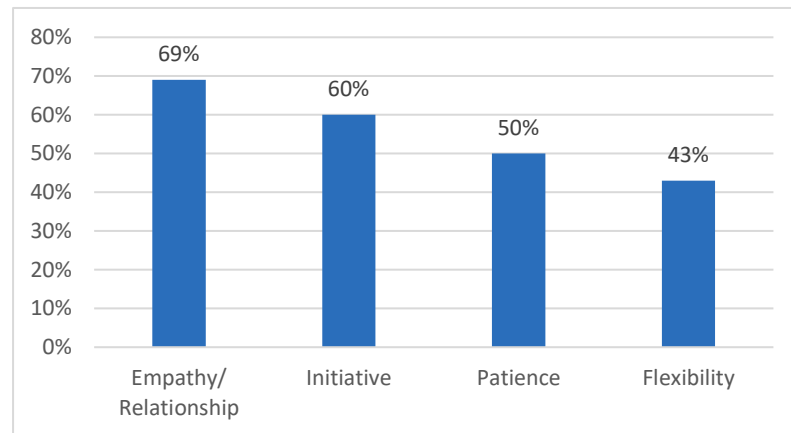
- **Monitoring and observation:** Maintaining watch over and awareness of students. Picks up both well-defined and subtle cues, including physical behaviour, sound and 'feel' of student, group, or classroom.
- **Patience/calmness:** Persisting and remaining calm and supportive in the face of continuing academic/behavioural challenges/difficulty.
- **Judgement:** Assessing a situation and making an appropriate decision in response. Awareness of boundaries and works within them.
- **Empathy:** Seeing inside a student's experience, understanding the learning style and needs, backgrounds and challenges students face.
- **Resilience:** Controlling one's own emotional response to a situation to achieve positive outcomes and/or avoid negative situations. This can be an immediate response to a strong stimulus or upsetting situation, or a sustained response to situations that develop over time. Resilience supports positivity and focus even when there is little or no progress in areas of responsibility.
- **Negotiation, persuasion, influence:** Using a range of strategies to engage students in activities or classroom rules/expectations. Draws on empathy and relationship skills.
- **Flexibility:** Responding to and accommodating different situations that meet the changing needs and priorities of the school and students. Flexibility allows the teacher aide to continue business as usual despite changes.
- **Adaptability:** Working with a wide range of students and teachers and adjusting teaching style to accommodate this. Draws on observation and empathy to adapt resources and approaches to encourage learning. Adaptability allows the teacher aide to improve outcomes through making changes to business as usual.
- **Encouraging/enthusiasm:** Empowering children/students in a way that enables them to fully access and reflect on opportunities.
- **Behaviour management:** Supporting appropriate student behaviour, as individuals or a group. Uses a range of strategies and techniques, choosing the right response based on intensity of demand and focus, which may be academic, health or behavioural.
- **Managing up:** Utilising one's expertise/experience to lead or guide supervisors in a way which is helpful, tactful and not overstepping boundaries.
- **Relationship:** Easily forming relationships with people, building mutual trust and respect, supporting productive interactions within agreed boundaries.
- **Initiative:** Implementing ideas and suggestions of own accord, seeing issues and responding without waiting to be asked.

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<sup>7</sup> The Pay Equity Principles give social and communication skills, responsibility for the wellbeing of others, emotional effort, and cultural knowledge and sensitivity as examples of these less visible requirements.

The interview data shows that teacher aides use the less visible skills every day. The following graph (Figure 4) shows the less visible skills most frequently identified by teacher aides in interviews. For example, 69% of the sample identifies empathy and relationship building as key skills that they use and need to be effective in their role.

Figure 4: Less visible skills most frequently identified by teacher aides in interviews



The following three examples from the interviews highlight some of the ways in which less visible skills are used.

#### *Example 1*

'B' is a teacher aide at a small school in a large town, where she is responsible for supporting a small number of students with special educational needs. One of the Special Educational Needs (SEN) students she supports will run from the classroom when feeling under pressure or upset, going to the far end of the school grounds. When this happens, 'B' will move to a classroom that allows her to watch the student while apparently working on something else. Observing the student's body language and keeping track of the time, she will choose her moment, going over when they are ready to talk and able to be drawn back into the class. 'B' starts metres away, talks to the student, and moves closer as the conversation progresses. The process gives the student space and time to self-manage, maintain their sense of personal control, and return to the classroom in a frame of mind that allows smooth re-integration and subsequent learning.

The less visible skills 'B' uses include monitoring and observation, patience, judgement, persuasion and negotiation, behaviour management, and relationship building.

#### *Example 2*

'C' is a teacher aide in a rural primary school. She spends most of her time working with the youngest students. 'C' is supporting a new entrant, who is learning school routines. 'C' and the child work together on several school topics throughout the day. The student chooses when to do each topic; giving the student a sense of control of their own learning. 'C' comes up with rhymes and songs to make it more engaging and fun to develop the young learner's literacy skills. 'C' encourages them to keep going, and when they are reluctant, 'C' will negotiate and offer small incentives: "if you finish this page, I will let you pick your favourite sticker" or "we can play a game after you finished this activity".

The less visible skills 'C' uses include negotiation, initiative, adaptability, enthusiasm, and relationship building.

#### *Example 3*

'D' is a teacher aide at a large urban college. She works with a specific student 'Student A' and has done so for some years. 'Student A' has difficulty regulating their behaviour and suffers anxiety, which is heightened by family circumstances. 'D' rides the waves of the student's up and down behaviour while they process family events. She listens and supports them as they talk through feelings, going on walks to chat and calm down. At the time of the family events, 'D' took 'Student A' home and stayed with their family for some time to show her support. 'D' continues to support 'Student A' and their family subsequently.

The less visible skills 'D' uses include judgement, patience, flexibility and resilience, and relationship building.

## The work conditions and experience of teacher aides

There was variation across the interview sample in relation to work, responsibilities, skills and knowledge, and conditions of work and employment. Each school is the employer of its teacher aides, so variation is not surprising.

### *Training, including for new teacher aides*

Only 5% of the teacher aide interview sample were given formal training. In 46% of cases, training was limited to the teacher or Special Education Needs Coordinator (SENCO) providing some training and support, buddy training with another teacher aide, and a short course now and then, sometimes run by the local resource teacher for learning and behaviour (RTLB). In a few cases, parents taught a teacher aide how to use assistive technology or perform medical procedures.

Teacher aide courses are available, but were not regarded as necessary to do the job well by the teacher aides interviewed, and were seldom mentioned by teachers and principals. Professional development courses that focused on how to implement specific learning or social programmes such as *Seasons of Growth* for example, were identified as valuable, as it picks up on the teacher's in-class techniques. Programme-related professional development was undertaken by 45%.

Many of the teacher aides interviewed had been employed at their school for a number of years, and induction was not discussed. When it was mentioned, induction was often minimal, consisting of a brief introduction and perhaps being paired with another teacher aide.

About 20% of the teacher aides interviewed had prior association with their school in a different capacity such as a parent, volunteer, or committee member before being employed. This enabled them to understand to some extent how the school functions. There are also schools that spend time introducing a new teacher aide to the different elements of the job and the tools available to her, or that have a well-developed introductory document that describes the role and work done by its teacher aides, but these appear to be the exception. For many teacher aides, induction is mostly 'on the job' and merged with training.

Examples of induction and training include:

- A school with a well-developed introduction to its teacher aide programme, and support provisions for teacher aides that related to the school's character.
- A school that provides significant training opportunities in specific programmes, sees development of their teacher aide as an opportunity for the school, and are supporting his/her application for a Limited Authority to Teach.
- A new teacher aide was supported by the school principal, who provided a series of one-on-one training sessions over several weeks. Within the classroom, the teacher aide works with and is actively supported by a strong and self-reflective teaching team.

### *Training and experience brought to the job*

Of the teacher aides interviewed, 54% brought relevant experience or training to their job. This was often recognised by supervising teachers, SENCOs, and principals, but may not necessarily be reflected in pay rates of those interviewed.

Examples include:

- a teacher aide currently working at a mainstream school, who has previously worked for several years at a special school. Their knowledge of and experience with children with special educational needs is valued and drawn on by the school as a whole. (Pay grade: B9)
- a teacher aide who is a tertiary qualified social worker and early childhood teacher. Their strong knowledge of child development and children with special needs contributes to their work as a teacher aide. (Pay grade: B7)
- a multi-lingual and tertiary qualified teacher aide, with a Bachelor of Social Sciences majoring in Educational Studies, who runs an English as a Second Language (ESOL) programme at their school. (Pay grade: A4)
- a teacher aide who is trained in a reading programme, has teacher aide and adult teaching certification, a relevant degree, and is trained in a useful physical activity. (Pay Grade: B9)

- a teacher aide, currently working at a small mainstream school, is a parent to a child on the Autism Spectrum. Although she doesn't presently work with any special needs students, the teacher aide has been identified by her supervisors as being highly knowledgeable, even more so than the teacher, with how to effectively engage with these students when they are enrolled at the school. (Pay grade: B6)
- a teacher aide, currently working at a large urban college, has multiple family members with disabilities. Having this background has contributed to the teacher aide being able to remain calm, nurturing and patient with the special needs student who she is currently working with. (Pay grade: B8)

In the interview sample, 10% of teacher aides are trained teachers, some of whom are undertaking teaching work while being paid as teacher aides. Instances of this include a teacher with many years' experience who plans and runs an English as a second language (ESOL) programme, and another who runs an academic support class for students.

There were some teacher aides without teacher training who work unsupervised, or who supervise or run classrooms. In only 1% of cases their schools had organised a Limited Authority to Teach.

#### *Example 4*

'M', a teacher aide working in a medium sized primary school, runs a supplementary programme for students who need a boost or who have a diagnosed special educational need. They also provide administrative support and assists with a range of other activities.

Over several years, the school has funded professional development for 'M' in several programmes. The most recent was an innovative programme for students with learning difficulties. When interviewed, 'M' was working unsupervised with small groups in their own classroom. They are responsible for initial testing, teaching, record keeping, and reporting to the students' classroom teachers, who assess students' progress. Selection of students is done by teaching staff, and grouping is done by 'M' and teaching staff. The principal describes 'M' and a teacher as a partnership providing expertise in the programme, with teachers from other schools coming to watch 'M' use it. At the time of the interview, the school was investigating Limited Authority to Teach certification for 'M'.

#### *Unpaid work*

In the interview sample it was common for teacher aides to do unpaid work. Although the interview question guide did not include this issue, it came up when teacher aides discussed the tasks they did and their relationship with colleagues, particularly teachers.

Unpaid work was not formally required, but the job structure in many schools make it either inevitable or likely to be needed. Unpaid work is prompted by three aspects of the job structure. The first is the teacher aide's need to organise their day. A discussion with the teacher about the programme for the day or week, plans for specific students, issues that need to be watched for or attended to, any other matters concerning students or the school, and feedback to and from the teacher aide to the teacher or Special Education Needs Coordinator (SENCO) are required in order for teacher aides to do their job. This occurred for 28% of the teacher aides. Despite this, many schools do not include paid time for these purposes. Teacher aides describe arriving early in order to have a conversation with the teacher about the plan for the day or week or to attend school staff meetings.

A second reason centres on classroom responsibilities and tasks to students and staff which cannot be done without preparatory work, which in 49% of cases goes unpaid. So, for example, a teacher aide who teaches an ESOL class does all her planning in her own time, while at another school, a teacher aide provides significant pastoral and social outreach to a particular community in her own time. A third teacher aide comes in early each day to prepare the classroom, ensuring that when the other adults arrive everything is ready to go, and a fourth works out how to use and repair assistive technology in their own time. In these cases the unpaid work being done directly relates to work the school has assigned to the teacher aide, and the extra work being done is known by the school.

The third reason for unpaid work is to take an active part in the functioning of the school outside the classroom, including out of school activities, professional development and meetings. This was found with 29% of the teacher aides interviewed. This sometimes includes overnight and day trips or whakatau. At some schools, the expectation that teacher aides will be involved in this way is strong. For example, some teacher aides help chaperone events and trips, take part in school activities such as pōwhiri, meetings or school assemblies outside their paid hours. This type of unpaid work is not necessarily mandatory but is sometimes highly encouraged by staff, including principals. It is also worth noting that other teacher aides in the sample are paid or receive time in lieu for participating in these activities.

### *High levels of responsibility*

Some of the teacher aides interviewed were given a high level of responsibility, usually in relation to a student with special educational needs. In some cases the teacher aide was the person responsible for collecting information about a child's state of mind and wellbeing, or liaising with the parents and external specialists (see example 3, page 11). In 9% of cases the teacher aide was the school's primary link with the family. We heard, for example, from a teacher aide who cares for a small boy with multiple difficulties, not all of which are fully identified and understood. This teacher aide communicates with the child's parents, keeping them updated on their son's progress and any issues that arise, and obtains information about the child that she shares with other school staff. Of the teacher aides interviewed, 23% are bearing primary responsibility for a student's learning and general care, and 5% are the only person at the school able to carry out a necessary medical procedure.

### *Verbal and physical abuse experienced at work*

For 29% of teacher aides interviewed, intimidation and verbal abuse are part of their working day. Verbal abuse includes personal remarks, swearing, and screaming. The emotional intensity of some of these situations prompts some school managers to timetable a teacher aide's day so that contact with the students responsible could be avoided. Frequency of intimidation and abuse is known for 59% of those reporting it. It occurs sometimes for 37% of this group, and often for 11%. In some cases the school takes action to support the teacher aide, and in other cases the teacher aide is responsible for de-escalation or managing the situation.

For 35% of teacher aides interviewed, physical abuse is part of their working day. Physical abuse includes pushing, biting, kicking, hair pulling, pinching, head butting, and having books thrown at them. Some students attempt to or actually attack other students, or are intermittently violent, throwing furniture and breaking computer screens and windows. The extremity of the abuse varies, and frequency (known for just under 50% of those reporting physical abuse) is most commonly identified as happening either sometimes or often. In some schools the teacher aide is required to manage or restrain the student involved, but in others the teacher will take over when these situations occur.

### *Team work*

The relationship between teacher aide and classroom teacher or Special Education Needs Coordinator (SENCO), range from supervisory to partnership. For 71% of our interviewees, the relationship is collegial and often warm. Of the teacher aides and SENCOs interviewed, 55% spoke about the support and teaching they receive from the teacher aides they work with. It is clear that this support is valued and relied on. Others admire the ability of the teacher aides they work with, with 10% of supervisors suggesting that they were already or should become teachers. In saying this, the relationship is not always strong or easy, with 13% of teacher aides interviewed feeling that they were being taken for granted, or even taken advantage of.



### *Remuneration in line with the existing collective agreement*

Teacher aides' current terms and conditions are outlined in appendix 7.<sup>8</sup> The current collective agreement covering teacher aide work is a minimum rates document, it provides a floor below which the wage cannot fall. Employers have the discretion to pay more than this, and 17% of teacher aides are paid more than the printed rate. A matrix is provided to guide schools' placement of teacher aides on the appropriate grade.

Although the investigation does not focus on remuneration or use of the matrix, it became clear that some schools are not using the existing matrix as intended. When asked how they decided which grade to place a teacher aide on, principals explain anomalies by pointing to one element of the higher grade's responsibility that is not fulfilled (which is not how the matrix was intended to be used), or by suggesting that although they wish to pay the teacher aide more, funding does not allow them to do so. It also appears that some teacher aides had their rate of pay set without reference to the matrix.

An allowance for dirty work is also given inconsistently. It is meant to be given once per day regardless of how many times the teacher aide is required to do dirty work. At one school, for example, with a high number of students who need assistance with toileting, the allowance is only given for demand beyond what was usual rather than for any day on which a teacher aide is involved in dirty work including toileting. In other cases the teacher aide or supervising teacher is unaware that the allowance exists.

### **Areas of work, tasks and responsibilities of teacher aides**

In the course of assessing the teacher aide roles, the parties agreed three broad areas of work for teacher aides.

- General support (classroom/academic)
- Additional needs (behavioural, high health, and pastoral for example)
- Te Ao Māori.

Many teacher aides combine the three areas of work, and schools and students benefit from teacher aides' ability to respond to a variety of situations. The example given here describes the work done by a teacher aide with students with high physical needs.

#### *Example 5*

'Q' is an experienced teacher aide working with students with very high special education needs. For much of the time she is providing physical support. Within the classroom, the teacher aides move the students between wheelchair, walking frame, floor and bed. They are toileted, and assisted with menstruation, personal grooming, and occasionally minor health matters. The students' lunch bags are checked and any spills cleaned up. Students are given food and water by spoon feeding or via nasogastric tube (nose tube), or MIC-KEY button (stomach portal). 'Q' and the other teacher aides in the classroom are responsible for getting them in and out of hoists, and managing any involuntary movement during toileting and other activities.

Some students need hand and foot splints fitted, one has saliva suctioned from her mouth to prevent vomiting, while the breathing of another is monitored in case it slows to the point she needs to be hospitalised. Some of the students have seizures, which the teacher aides manage. "We're like nurses", 'Q' said, "like mothers. We do the motherly things for them."

In addition to these responsibilities, 'Q' provides classroom support. During morning circle, she will sit between a pair of students, helping them respond to the teacher's prompts. When the teacher and teacher aides say good morning and sing a welcome song, 'Q' and a student will together push a button on the 'BIGmack' audio machine that will say "good morning" on the student's behalf.

In the middle of the day, when the students do art and maths, 'Q' will guide a student's hand to trace out a letter or number, record herself counting from one to ten for the student to listen to, and sing maths songs. When interviewed, 'Q' was working on the concepts of 'same' and 'different' with a student, and described using pieces of fruit as an example: two apples are the same.

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<sup>8</sup> The Support Staff in Schools Collective Agreement: <https://www.education.govt.nz/school/people-and-employment/employment-agreements/collective-agreements/support-staff-in-schools-collective-agreement/>

At weekly classroom meetings, the teacher discusses the students' individual education programmes (IEPs), and identifies goals for each student. The teacher aides use monitoring sheets to keep track of progress through the planned academic work. In her own time, 'Q' searches the internet for visual material that relates to the educational work the students are doing, and prints what she finds to decorate the classroom.

### *Sixteen general areas of responsibility for teacher aides agreed*

Ministry staff analysed interviews to identify teacher aides' responsibilities and tasks. Once identified these were grouped into General Areas of Responsibility (GARs). These GARs were agreed with the NZEI Te Riu Roa and NZSTA and then checked with the sector. Appendix 8 details the individual tasks for each GAR.

An individual teacher aide would not be performing all of these responsibilities, but every teacher aide should see their responsibilities in at least one of the 16 areas:

- 1 **In-class support and curriculum delivery:** Teacher aides provide support to teachers in classrooms, whether in mainstream, satellite or special education school classes. This ranges from roving around the class and assisting any student who needs help, to providing targeted assistance for assigned students with additional support needs. These activities can be teacher-directed or based on the teacher aide's own initiative. Teacher aides may also work with other colleagues such as Special Education Needs Coordinator (SENCO) and Heads of Department (HoD) to perform these activities.
- 2 **Delivering specific learning programmes to students:** Teacher aides deliver a variety of programmes to support students' learning. These can include predesigned literacy and numeracy programmes such as Quick60 or Numicon, and predesigned core skills programmes like Perceptual Motor Programme (PMP) or programmes provided by specialists like the Resource Teachers: Learning and Behaviour (RTLb), Speech Language Therapy (SLT) or psychologist. It can also include programmes for ESOL students as well as subject-based programmes like cooking, sexual health, gardening, and swimming. The work that supports delivery of these programmes may be done independently or in collaboration with others such as teachers, SENCOs, or programme specialists. Teacher aides may deliver programmes in the presence of a teacher or unsupervised.
- 3 **Facilitating student assessment:** Teacher aides assist with a variety of student assessment, from class spelling tests to National Certificate of Educational Achievement (NCEA) and other secondary exams.
- 4 **Supporting inclusion in school and among peers:** Some students may require additional support to enable their full participation in the classroom and among their peers. Teacher aides can support inclusion in a variety of ways to ensure that classrooms and the wider school environment are diverse, welcoming, and accessible for everyone.
- 5 **Building relationships and communicating with students:** Teacher aides build relationships and communicate both verbally and nonverbally with students to support learning. Some students may also require particular communication techniques, including the use of augmentative and alternative communication devices and systems like Yes/No cards, the Picture Exchange Communication System or devices which generate speech.
- 6 **Working with students to help them become well-rounded individuals:** Teacher aides focus on students holistically, not only supporting their learning but also helping them to develop life skills that enable them to become individuals who form good social relationships, feel positive in their own identity, are actively part of their communities, care for the world around them and become lifelong learners.
- 7 **Supporting the physical, mental, and emotional well-being of students:** Teacher aides help to support students' overall wellbeing. This ranges from noticing and alerting others to a student's need, or becoming the go-to person for students when they are having difficulties or need guidance.

- 8 **Being a Te Ao Māori teacher aide in English and Māori medium kura:** Te Ao Māori (Māori worldview) teacher aides work across all school settings – in Te Kura Kaupapa Māori/Wharekura, bilingual units and English medium schools. They have te reo proficiency appropriate to the immersion levels to model, foster and promote its use. Māori identity, language, culture and whānau are interwoven into many schools, shaping the way that teacher aides work with all students and whānau as well as their colleagues. This section should be read in conjunction with the rest of the document as Te Ao Māori teacher aides will also perform activities from other sections.
- 9 **Working with specialists and external agencies:** As part of assisting students with additional support needs, teacher aides may work with a variety of specialists and external agencies including RTLBs, Resource Teacher Literacy (RTLit), speech language therapists, occupational therapists, psychologists, Ministry of Education staff, Rural Education Achievement Programme (REAP), social workers in schools and others.
- 10 **Managing challenging behaviour and behavioural issues:** This section does not include routine classroom behaviour management. Teacher aides can encounter a range of challenging behaviour from students with high behavioural needs, including meltdowns, name-calling, yelling, biting, kicking and/or hitting. They may also encounter students who are going through a difficult period and may act out at school. Teacher aides often need to manage or assist in managing these behaviours to ensure the safety of the student and those around them. Strategies can include restraint and withdrawal.
- 11 **Providing care and support for health conditions:** Teacher aides provide a range of support for students with health conditions. This ranges from monitoring students with conditions such as diabetes, to providing specialised care for students with conditions such as cerebral palsy or who require the use of specialised equipment including MIC\_KEY buttons and catheters. These activities are performed across all school types.
- 12 **Providing cultural support for students:** Teacher aides have an important role in creating a school environment that supports and respects the varied cultures of students.
- 13 **Supporting students' extracurricular activities, trips and events:** Teacher aides support a variety of extracurricular activities. This section covers extracurricular activities and sports, music, swimming assistance (non-instruction), Riding for the Disabled, school events and trips, religious activities, holiday programmes and others. These tasks are undertaken as part of the teacher aide role, not in a voluntary or other capacity.
- 14 **Working with colleagues:** Teacher aides work with a variety of colleagues in their school, including principals, Special Education Needs Coordinators (SENCO), teachers, and other teacher aides. Using both formal and informal channels, teacher aides form good working relationships by communicating regularly and building a collaborative and supportive team environment.
- 15 **Building and sharing expertise:** Teacher aides develop their practice and expertise in order to best support students, through external professional or academic courses, school-based professional development, and/or growing their knowledge independently. Teacher aides may also assist colleagues to develop their skills, either formally or informally, using a variety of strategies.
- 16 **Contributing to the effective functioning of the school:** Teacher aides provide a range of support to schools beyond their core student-focused work, helping to keep the entire school running smoothly and successfully.

## Comparators used to assess pay equity

The Pay Equity Principles require a comparison of the claimant occupation with one or more male-dominated occupations. The parties developed criteria and guidelines for the selection of comparator occupations (see Appendix 11: Criteria and guidelines for the selection of comparators).

The criteria and guidelines were underpinned by Principle 9.

They included:

- male dominance
- substantial size of work force
- accessibility (had a collective agreement), and
- are New Zealand based.

The aim was to arrive at three to four comparator roles that would go through the full investigation and assessment stages of the claim. It was possible to use fewer comparators, but the parties agreed to use multiple comparators to ensure that the range of work was covered. There was also the possibility that an organisation would decline to participate in our process so inviting multiple organisations reduced the risk of having to revisit discussion of comparator roles. Different ways of reaching a pay equity rate could use one, some, or all comparators to determine the rate. Using more than one comparator provides protection against vagaries of a particular profession, particularly when needing to ensure the sustainability of a pay equity settlement.

The Ministry and NZEI Te Riu Roa each developed a long list of potential comparator occupations which included approximately 35 roles ranging from plasterers to ambulance officers/paramedics. After discussion of the long list, the Ministry and NZEI Te Riu Roa each proposed four occupations as comparators.

On the Ministry's shortlist were:

- Oranga Tamariki Youth Workers
- School Caretakers
- Hospital Orderlies, and
- Department of Conservation Rangers.

On NZEI Te Riu Roa's shortlist were:

- Corrections Officers
- Fishery Officers
- Customs Officers, and
- Firefighters.

Consensus on comparators was not able to be reached, and in order to progress the claim, parties agreed that four comparators would be selected; two by NZEI Te Riu Roa (Corrections Officers and Customs Officers) and two by the Ministry (Residential Youth Workers and School Caretakers).

The four comparator roles had some similarities to that of teacher aides. The list below highlights some of the identified high-level similarities that each comparator occupation has with teacher aides.

Customs Officer	Corrections Officer	Youth Worker	School Caretaker
Having empathy when communicating and trying to understand individual's situations. Having the ability to control own emotions when people's behaviour or tempers become heightened.	Encouraging offenders to develop prosocial behaviours and take part in routines and programmes. Having vigilance to ensure the environment always remains safe and secure.	Building rapport with challenging young people. Applying a variety of behaviour management techniques to diffuse challenging situations.	Working in a school environment and participating in its events. Providing advice and support to new support staff members.

## Assessment and scoring of the roles

### The method and tool for assessing and scoring roles so that they can be compared

The Pay Equity Principles require the assessment and comparison of teacher aide and comparator roles.

Parties agreed to use an assessment tool to facilitate this, and developed criteria to assist in the choice of a system. The criteria can be found in Appendix 9: Criteria and guidelines for the selection of assessment tools.

A number of tools were looked at, and the Equitable Job Evaluation tool (EJE) was chosen. EJE, developed by the Department of Labour in the early 2000s, assesses work in terms of the knowledge, skills, responsibilities, and demand required, and the working conditions in which it is done. These elements are covered by factors, with a varying number of levels in each.

EJE had not been widely used and required adaptation to fully address the Pay Equity Principles and for education sector purposes. The Ministry, NZEI Te Riu Roa and NZSTA worked together on that adaptation, an important part of which was ensuring the less visible skills, responsibilities and effort were included. Two new factors were added and included in the EJE scoring system. They were:

- planning and organisation skills
- cultural skills.

NZEI Te Riu Roa proposed a named for the adjusted tool Pay Equity Aromatawai Mahi (PEAM), which was agreed by all parties.

Following assessment of the claimant and comparator occupations, each occupation was assessed using PEAM and assigned a total point score.

Each individual role<sup>9</sup> was assessed against the 14 factors in PEAM. Within each factor, the roles were assigned to a level, which aligned with a score. These scores were then tallied up, collated and analysed. The full factor scoring table can be found in Appendix 10: PEAM assessment scoring, along with an example of the scoring given to a teacher aide role.

### The assessment process

The Ministry and NZEI Te Riu Roa used PEAM to assess comparator roles alongside those of teacher aides. Teacher aide and comparator occupations were assessed and scored on a rotating basis to facilitate comparison between occupations.

Assessment was carried out by the Ministry and NZEI Te Riu Roa, with limited participation by NZSTA. Ministry and NZEI Te Riu Roa staff were trained in the use of PEAM. Training included its trial use with a range of roles, with particular attention paid to PEAM's capacity to take less visible skills into account.

Fifty-two comparator roles were assessed. When assessing and scoring teacher aides to make the assessment process as efficient as possible, NZEI Te Riu Roa identified 23 'benchmark' roles out of the 92 to go through the end-to-end assessment process.

After minor adjustments, the benchmark roles were agreed by the other parties. The benchmark roles represented the range of skills, responsibilities and demands found across the breadth of the teacher aide role. Each of the benchmark teacher aide roles was assessed by the parties using PEAM and interview notes.

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<sup>9</sup> Role in this context means the individual employee who was interviewed.

## A new draft matrix for teacher aides

In consideration of role levels and the findings on work done by teacher aides, a draft matrix which identifies the tasks, responsibilities and skills demonstrated for these grades was jointly developed by the Ministry and NZEI Te Riu Roa.

Placement on the matrix is according to finding the highest level skills/tasks regularly done by the teacher aide as part of their role.

The parties originally discussed a new matrix which has four grades that relate to the three areas of work of teacher aides (General Support, Additional Support and Te Ao Māori).

Teacher aide roles were distributed, by point division into four levels:

- **Level 1:** 300- 360 points
- **Level 2:** 361- 420 points
- **Level 3:** 421- 480 points
- **Level 4:** 481- 540 points

A simplified example of that draft matrix is provided below. The full version can be found in Appendix 12: Draft new teacher aide matrix. The final version of this matrix is expected to be discussed during the settlement phase of the claim as the parties agree how the sex based undervaluation of teacher aide work is best addressed.

Grade	General support	Additional support	Te Ao Māori
Grade 1	<p>Works with students under teacher supervision on a set variety of standardised and specified tasks.</p> <p>Responsible for own work under regular supervision although may show others how to perform tasks as part of their orientation.</p>	<p>Primary responsibility is the health and safety of a student/s and may perform simple tasks related to feeding, personal hygiene and/or monitoring and observing these students inside or outside the classroom.</p>	<p>Not applicable.</p>
Grade 2	<p>Works with individual students and small groups delivering a range of subjects and topics OR works more in depth in a single or limited range of subjects.</p> <p>Will make minor adaptations to lesson plans and resources to ensure learning objectives are achieved and in response to individual student needs.</p>	<p>Implements behavioural, physiotherapy, and/or occupational therapy programmes as prescribed by specialists.</p> <p>Responsible for a range of physical care and will be required to ensure the students' dignity is maintained.</p> <p>Precision in providing care and safe handling is required.</p>	<p>Adapts and prepares te reo Māori resources and activities to support programmes.</p> <p>Provides translation support for students.</p> <p>Guides students and colleagues in tikanga on marae and during pōwhiri.</p>
Grade 3	<p>Has a high level of day to day independence which includes planning tasks and activities and clear accountability for delivering specific programmes to agreed standards.</p> <p>Will involve tailoring, testing, adapting and creating individual plans and resources within the programme.</p>	<p>If responsible for behavioural needs students, must be constantly vigilant for escalating behaviours and defuses difficult situations which may pose risks to themselves or others.</p> <p>Specific expertise required in supporting students with additional needs. These needs include some or all of medical, behavioural, academic, pastoral and personal care.</p>	<p>Delivers te reo Māori programmes including adapting and preparing resources and activities.</p> <p>Uses knowledge of students' background and whakapapa in order to provide appropriate support.</p> <p>Uses te reo Māori in daily conversations and participates in leadership and/or cultural events.</p>

Grade 4	<p>Strong technical proficiency and skills are required to develop programmes, lesson plans and associated resources.</p> <p>The role has permanent supervision of other teacher aides or support staff.</p>	<p>Highly specialised skills are required to provide services to students with highly complex needs.</p> <p>In-depth understanding of the students' conditions and capabilities involves the independent or shared responsibility to amend, adjust or modify the level and type of support in response to progress or change.</p>	<p>Develops and delivers learning programmes to support students' achievement in Ngā Whanaketanga Rumaki Māori.</p> <p>Teaches subjects from Te Marautanga o Aotearoa.</p> <p>Provides expert advice and guidance to teachers on te reo Māori, tikanga and/or how best to work with Māori students.</p>
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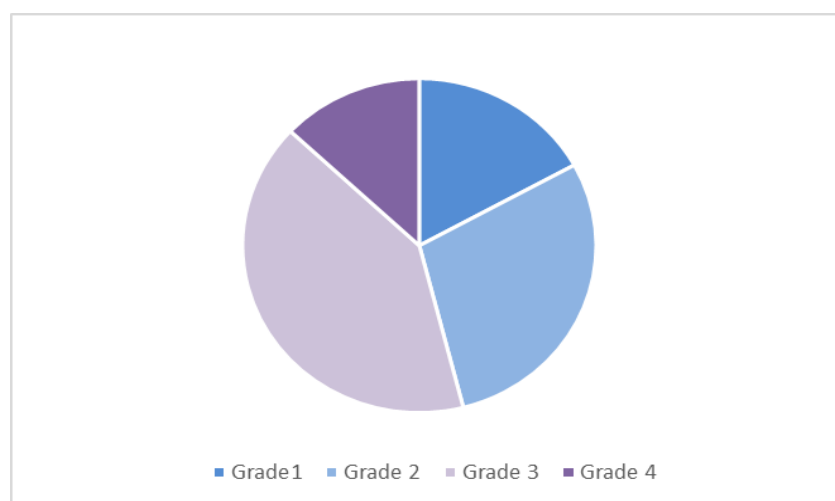
### Applying the matrix to a sample

The draft matrix was tested by the Ministry and NZEI Te Riu Roa without any corresponding remuneration for the benchmarked teacher aides. Based on this initial version of the new matrix, the parties agreed final grades of the benchmarked roles.

Of the 24 teacher aide roles benchmarked, the graph below shows where the roles sit within the new draft matrix. It shows, of the teacher aide roles assessed:

- 4 were assessed at Grade 1 the lowest grade
- 7 were assessed at Grade 2 where the majority of teacher aides currently sit
- 10 were assessed at Grade 3 with scores comparable with our comparators
- 3 were assessed at the highest grade

Figure 5 Grade matching from assessment (Benchmark teacher aides only)



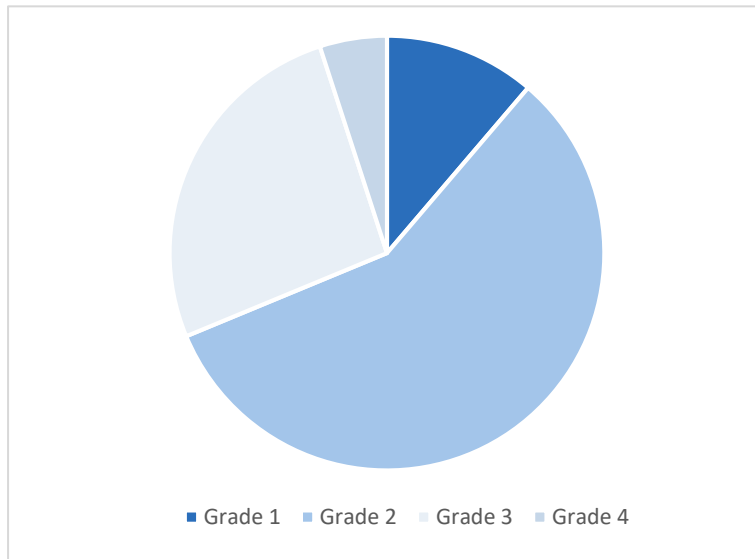
The remaining 69 non-benchmark roles were then slotted into the grading structure.

NZEI Te Riu Roa chose not to review all slotted roles but instead 'spot checked' five roles. Roles that fell on the cusp of two levels within a knowledge, skill, responsibility, demand or working conditions factor were peer reviewed by Ministry staff trained in the use of PEAM.

For illustration, the figure below shows what grades the core interview sample of 80 teacher aides would sit within the four grade matrix. It shows, of the teacher aide roles assessed:

- 10 were assessed at Grade 1, the lowest grade
- 49 were assessed at a Grade 2 and this was over half of the sample
- 27 were assessed at Grade 3
- 6 were assessed at the highest grade, Grade 4.

Figure 6: Grade matching from assessment (sample teacher aides only)





## Teacher aide grades and scores

The information in this section was developed by both parties using data gathered during the assessment of the teacher aide sample, and applying it to the draft four grade draft matrix outlined in the previous section.

As the four grade draft matrix did not end up being agreed to by both the Ministry and NZEI Te Riu Roa, the following skills and responsibilities for each new grade 1-4 is the view of the Ministry only.

### Grade 1 teacher aide

**Skills:** Knowledge skills for roles at this level are typically based on accumulated experience and training to deliver work as specified by either a teacher or SENCO. Identifying problems requires monitoring and observation and some judgemental skills, but issues that are not routine are referred and escalated. Communications skills include listening, patience and calmness in coping with challenges or enquiries. No specific bi- or multi-cultural skills are required, but the teacher aide is expected to respect language, heritage and needs of diverse cultures. The average score for a Grade 1 set of skills is 156 points.

**Responsibilities:** Roles at this grade have basic responsibilities for carrying out familiar assignments, delivering their own work, and coordinating with others as required. These roles must gain a basic understanding of their students' particular needs in order to provide the required level of assistance and support, be they academic, medical or behavioural. The average score is 120 points.

**Demands:** These roles require the teacher aide to provide moderate levels of engagement, encouragement and support to students and assist them in infrequent times of stress. The role therefore has to have a level of focused attention on their students. Any physical exertion requirements are occasional and light, and their working environment has minimal disagreeable conditions. If they are required to undertake toileting or other "dirty work" a separate allowance is usually paid. The average score is 44 points.

### A Grade 2 teacher aide

**Skills:** A more diverse range of skills exist at Grade 2 based on more specific requirements being dictated by both the schools and students. More specialised skills are required to deal with a wider variety of role requirements, and these include curriculum knowledge, medical proficiency and specific areas of expertise in dealing with a range of moderate behavioural needs. The roles typically require a higher level of interpersonal skills to motivate, persuade and influence, and must be able to diffuse emotionally challenging situations. The average skills score is 190 points.

**Responsibilities:** In addition to the expectations from Grade 1, this grade requires greater ownership of their portfolio and delivery of results for which they are accountable. The average score for this grade is 140 points.

**Demands:** The frequency with which roles at this level have to deal with emotional and sensory demands is higher than Grade 1, and there is also exposure to potential hazards and risks of slight injuries or minor accidents resulting from interactions with the students they are responsible for. The average score is 57 points.

### A Grade 3 teacher aide

**Skills:** Roles at this grade may have a similar knowledge skill level as Grade 2 but have other dimensions to their role which enhances the overall skill requirements. These requirements include involvement in and accountability for planning and adjustment of plans, and resolution of more complex problems that require the development of solutions and/or interventions. Alternatively roles will have more specialised skills, particularly in the care and protection of high health and more serious behavioural needs students.

Roles at this grade are more likely to use a language other than English in working with and building rapport with students, or te reo Māori in assisting students with language or tikanga. The average skills category score is 221.

**Responsibilities:** Teacher aides at this grade are experienced and often provide informal supervision, mentoring and guidance to other teacher aides and teachers. They also have a greater level of responsibility for assessing and documenting important personal information on students' progress, behaviour and medical conditions. These roles may be responsible for their 'patch' where they are accountable or have individual accountability for outcomes. To achieve this, they must develop in-depth understanding of their students' needs and design, develop or improve ways to enable them to be more independent and/or participate more fully in school activities. This category scores 161 points

**Demands:** Some variation in demand scoring exists depending on the work stream with the additional needs category higher than the general support. The average score for this category is 57 points.

#### **A Grade 4 teacher aide**

**Skills:** The benchmark sample contains only three roles at this grade. Roles of this kind will require more advanced levels of specialised technical skills. Many will require creative or developmental skills as well as the exceptional interpersonal skills required to build empathetic relationships in situations of considerable stress while maintaining detachment. The matrix on the following page identifies the generic criteria that would apply to roles at this grade. The average skills score for the three benchmark Grade 4 roles is 247 points.

**Responsibilities:** These roles all carry strong responsibilities across the four dimensions: people leadership, resources, organisational outcomes and services to people. The average score is 215 points.

**Demands:** A specialist medical care role has the highest level of demand, however the other two roles also scored strongly. The average score for the three roles is 67 points.

## Comparator assessment

### The comparator assessment process

Once comparator employers agreed to participate, interview teams consisting of a representative from the Ministry and NZEI Te Riu Roa interviewed individuals in the comparator roles. A total of 56 employee interviews and 48 supervisor interviews were completed.

52 comparator roles were assessed from:

- Corrections Officers
- Customs Officers
- Oranga Tamariki Youth Workers
- Oranga Tamariki Shift Leader Youth Workers
- Caretakers employed by boards of trustees

From those assessments, job sized profiles were agreed by consensus for the Corrections, Customs and Youth Worker roles.

Caretakers have similarities with the teacher aides in that they carry out a wide range of roles at schools throughout New Zealand with a variety of sizes. They are the only comparator group who do not work shift work or irregular hours and work in a more regular work environment. The majority of those assessed fall within Grade 2 for teacher aides. Due to the variety and range of caretaker roles however, a single profile was not developed, and caretakers were not confirmed as a comparator.

Shift Leader Youth Workers were an unexpected outcome of the interview process. Shift Leader Youth Workers and Youth Workers had quite different job sizes. Youth Worker was the original comparator sought by the TAPEC process, however 7/10 interviews with Oranga Tamariki were conducted with Shift Leaders, as selected by Oranga Tamariki. The shift leader roles were assessed but a profile was not confirmed as a comparator.

### Corrections Officer

Corrections Officers are responsible for ensuring the security and care of offenders and supporting their rehabilitation and pathways towards an offence free lifestyle. The Corrections Officer achieves these accountabilities by having the right relationship with offenders, visitors and other staff. All Corrections Officers interviewed were employed on a permanent, full-time basis. The work environment requires shift work and the maintenance of staff to prisoner ratios. It is designed to support career progression within the organisation.

Data from 13 individual employee interviews was assessed, with supporting evidence from their supervisors.

**Skills:** Corrections Officers have to have a strong knowledge of policies, procedures and various legislative requirements. They require a working knowledge of Māori culture and tikanga as well as sensitivity to the requirements of other cultures. They have specific training to keep themselves and prisoners safe and this includes restraint techniques. A competent Corrections Officer will have achieved a Level 3 Certificate in Offender Management, and may have undertaken further study at Level 4. A number of Corrections Officer roles were interviewed and differences noted based on the type of prisoner and specific duties undertaken but a generic profile for the overall skills required totalled 212 points.

**Responsibilities:** Corrections Officers report to a Senior Corrections Officer and while they do not have any supervisory responsibility for others a competent Corrections Officer will 'buddy' new officers. They undertake substantial recording of important and confidential personal information where care around disclosure is critical. This includes prisoner behaviour, learning and other sensitive information. They work collaboratively with other team members to achieve consistent standards and adherence to organisational requirements. Debate was had about the extent to which the Corrections Officer had to understand complex prisoner needs in order to provide services. In the end a determination was reached stating that the role actively gains a basic understanding of people's particular situations or needs in order to provide advice, instruction, care or assistance to individuals. A total score of 145 points was assigned to these responsibilities.

**Demands:** This role scored consistently high on the emotional, sensory, physical and working conditions demands. The demands varied slightly depending on the category of prisoner with those on remand reflecting a higher degree of unpredictable behaviours. A total of 82 points were assigned to this category.

## Customs Officer

The purpose of the New Zealand Customs Service is to protect New Zealand's border and promote New Zealand by facilitating trade and welcoming visitors. Customs officers undertake a wide range of duties, in varying locations and work environments. Officers are usually employed on a permanent, full-time basis, but some variable hours positions are also available. Most Auckland and Christchurch based officers move between work areas in a planned rotation, spending several months in each area. A smaller number of officers are static, working in one specialist area. In other centres, Customs officers work across several work areas. In some Customs' work environments shift work is required. It is designed to support career progression and development within the organisation.

Data from 18 individual employee interviews was assessed, with supporting evidence from their supervisors.

**Skills:** Customs Officers doing a diverse range of work were interviewed and assessed as part of this exercise. This included staff undertaking border control duties at airports, ports and the mail centre as well as those working in intelligence, revenue assessment and child exploitation operations units. All of the roles require a broad knowledge of the various statutes that the Customs Service enforces. The roles have limited authority and operate under the close supervision of a Senior Customs Officer with clear procedural requirements dictating what and when issues need to be escalated. The roles require very good people-responsiveness skills, involving discretion and diplomacy in dealing with others in situations of some stress, concern and in emotionally charged situations. The Customs Officer will have a well-developed ability to de-escalate emotionally charged situations. A total of 230 points was assigned to this category.

**Responsibilities:** Customs Officers report to a Senior Customs Officer and while they do not have any supervisory responsibility for others a competent Customs Officer will 'buddy' new officers. They undertake substantial recording of important and confidential personal information where care around disclosure is critical. This may relate to intelligence received or generated, as well as documenting evidence for subsequent action including prosecution. They work collaboratively with other team members to achieve consistent standards and adherence to organisational requirements. As most Customs Officer interactions are not relationship based, the level of services to people requires them to gain a basic understanding of people's particular situations or needs in order to provide advice, instruction, care or assistance to individuals. A total score of 145 points was assigned to these responsibilities.

**Demands:** Moderate levels of sensory, emotional, physical and working condition demands apply to most Customs Officer roles, but differences do exist for specific roles, such as the Child Exploitation team where the emotional demands are extreme, but are offset by lower demands elsewhere. Overall a score of 61 points were allocated to this category.

## Residential Youth Worker

Residential Youth Workers employed by Oranga Tamariki work in Youth Justice, Care and Protection, and Community Residential centres. They provide care and support for the children and young people living in the residences. Youth Workers demonstrate appropriate models of behaviour, acknowledging their personal influence on the life of each child or young person, and that this interaction has a positive influence and brightens the outcome for those children and young people in care.

All interviewed employees are employed on a permanent, full-time basis. The work environment requires shift work; staff may also need to work a longer shift if situations require it, and may be asked to come in for extra shifts. The work structure is designed to support the development of skills and behaviours appropriate for social support such as language and cultural development.

Data from 10 individual employee interviews was assessed, with supporting evidence from their supervisors.

To note, the majority of the youth workers interviewed are shift leaders with additional skills, responsibilities and demands that are reflected in their remuneration through merit steps and allowances. The selection of this particular group was an unintended consequence of Oranga Tamariki identifying staff to be interviewed.

**Skills:** Youth Workers in each environment were interviewed and a comparable range of specialist skills and knowledge requirements identified in each situation. While their day-to-day work is supervised by a Shift Leader they have a level of independence to manage activities on a day to day basis. The problems they deal with are often complex requiring a level of analysis, diagnosis and the development of individual solutions. A high level of observation skills allowing early identification of potential problems, and the judgmental skills to analyse unfamiliar problems is required together with a strong level of empathy. A total of 223 points was assigned to the skills category.

**Responsibilities:** Youth Workers undertake substantial recording of important and confidential personal information where care around disclosure is critical. This includes behaviour, learning and other sensitive information. They work collaboratively with other team members to achieve consistent standards and adherence to organisational requirements.

Youth Workers have a high direct impact on the outcomes for individual children and initiative is required to recognise appropriate courses of action which can be taken to handle potential and actual problems. A total score of 165 points was assigned to these responsibilities.

**Demands:** Youth Workers scored consistently high on the emotional, sensory, physical and working conditions demands. The demands varied slightly depending on the specific environment. A total of 78 points were assigned to this category.

### **School Caretakers**

School Caretakers undertake a wide range of support activities and functions to enable schools to operate safely. The duties range from cleaning, ground keeping and security responsibilities through to skilled trades activities and full property management accountability. As caretakers are employed by the board of trustees or commissioner in each individual school, there are no standard terms and conditions with hours of work and nature of employment based on the requirements of the school or institution where the role exists.

**Skills:** The skill requirements varied widely according to individual school requirements and no sensible core requirements were identified. The scores for skills ranged from 110 points to 262 points.

**Responsibilities:** The points range for role responsibilities ranged from 110 to 226 points.

**Demands:** All School Caretakers require sensory attention to ensure health and safety requirements are maintained, they also have moderate physical demands but a relatively low risk of physical injury based on the activities they perform. This category scored between 37 and 54 points.

## Remuneration is inequitable

As a result of assessment and comparison, the Ministry and NZEI Te Riu Roa agreed that gender discrimination has resulted in an undervaluation of teacher aide work.

### **Overlap of levels (or 'size' of), skills, responsibilities and demands of the work**

The assessment shows that the scores for the work of teacher aides and comparators do overlap and so is comparable. Specifically, Customs Officers, Corrections Officers and Youth Workers' profiles have comparable job sizing scores to what was originally agreed as a Grade 3 teacher aide.

### **The scores for the agreed comparators and shift leaders**

Table 1: Scores

Customs	104% comparability with the average score for Grade 3 teacher aides of 439	456
Corrections	105% comparability with the average score for Grade 3 teacher aides of 439	459
Youth Worker	109% comparability with the average score for Grade 3 teacher aides of 439	466

When printed rates of pay for comparators are compared to those of teacher aides working in roles with comparable PEAM assessment scores (grade 3), the undervaluation is apparent, as shown in the tables below.

### **Hourly rate comparisons<sup>13</sup>**

Table 2: Printed hourly comparator and teacher aide rates of pay at the equivalent of grade 3

Comparators assessed as being at Grade 3 benchmark	Minimum/entry rates	Rates when fully competent in role <sup>10</sup>	Optimal qualifications or merit-based rates <sup>11</sup>
Corrections Officer	\$25.63	\$29.15	\$31.50
Customs Officer	\$23.86	.\$29.07	\$31.06
OT – Residential Youth Worker	\$21.17	\$26.54	\$31.06
Average of comparator rates	\$23.62	\$28.33	\$31.90

Table 3: Printed hourly comparator and teacher aide rates of pay at the equivalent of grade 3

Teacher Aide Grade C rates	Minimum/entry rates	Rates when fully competent in role	Optimal qualifications or merit-based rates
Teacher aide – Grade C	\$20.69	\$24.70 <sup>12</sup>	N/A

<sup>10</sup> A fully competent rate is usually reached through service based progression (e.g. a progression with a pay band is given for each year of service). For teacher aides, corrections officer and customs officers the fully competent rate is reached through service-based progression, usually based on 3-4 years' experience.

<sup>11</sup> Pay scales for Corrections Officers and Customs Officers have 'optimal qualification and or merit' hourly rates. These are paid based on merit and, or an employee gaining extra qualifications relevant to the role. For example for Corrections, fully competent rates require level 3 qualifications. A higher rate might be paid if level 4 qualifications are achieved. Customs highest pay rates are merit based. There is no equivalent concept in the current pay scales for teacher aides.

<sup>12</sup> This is the relevant printed rate for a Grade C teacher aide in the current collective agreement. To note most teacher aides are currently paid at Grade B rates. The relevant printed rate for a Grade B is \$22.24

## Appendices

## Appendix 1: Letter from NZEI Te Riu Roa to Peter Hughes



8 June 2016

Peter Hughes  
Secretary for Education  
Ministry of Education  
PO Box 1666  
Wellington 6140

by email: [Peter.Hughes@education.govt.nz](mailto:Peter.Hughes@education.govt.nz)

Dear Peter

### Pay equity Claim - Support Staff in Schools

On behalf of support staff members covered by the Support Staff in Schools' Collective Agreement (SSCA), NZEI Te Riu Roa is writing to request a meeting to investigate and begin the work necessary to resolve pay equity claims relating to support staff, with an initial focus on Teacher Aides.

You will be aware of the recent Court of Appeal decision, *Terranova v Service and Food Workers Union (SWFU) and Barlett* (CA631/2013 [2014] NZCA516, that held that in female dominated work, the Equal Pay Act 1972 requires equal pay for work of equal value (pay equity), not simply the same pay for the same work. This is a change to the way the Act has been understood to apply in the past.

This week the Government published pay equity principles and a proposed mechanism for addressing pay equity claims that have been developed jointly by a working group of employer, union and government representatives.

In keeping with the Joint Working Group on Pay Equity Principles' recommendation that pay equity claims can be made at any time, and be resolved at the earliest time at the most appropriate level, NZEI Te Riu Roa proposes that we meet as soon as possible to consider the issues.

We suggest that we be guided by the Joint Working Group's approach, and use the group's recommended principles to confirm, assess and resolve claims relating to support staff, with priority focus on teacher aides in the first instance.

### Support staff – context

Women make up 90% of support staff in schools, working in a variety of roles in primary and secondary schooling. In 2016, the Ministry estimated there were approximately 28,200 support staff employed in New Zealand schools, comprising roughly one-third of the total education workforce in the compulsory sector.

The work performed by support staff in schools therefore meets the criteria of being exclusively or predominately performed by female employees (Section 3(1)b of the Equal Pay Act 1972). In addition, the Ministry already has a commitment to pay and employment equity, outlined in Part 2.1 of the Support Staff in Schools' Collective Agreement.

PO Box 466, Wellington 6140, New Zealand.

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The majority of support staff are teacher aides, with others working in administrative roles (such as office managers, school secretaries, executive officers) and in curriculum and pastoral support roles such as IT technicians, librarians, career advisors and sports coordinators. Their roles are generally funded from the schools operations grant, and in the case of teacher aides, from other funding streams providing support for individual students. Many are part time (often not through choice) and most are paid for only part of the year - for the 40 weeks of the school term. Many are on fixed term contracts. Their work is precarious and not well paid; their earnings are lower than average for their age group.

Their rates of pay have been historically low because of the historical tendency by decision makers to undervalue the skills, responsibilities and challenges of work undertaken by women, particularly those working with children. In particular, teacher aides have been disadvantaged in their positions because of the view that women are considered to be "natural" carers, so that the skills, responsibilities, effort and conditions are considered "natural" and are not properly accounted for in the wages paid.

The rates of pay therefore contain an element of differentiation based on the gender, in that they are lower than the rate of remuneration that would be paid to male employees with the same or substantially similar skills, responsibility and experience, performing the work under the same or substantially similar conditions and with the same or substantially similar degrees of effort.

An evaluation of support staff (Briar Associations, 2010) and one of Ministry of Education support workers in broadly similar roles (Top Drawer and Pulse HR, 2008) both identified a pay equity issue in relation to male comparator occupations. We therefore see strong grounds for progressing this issue swiftly.

#### Next steps

NZEI Te Riu Roa wishes to address pay equity on behalf of support staff members. In the interests of a constructive and productive relationship with the Ministry of Education, we request to meet as soon as possible to progress this.

Yours sincerely



Paul Goulter  
NATIONAL SECRETARY

PO Box 466, Wellington 6140, New Zealand.

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## Appendix 2: Letter between State Services Commission (SSC) and New Zealand Council of trade Unions (CTU) on pay equity

IN CONFIDENCE

STATE SERVICES COMMISSION  
Te Komihana o Ngā Tari Kāwanatanga

14 February 2017

Richard Wagstaff  
President  
New Zealand Council of Trade Unions  
PO Box 6645  
Wellington



33

*Without prejudice*

Dear Richard

Thank you for your letter of 27 January confirming the CTU's and affiliated unions' interest in progressing identified pay equity claims in advance of legislation to implement the Joint Working Group's principles in the form approved by Government (the Principles).

Working through the Principles and process together will provide an opportunity for claims to be progressed. As outlined in your letter early application of the principles is a good way to demonstrate their usefulness and to establish a robust set of practices for others to follow.

We agree with your proposal to progress:

- The PSA claim for social workers employed by the Ministry for Social Development (and from 1 April 2017, the Ministry for Vulnerable Children, Oranga Tamariki).
- The NZEI claim for Education, Behaviour and Communication Support Workers employed by the Ministry of Education.

The Ministry of Education, NZEI Te Riu Roa and E tū are currently in bargaining for the Support Staff in Schools Collective Agreement. Although a pay equity claim has not been lodged under the Equal Pay Act 1972, the Ministry of Education is open to considering the question of pay equity for support staff starting with Teacher Aides by applying the Principles to this during the term of a new collective agreement. Unions have already raised pay equity for Support Staff in schools with the Ministry of Education and for this reason it is important that it is recognised as part of the joint work.

We note your advice of an exception highlighted around the PPTA's intention to lodge a legal claim relating to pro-rata non-contact time for part-time teachers. We agree that any such claim is not an appropriate application for the Principles. We note that the PPTA has not discussed with the Ministry of Education a proposed pay equity claim relating to pro-rata non-contact time for part-time teachers.

In respect of the NZEI claim for education, behaviour and communications support workers, the Ministry of Education is willing to proceed with the mediation. We support the approach outlined in your letter that the goal of the mediation will be to agree how the Principles and process will be picked up and adopted to progress the claim. Our expectation is that the pay equity claim should not be a barrier for settling the main collective agreement and we would expect that the parties will work in the spirit of the Principles/process to achieve a timely settlement.

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IN CONFIDENCE

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**IN CONFIDENCE**

It is our preference that CTU affiliates actively support the Principles and do not seek to lodge any new claims in the Employment Relations Authority or Employment Court. As a baseline we anticipate that any existing or new claims lodged will be placed 'on hold' to enable claims to be progressed in bargaining in good faith. In the event new claims are lodged in the period before the new legislation is passed we support adoption of a 'no surprises' approach. Advance notice and discussion with SSC about any new claims will provide an opportunity to consider where we may have reached the limits of our joint capacity to successfully address multiple claims in the lead-in to the legislative changes.

We agree that any pay equity claims we decide to work on together should be progressed in a timely and orderly way. While we acknowledge your point about due recognition for previous work on pay equity claims, it is critical that the parties work through the Principles together to explore and establish the current situation for specific employee groups. Past pay equity analysis may be useful in this work, but must be considered on its merits and in light of the Principles. In some cases previous pay equity work may not assist the parties to apply the Principles.

Thank you for offering to meet to jointly develop standardised terms of reference to guide the parties in progressing a pay equity claim. This will enable parties working across different claims to take a consistent approach and would provide for situations where the parties may need help to resolve an issue. The intention would be that the terms of reference will mimic as closely as possible the dispute resolution process that will be available under the new legislation. Our preference for managing any disputes that may occur in bargaining is via this mechanism rather than through immediate recourse to the courts. We note that unions ultimately reserve the right to revert back to the legal process under existing law.

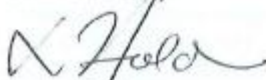
Further to our discussions we confirm that we would like to work with the CTU on the PSA's mixed work claim against the State Services Commissioner. Our understanding is that the claims outlined in parts 3.7 to 4 of the PSA's Statement of Claim have been superseded by the approved pay equity Principles. We agree to progress the claims contained in paragraphs 3.1 to 3.6 of the Statement of Claim via a joint working group of union and State sector agency representatives. We propose that the terms of reference for a working group should be agreed prior to this work commencing.

In closing I would like to accept the CTU's offer to work alongside the SSC to support the effective and efficient progress of claims being addressed using the Principles.

We will look to coordinate a meeting shortly to continue our discussions. I suggest this at this initial meeting we agree our approach to any external communications.

I look forward to working with you on this important work.

Yours sincerely



Lewis Holden  
Deputy Commissioner  
State Services Commission



## Appendix 3: SSC and CTU agreed terms of reference for pay equity claims

### Terms of Reference

#### Addressing Identified Pay Equity Claims in the State sector

##### Purpose

- 1 The State Services Commission (SSC) and the NZ Council of Trade Unions (CTU) have agreed these Terms of Reference (ToR) to guide agencies and unions in progressing identified pay equity claims in the State sector in advance of legislation to implement the Joint Working Group's principles in the form approved by Government (the Principles).
- 2 This ToR is one of the commitments made as part of the agreement between the SSC and CTU recorded in an exchange of letters in January/February 2017.

##### Objectives

- 3 This ToR supports pay equity claims being addressed using the Principles. It has been agreed by the SSC on behalf of State sector agencies<sup>1</sup> and the CTU on behalf of its affiliates, and reflects their commitment to progress pay equity claims through good faith bargaining, conducted in an effective and efficient manner. It also makes provision for a dispute resolution process.
- 4 The processes established by this ToR preserve the integrity of the Principles pending new legislation, promote a consistent approach across the State Sector and enable early application of the Principles to inform the development of pay equity legislation.

##### Background

- 5 In October 2015, employers and unions agreed to a Government proposal to set up a Joint Working Group (JWG) to develop principles for dealing with pay equity claims under the Equal Pay Act 1972. The JWG agreed on a set of principles for raising and resolving pay equity claims, and a process for addressing claims through bargaining based on the current employment relations legislative framework.
- 6 On 24 November 2016 the Government accepted the recommendations of the JWG and added a supplementary principle on selecting a comparator (noting the matter of selecting a comparator was not part of the recommendations from the JWG). The Government announced that legislation giving effect to this decision will be introduced into Parliament in 2017.

##### SSC and CTU exchange of letters

- 7 Pending new legislation, the SSC and the CTU have agreed via an exchange of letters that existing, and any new, pay equity claims in the State sector lodged in the Employment Relations Authority, or the Employment Court (under the Equal Pay Act 1972) or claims made in bargaining will be progressed by applying the Principles in good faith.
- 8 The SSC, the CTU and affiliates have agreed to work together, in the period prior to the new legislation, to progress pay equity claims in a timely and orderly way. The following three current pay equity claims will be prioritised:
  - The Public Service Association claim for social workers employed by the Ministry for Social Development (and from 1 April 2017, the Ministry for Vulnerable Children Oranga Tamariki).
  - The New Zealand Education Institute (NZEI) claim for education support staff employed by the Ministry of Education.

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<sup>1</sup> Excludes State Owned Enterprises

- The NZEI claim for school, starting with teacher aides, employed by school Boards of Trustees.
- 9 Any additional claims either lodged in the Employment Relations Authority, Employment Court, or made in bargaining will be discussed by the CTU and SSC in advance of them being lodged/made on a 'no surprises' basis. This will ensure that effective management of claims can be achieved and recognises limits to parties' capacity to address multiple claims prior to new legislation.

#### **General guidelines**

- 10 The following general guidelines will underpin the negotiation process for pay equity claims:
- Parties agree to use the methodology and work through the process set out in the Principles to address pay equity claims.
  - Parties support the spirit and intent of the objectives of the Employment Relations Act 2000 (ERA) and commit to addressing pay equity claims in good faith.
  - Parties commit to working through the Principles using a problem solving approach, and may agree to undertake training as a group to facilitate this.
  - Parties commit to a constructive, efficient and effective process and will meet as agreed for this purpose and seek a timely resolution.
  - Should the parties agree, any Bargaining Process Agreement relating to a pay equity claim should reflect and be consistent with this ToR.
  - Parties agree that settlement of a collective agreement does not settle or extinguish an unresolved pay equity claim and failure to settle a pay equity claim is not a justification for not concluding collective bargaining.
  - Parties will work together constructively to demonstrate the usefulness of the Principles and establish a robust set of practices for other State Sector parties to use.

#### **Scope of pay equity claims**

- 11 A pay equity claim is limited to matters of pay equity (i.e. equal pay for work of equal value). Wider issues contributing to any gender pay gap, such as career progression, access to training opportunities, and flexible working arrangements, are outside the scope of a pay equity claim and these ToR.
- 12 Consideration of such matters is important to achieving wider gender equality and employers and unions are encouraged to give attention to them in a complementary but separate process.

#### **Use and sharing of information**

- 13 For some claims previous work may have been undertaken. This work and information may be useful to parties and should be made available. In assessing the claim using the Principles, recognition should be given to this work where relevant. It will also be necessary to ensure all information is relevant and targeted to addressing the pay equity claim.
- 14 The parties will supply each other with any relevant information necessary to assess the pay equity claim or to substantiate a position relevant to the pay equity negotiations. Any sharing or wider dissemination of information outside the negotiating teams will be agreed by the parties.

## Communications

- 15 Parties recognise the importance of preserving the integrity of the Principles pending legislation and agree to manage communications while working through a pay equity claim accordingly, and specifically:
- During negotiation of a pay equity claim each party's communications will comply with the principles of good faith and the provisions of the ERA. Each party will recognise the right of the other to communicate with members or employees via normal channels of communication.
  - At the end of each pay equity bargaining meeting, parties will agree key messages for any internal and external communications.
  - Approaches from the media regarding a pay equity claim may require either party to respond within short timeframes. In this situation parties will use best endeavours to maintain a 'no surprises' approach.

## Dispute Resolution Process

- 16 The parties will make every reasonable endeavour to conclude a pay equity settlement prior to filing or reactivating proceedings with the Employment Court under the Equal Pay Act.
- 17 If a disagreement on an aspect of the pay equity claim or bargaining over a pay equity claim cannot be resolved by the parties, the parties will enter mediation. Either party may request a mediator at any time. The mediator will either be from the Employment Relations Service of the Ministry of Business, Innovation and Employment or a mediator agreed by the parties.
- 18 If mediation is unsuccessful and very serious difficulties have arisen, parties may agree to seek facilitated bargaining with the Employment Relations Authority. The current high threshold for facilitated bargaining will be lowered in relation to pay equity claims via new legislation. Recognising this will not happen during the period of the ToR, parties agree to seek a non-binding recommendation from a mediator.
- 19 The parties note that unions ultimately reserve the right to revert back to the legal process under existing law.

## Signatories



Lewis Holden  
Deputy Commissioner  
State Services Commission



Richard Wagstaff  
President  
New Zealand Council of Trade Unions

Date: 9 May 2017

Date: 9 May 2017



## Appendix 4: Teacher aide pay equity claim Terms of Reference

### Appendix C

#### Ministry of Education/NZEI Te Riu Roa (NZEI) Terms of Reference for NZEI Teacher Aide Pay Equity Claim

##### Parties

The parties to these Terms of Reference are the Ministry of Education (Ministry), NZEI Te Riu Roa (NZEI), E tū, and the New Zealand School Trustees Association (NZSTA).

##### Context

As part of the settlement of the Support Staff in Schools' Collective Agreement 2017-2019, the parties agreed to participate in a pay equity process covering the work of teacher aides.

This agreement is further to an exchange of letters between the State Services Commission (SSC), and the Council Trade Unions (NZCTU) in January/February 2017, and subsequent Terms of Reference agreed between the SSC and CTU "Addressing Identified Pay Equity Claims in the State Sector", dated 9 May 2017.

The parties have agreed to progress the claim by applying the Government approved principles for addressing pay equity claims, supplemented by the further details on the process for this claim set out in these Terms of Reference.

##### Work Programme and Timelines

The parties have agreed to adopt an indicative work programme and timeline for this claim (Annexe 1) which is aspirational in nature, and which will be reviewed at identified checkpoints, to confirm or vary the expectations on the time required to complete future work, based on experience to date.

##### Scope

The Ministry and NZEI agree that the claim is for teacher aides and those doing the same or similar work. The designation "teacher aide" is long-standing in schools and potentially covers a number of different roles with a range of work and responsibilities decided at the employer level. Accordingly the parties have agreed to investigate and further define the scope of the claim [**Defining the range of roles within scope of the claim**] in Annexe 1 refers.

This will require an environmental scan of current existing role information held by employers, to be achieved by surveying employers in the first instance.

This process will inform the later interview design process, by identifying indicative roles present across the sector, and will inform the number of interviews required for each identified role.

##### Merit

The parties agree that merit in terms of the Principles will be discussed during the period to mid-October 2017 following an analysis and discussion of information provided by NZEI in the first instance.

The parties may agree at any time during the discussion of merit, and the process of defining the range of roles within scope of the claim, that this claim will not continue in respect of any group of employees or roles(s).

The parties also agree that the initial determination of merit of the pay equity claim for teacher aides is one of "merit to proceed". The **Assessing the claim** process [Steps 4 to 9 of Annexe 1] will then enable consideration of the pay equity claim (ie the assessment of work and comparable work, and remuneration and comparable remuneration and reward) before the Ministry determines whether it agrees there is in fact gender-based systemic historical and continuing undervaluation of the work and before the parties discuss whether any adjustment in remuneration is needed as a result of the assessment of the claim.

### **Assessing the Claim**

There are six broad steps involved in assessing the claim.

- **Consider undervaluation**  
This step will involve consideration of evidence to be provided by NZEI of both historical and continuing undervaluation.
- **Thorough assessment of work covered by claim**  
This will require the development of template Job Descriptions (JDs), based on the conduct and analysis of interviews of a statistically valid sample of employees/the person(s) who directs the employee's daily work/their direct reports and principals/Board Chairs for each identified role. The parties may agree that others should be interviewed as appropriate.  
  
The interview process will ensure that primary, secondary, intermediate, decile, geographic and grade factors are all able to be considered in the assessment process.
- **Matching employees to newly specified roles**  
It is intended that employers will consider and confirm applicable role(s) for all staff in scope, and inform the Ministry accordingly.
- **Assessing the roles**  
This will require the parties to agree the detail of the assessment process, and to apply it to the JD templates developed from the previous steps. The end result will be a set of newly defined, assessed roles.
- **Comparator process**  
The parties will identify and agree comparators, and the Ministry will approach the comparator organisations to seek to gain agreement to participate/provide comparator JDs.  
  
Comparator role holders will be interviewed. The end result will be a template JD in the same format/level of specificity of that of the teacher aide JD, approved as accurate by the comparator employer.  
  
The comparator job content will be assessed, using the same assessment process as used for the teacher aide JDs.
- **Remuneration analysis and comparisons**  
The reasons behind and basis for the remuneration and other terms and conditions of employment of the comparator(s) will be thoroughly examined.  
  
A report will be produced which will draw conclusions and recommendations. This report will inform bargaining for settlement.



**Bargaining for Settlement**

The parties will bargain in good faith to settle the pay equity claim, informed by the above report. The parties to the bargaining will endeavour to ensure that bargaining is not delayed unnecessarily and is conducted in an efficient and constructive manner.

**Indicative Timeline**

The indicative timeline is attached as Annexe 1.

**Management of the process**

The parties commit to a constructive, efficient and effective process and will meet as agreed to review progress.

The parties will meet at the agreed check-points mid-October and the week of 18 to 22 December 2017, and by 31 March and 31 May 2018, to review progress and agree to any necessary variances to the indicative timeline.

In the event of a disagreement, the parties acknowledge that dispute resolution processes are available, including mediation through the Employment Relations Service or the Ministry of Business, Innovation and Employment, or a mediator agreed by the parties. If mediation is unsuccessful, the parties may agree to progress dispute resolution through the Employment Relations Authority.

The parties note that unions ultimately reserve the right to revert back to the legal process under existing law.

**Communications**

The parties recognise the importance of preserving the integrity of the Principles pending legislation and agree to manage communications while working through a pay equity claim accordingly, and specifically:

- During negotiation of the pay equity claim each party's communications will comply with the principles of good faith and the provisions of the ERA. Each party will recognise the right of the other to communicate with members or employees via normal channels of communication.
- At the end of each pay equity meeting, parties will agree key messages for any internal and external communications.
- Approaches from the media regarding a pay equity claim may require either party to respond within short timeframes. In this situation parties will use best endeavours to maintain a 'no surprises' approach.

Dated this 17<sup>th</sup> day of July 2017

Signed:



Nick Kyrke-Smith  
for Secretary for Education



Alexandra Davies  
for General Secretary NZEI Te Riu Roa



Paul Tolich  
for General Secretary E tū



Rob Gold  
for Chief Executive NZ School Trustees Association

Annexe 1 (17 July FINAL draft)

**Support Staff in Schools - teacher aides pay equity claim – high level process and aspirational indicative timetable**

		Estimated Completion for step
Step	Principle	Timeframe
<b>Raising a claim</b> <i>Principles 1 and 2</i>		
<b>1. Unions to clarify scope of claim</b> <ul style="list-style-type: none"> <li>NZEI to confirm description of work/ range of employees covered by claim</li> <li>Agree scope of claim with NZEI</li> <li>Agree ToR</li> </ul>	1, 2	Terms of Settlement require the Terms of Reference to be signed on or about 17 July. [mid-July '17]
<b>2. Defining the range of roles within scope of the claim</b> <ul style="list-style-type: none"> <li>Undertake environmental scan of existing role information held by employers for work covered by NZEI claim including employees' MoE numbers (survey of employers likely best method)</li> </ul>	2	[end September '17]
<b>3. Merit to proceed with claim</b> <ul style="list-style-type: none"> <li>Discussion based initially on information to be provided by NZEI</li> </ul>	2	[mid-October '17] Check-point
<b>Assessing the claim</b> <i>Ongoing discussion of merit (principles 2 b and c) principles 3 - 11</i>		
<b>4. Consider undervaluation</b> <ul style="list-style-type: none"> <li>Consider historical undervaluation</li> <li>Consider ongoing undervaluation</li> </ul>	2 b and c, 10	
<b>5. Thorough assessment of work covered by claim</b> <i>We have identified the following steps as necessary in the schooling context to define and assess the work covered by the claim</i> Analyse Payroll data to identify workforce characteristics. Agree structure and format of template JDs	3, 4, 5, 6	[end February '18] (but <u>interviews substantially advanced mid - December '17</u> )  Check-point

<ul style="list-style-type: none"> <li>• Determine interviews to be undertaken across identified roles and broad range of school characteristics</li> <li>• Contact sample of employers and their employees to agree to participate</li> <li>• Interviewing role holders/person who directs daily work/direct reports and principal/BoT Chair / any others as agreed</li> <li>• Analyse information gained from interviews</li> <li>• Develop JD templates for assessment</li> </ul>		
<b>6. Match existing staff to templates</b> <ul style="list-style-type: none"> <li>• Survey Schools 2: employers match staff to newly defined roles, note any differences where they appear. i.e. employers confirm roles for all staff in scope.</li> <li>• Determine materiality (ie level of impact of the differences noted by employers in individual cases)</li> <li>• Collate and identify changes</li> </ul>	3, 4, 5, 6, 7 (i)	<b>[end March '18]</b>  <b>Check-point</b>
<b>7. Assessing the role(s)</b> Agree assessment process <ul style="list-style-type: none"> <li>• Undertake agreed assessment process (job evaluation method/process) assessing templates developed from interview process</li> <li>• Output: sized roles (based on template JDs which have been assessed)</li> </ul>	3, 4, 5, 6, 7 (i), 8	<b>[end April '18]</b>
<b>8. Compare sized roles with comparators</b> <i>We have identified the following steps as necessary in the schooling context to define and assess comparator roles</i> <ul style="list-style-type: none"> <li>• Identify and agree comparators</li> <li>• Approach comparator organisations to gain agreement to participate</li> <li>• Undertake interviews with comparator roles</li> <li>• Prepare JDs using agreed template</li> </ul>	7 (ii), 8, 9, 11	<b>[End May '18]</b>  <b>Check-point</b>

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<ul style="list-style-type: none"> <li>• Sign off by comparator organisation</li> <li>• Evaluate comparator roles</li> </ul>		
<b>9. Remuneration and reward analysis and comparisons</b> <ul style="list-style-type: none"> <li>• Ascertain details of comparator organisations' remuneration and reward systems (included/excluded aspects)</li> <li>• Analyse remuneration and reward for teacher aides(eg. non-gender specific/biased history)</li> <li>• Assess variances and what's contributing to those and the implications to pay and conditions</li> <li>• Draw conclusions and recommendations – Report on above</li> </ul>	7, 9, 10, 11	[End June '18]
<b>Settling a claim</b> <i>Principle 12 - 16</i>		
<b>10. Resolve the claim</b>	12, 13, 14, 15	<b>To be confirmed</b>
<b>11. Future state</b> <ul style="list-style-type: none"> <li>• Any equal pay established reviewed and kept current</li> </ul>	16	<b>Ongoing</b>


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## Appendix 5: Pay Equity Principles

RAISING A CLAIM	
Principle 1	Any employee or group of employees can make a claim
Principle 2	The process to raise a claim as a pay equity claim should be simple and accessible to all parties.
	A. To determine whether to proceed with the claim as a pay equity claim the work must be predominantly performed by women.
	In addition it should be arguable that: B. The work is currently or has been historically undervalued due to, for example: <ul style="list-style-type: none"> <li>i. Any relevant origins and history of the work and the wage setting for it;</li> <li>ii. Any social, cultural or historical factors which may have led to undervaluing or devaluing of the work and the remuneration paid for it;</li> <li>iii. There is or has been some characterisation of the work as “women’s work”;</li> <li>iv. Any social, cultural or historical phenomena whereby women are considered to have “natural” or “inherent” qualities not required to be accounted for in wages paid;</li> </ul>
	C. Consideration may also be given to whether gender-based systemic undervaluation has affected the remuneration for the work due to: <ul style="list-style-type: none"> <li>i. Features of the market, industry or sector or occupation which may have resulted in continued undervaluation of the work, including but not limited to: <ul style="list-style-type: none"> <li>a. a dominant source of funding across the market, industry or sector;</li> <li>b. the lack of effective bargaining;</li> </ul> </li> <li>ii. The failure by the parties to properly assess or consider the remuneration that should be paid to properly account for the nature of the work, the levels or responsibility associated with the work, the conditions under which the work is performed, and the degree of effort required to perform the work.</li> <li>iii. Areas where remuneration for this work may have been affected by any occupational segregation and/or any occupational segmentation.</li> <li>iv. Any other relevant features.</li> </ul>
	D. Agreeing to proceed with a pay equity claim does not in and of itself predetermine a pay equity outcome.
ASSESSING THE CLAIM	
Principle 3	A thorough assessment of the skills, responsibilities, conditions of work and degrees of effort of the work done by the women must be undertaken.
Principle 4	The assessment must be objective and free of assumptions based on gender
Principle 5	Current views, conclusions or assessments are not to be assumed to be free of assumptions based on gender.
Principle 6	Any assessment must fully recognise the importance of skills, responsibilities, effort and conditions that are commonly overlooked or undervalued in female dominated work such as social and communication skills, responsibility for the wellbeing of others, emotional effort, cultural knowledge and sensitivity.
Principle 7	To establish equal pay, there should be an examination of <ul style="list-style-type: none"> <li>i. the work being performed and the remuneration paid to those performing the work; and</li> <li>ii. the work performed by, and remuneration paid to, appropriate comparators</li> </ul>



Principle 8	<p>An examination of the work being performed and that of appropriate comparators requires the identification and examination of:</p> <ul style="list-style-type: none"> <li>• The skills required</li> <li>• The responsibilities imposed by the work</li> <li>• The conditions of work</li> <li>• The degree of effort in performing the work</li> <li>• The experience of employees</li> <li>• Any other relevant work features</li> </ul>
Principle 9	<p>An examination of the work and remuneration of appropriate comparators may include:</p> <ol style="list-style-type: none"> <li>male comparators performing work which is the same as or similar to the work at issue in circumstances in which the male comparators' work is not predominantly performed by females; and/or</li> <li>male comparators who perform different work all of which, or aspects of which, involve skills and/or responsibilities and/or conditions and/or degrees of effort which are the same or substantially similar to the work being examined; and</li> <li>any other useful and relevant comparators</li> </ol>
Principle 10	<p>The work may have been historically undervalued because of:</p> <ol style="list-style-type: none"> <li>any relevant origins and history of the work and the wage setting for it;</li> <li>any social, cultural or historical factors which may have led to undervaluing or devaluing of the work and the remuneration paid for it;</li> <li>there is or has been some characterisation or labelling of the work as "women's work";</li> <li>any social, cultural or historical phenomena whereby women are considered to have "natural" or "inherent" qualities not required to be accounted for in wages paid</li> </ol>
Principle 11	<p>A male whose remuneration is itself distorted by systemic undervaluation of "women's work" is not an appropriate comparator</p>
SETTLING A CLAIM	
Principle 12	<p>Equal pay is remuneration (including but not limited to time wages, overtime payments and allowances) which has no element of gender-based differentiation</p>
Principle 13	<p>Equal pay must be free from any systemic undervaluation, that is, undervaluation derived from the effects of current, historical or structural gender-based differentiation</p>
Principle 14	<p>In establishing equal pay, other conditions of employment cannot be reduced</p>
Principle 15	<p>The process of establishing equal pay should be orderly, efficient, kept within reasonable bounds and not needlessly prolonged</p>
Principle 16	<p>Any equal pay established must be reviewed and kept current</p>

## Appendix 6: Process

The process was built on the Pay Equity Principles and the existing working relationship between the parties.

The Ministry and NZEI Te Riu Roa met at least weekly throughout the process. These meetings included a weekly check-in, and groups working on comparators, less visible skills, and adjustment of the Equitable Job Evaluation system for education sector purposes. Without prejudice meetings were also held to discuss issues.

### Investigation to further define the scope of TAPEC

- Terms of Reference agreed (July 2017): The terms of reference were developed as part of the 2017 collective agreement negotiation.
- Scope definition (August-October 2017): Job descriptions called for and analysed to identify occupations within scope.

### Merit and arguability

- Parties initially looked to evidence merit through interviews and historical research. Change to the Pay Equity Principles meant that TAPEC only needed to provide information that a claim was arguable. Arguability has been accepted by all parties.

### Investigation and assessment of the claimant work in line with the TAPEC terms of reference and Pay Equity Principle 6 (August 2017- middle of 2018)

- Pay Equity Principles required an understanding of the work done by teacher aides that was thorough enough to recognise the:
  - skills, responsibilities, conditions of work and degrees of effort of the work done by the women, the experience of employees and the other relevant work features
  - importance of skills, responsibilities, effort and conditions that are commonly overlooked or undervalued in female dominated work such as social and communication skills, responsibility for the wellbeing of others, emotional effort, cultural knowledge and sensitivity (ie less visible skills typically used in female dominant occupations) and
  - comparison with male dominated occupations.
- Pay Equity Principles also require that an objective assessment free of assumptions about gender; current views and assessments of work could not assumed to be free of assumptions (Pay Equity Principles 4 and 5)
- Interviews with teacher aides, their supervising teacher or SENCO and principal.
- Total number of interviews was 261, including 92 with teacher aides.
- Supplementary interviews were included to ensure coverage of teacher aides working with refugees, ESOL classes and students, and kaiāwhina in kura and Māori medium classrooms, and to extend coverage of special schools.
- The interview process placed a significant workload on the three partner organisations. The necessary after-interview processing was particularly demanding of NZEI teacher aide representatives, who had to juggle that work with their day jobs. The interview process required:
  - Quality control
  - Follow up questions
  - Confirmation of interview notes
  - Confidentiality of teacher aide interview notes
  - Organised and followed up interviews required strong administrative pathways
  - Confirmed employees' work with a Summary of Work sent to the TA and principal
- Contacting or getting a response from schools between December 6th and January 28th and during the term holidays was difficult.



#### Identifying less visible skills in line with Pay Equity Principle 6 (September-December 2018)

- Identified, named, and described the less visible skills used by teacher aides, using the teacher aide interviews as the source.

#### Choosing comparator occupations in line with Pay Equity Principles 9 and 11 (middle of 2018)

- Developed criteria for the selection comparators
- Gathered long list of possible comparators, and discussing which of them were best
- Shortlisted and chose comparators – school caretakers, youth workers, corrections officers, customs officers.
- Could not agree comparators, agreed instead that parties could each choose two comparators in order to move forward.

#### Ensuring an objective and gender free assessment in line with PE Principle 4

##### Choosing an assessment tool (second half 2018)

- Developed criteria for the assessment tool
- Tools looked at were Pay Equity Work Assessment, developed by the State Services Commission, an assessment tool used by the British National Health Service, and the Equitable Job Evaluation tool (EJE).
- Tested the tools using teacher aide interviews: did they recognise the full range of skills teacher aides use? Did they let us account for the degree of effort required?

##### Adapting the assessment tool (late 2018 and early 2019)

- Once we had chosen EJE, we adapted it to include the less visible skills and ensure that the range of skills/work done by teacher aides was covered.
- NZEI named the adjusted assessment tool: Pay Equity Aromatawai Mahi (PEAM).
- Tested the assessment tool on non-claimant/comparator roles and on teacher aide roles

#### Examination of the work being performed by comparators in line with Pay Equity Principle 6

##### Arranging access to comparator occupations (late 2018 and early 2019)

- A positive response from comparator employers, including at Chief Executive level. Organisations worked with us within their operational requirements. Collective bargaining from the organisations and liaising with another pay equity stakeholder, the Technical Advisory Services (TAS), created unforeseen additional time needed to arrange access.

##### Comparator interviews (early-mid 2019)

- Interviews with employees at comparator organisations and their supervisors. 59 employees and 50 supervisors were interviewed.
- Two of the occupational groups were temporarily unavailable while their own collective agreements were bargained, and there was an unexpected need to liaise with another agency working on pay equity claims of its own.

##### Assessing and comparing teacher aide and comparator roles (July-August 2019)

- NZEI and the Ministry used PEAM to assess claimant and comparator roles. As part of the process, PEAM was further refined.

##### Development of a new 'matrix' and appeal system (August 2019-to current)

##### Report preparation (August 2019)

## Appendix 7: Summary of leave and allowances in the 2018 Collective Agreement

### Annual leave and sick leave

- Minimum entitlement is 4 weeks' leave rising progressively to 5 weeks after completion of 10 years' continuous service.
- Sick leave is 6 days/year for those working 5 day weeks, or 5 days/year for those staff working less than 5 day weeks.
- Available sick leave entitlement is available to care for a dependant.
- 4 weeks' Long Service Leave is available on completion of 25 years' service.
- Bereavement leave is at employer discretion within statutory minimum entitlement.

### Allowances and miscellaneous provisions

Allowances are available for:

- dirty work for cleaning up faeces, vomit, urine in the normal course of duties
- meal allowances for staff who work more than two hours overtime in one day
- working overnight (e.g. on school camps)
- attaining a First Aid qualification
- reimbursement of approved motor vehicle running costs.

In addition to the above allowances, the current collective agreement includes provisions for:

- employee involvement in the development of security procedures
- immunisation of employees who may be at significantly increased risk of acquiring hepatitis B, or similar diseases due to the nature of the job and to require safe practices, and to ensure appropriate hygiene practices to reduce risk of infections to a minimum, whether or not immunisation is considered advisable.

## Appendix 8: General areas of responsibility for teacher aides

### List of the general areas of responsibility

The following general areas of responsibility were agreed for TAPEC:

- 1 Providing in-class support to the teacher to deliver the curriculum
- 2 Delivering specific learning programmes to students
- 3 Facilitating student assessment
- 4 Supporting inclusion in school and among peers
- 5 Building relationships and communicating with students
- 6 Working with students to help them become well-rounded individuals
- 7 Supporting the physical, mental and emotional wellbeing of students
- 8 Being a Te Ao Māori teacher aide in English and Māori medium kura
- 9 Working with specialists and external agencies
- 10 Managing challenging behaviour and behavioural issues
- 11 Providing care and support for medical conditions
- 12 Providing cultural support for students
- 13 Supporting students' extracurricular activities, trips and events
- 14 Working with colleagues
- 15 Building and sharing expertise
- 16 Contributing to the effective functioning of the school

### Descriptions of the general areas of responsibility

#### ***Providing in-class support to the teacher to deliver the curriculum***

Teacher aides provide support to teachers in classrooms, whether in mainstream, satellite or special education school classes. This ranges from roving around the class and assisting any student who needs help, to providing targeted assistance for assigned student(s) with additional support needs. These activities can be teacher-directed or based on the teacher aide's own initiative. Teacher aides may also work with other colleagues such as SENCOs and Heads of Department to perform these activities.

#### ***Assisting with curriculum delivery***

- Following the teacher's pedagogical approach
- Supporting the teacher to deliver lessons to the class
- Reinforcing the lesson to support students learning
- Asking questions to check students' understanding of the lesson
- Assisting with group and one-to-one learning in the classroom or withdrawing student(s) as required
- Working with the wider class so the teacher can work with small groups or individual students
- Supporting play-based and student-led learning programmes
- Facilitating peer-to-peer learning by seating specific students together
- Supervising the class for short periods of time if the teacher has to step out
- Working with students outside of the lesson to help them get up to date if they have been absent or have fallen behind in completing their work
- Taking notes for students in class
- Supporting students' and teachers' use of devices and technologies in the classroom

***Supporting the learning and management of students in classroom settings***

- Creating a calm and positive learning environment
- Using body language and tone of voice to communicate classroom expectations
- Monitoring how students are working and helping to ensure they stay engaged and on task
- Developing and/or using positive reinforcement techniques to encourage good behaviour in class
- Using in-class behaviour management strategies when positive reinforcement has not succeeded

***Tailoring lessons***

- Identifying when students are struggling with their learning
- Adapting and adjusting the lesson according to an individual's learning needs
- Scaffolding instructions to aid understanding

***Monitoring students' progress***

- Maintaining informal and/or formal records of students' progress
- Communicating student progress and achievements to the teacher, SENCO, and/or parents
- Contributing towards goal-setting for and with students

***Individual Education Plans (IEP), Collaborative Learning Plans (CLP), and Collaborative Action Plans (CAP)***

- Implementing an IEP, CLP or CAP
- Using knowledge of individual student(s) to plan and adapt the day's structure, learning level, and pace to suit the student while working toward learning goals
- Assisting with the development of individualised programmes for assigned student(s) that enable them to access the curriculum
- Maintaining records of progress toward IEP, CLP or CAP goals
- Participating in IEP, CLP or CAP meetings
- Contributing information towards IEP, CLP or CAP planning
- Gathering information and carrying out assessments to support funding applications for students with an IEP, CLP or CAP

***Resources and activities***

- Organising and setting up class activities
- Developing activities
- Researching resources and activities
- Preparing, procuring and/or creating resources
- Adapting resources and activities to suit individual students' needs

***Assisting the teacher with class planning***

- Meeting informally or formally with the teacher to discuss the plan for the day
- Actively keeping up-to-date with the plan for day and helping to ensure it is followed
- Providing feedback and suggesting ideas
- Communicating student learning needs and the best approach to support them
- Contributing to developing and evaluating lesson plans
- Collaborating with the teacher to adapt lesson plans for assigned student(s)
- Contributing to and attending parent-teacher interviews as required
- Prompting the teacher to provide lesson or programme plans
- Providing experienced classroom support and guidance to newly certificated teachers
- Supervising and monitoring other teacher aides as required

***Assisting with transitions***

- Assisting students to transition into or out of the school environment
- Assisting students to feel comfortable with school routines and transition successfully between classrooms and activities

- Reassuring parents of new entrants and making them feel happy to leave their child in the care of the school

### Delivering specific learning programmes to students

Teacher aides deliver a variety of programmes to support students' learning. These can include predesigned literacy and numeracy programmes such as Quick60 or Numicon, and predesigned core skills programmes like PMP or programmes provided by specialists like the RTLB, SLT or psychologist. It can also include programmes for ESOL students as well as subject-based programmes like cooking, sexual health, gardening, and swimming. The work that supports delivery of these programmes may be done independently or in collaboration with others such as teachers, SENCOs, or programme specialists. Teacher aides may deliver programmes in the presence of a teacher or unsupervised.

#### ***Delivering and/or developing programmes***

- Delivering and/or adapting predesigned programmes that support the core curriculum
- Adapting and/or creating resources and activities to use in programmes, tailoring them to suit individual students and/or small groups
- Assessing students and progressing them as laid out in the programme
- Delivering and/or adapting programmes provided by specialists to specific student(s)
- Planning, organising, and/or delivering ESOL programmes
- Delivering programmes that focus on developing students' life skills
- Instructing swimming, either as sole instructor or alongside other instructor(s)
- Developing, coordinating and delivering subject or activity-based learning programmes

#### ***Supporting programme delivery***

- Supervising and assisting students during programmes
- Training and supervising other adults to assist programme delivery
- Training and supervising older students to assist younger students in programmes
- Feeding back to and collaborating with the teacher about students' learning needs within programmes
- Liaising with organisations and the wider community to provide work and life experiences for students.

### Facilitating student assessment

Teacher aides assist with a variety of student assessment, from class spelling tests to NCEA and other secondary exams.

#### ***General assessment***

- Administering, marking and/or evaluating tests
- Collating and doing data entry of results
- Communicating test results to the teacher(s) and/or parents
- Coaching students how to prepare for and sit exams

#### ***Special Assessment Conditions (SAC)***

- Acting as a Reader/Writer
- Contributing information to identify students who require SAC
- Providing administrative and organisational support for SAC

### Supporting inclusion in school and among peers

Some students may require additional support to enable their full participation in the classroom and among their peers. Teacher aides can support inclusion in a variety of ways to ensure that classrooms and the wider school environment are diverse, welcoming, and accessible for everyone.

***Inclusion in the classroom***

- Helping students access and participate in classroom activities and lessons
- Subtly incorporating special education needs support for specific student(s) into the wider classroom
- Identifying and facilitating opportunities for mainstream inclusion
- Helping to ensure classrooms are physically safe and accessible
- Acting as a communication link between the student and teacher

***Inclusion among peers***

- Supporting social inclusion among peers
- Helping students to build social skills
- Encouraging students' social independence among peers
- Taking action to make social interactions between students successful
- Taking action to address bullying or behaviour that does not promote inclusion
- Facilitating communication between verbal and nonverbal students
- Providing support for students in a way which maintains their dignity with their peers
- Providing support for students in a way which maintains confidentiality with their peers

**Building relationships and communicating with students**

Teacher aides build relationships and communicate both verbally and nonverbally with students to support learning. Some students may also require particular communication techniques, including the use of augmentative and alternative communication devices and systems like Yes/No cards, the Picture Exchange Communication System or devices which generate speech.

***Building relationships with students***

- Maintaining boundaries and a professional approach in relationships and interactions with students
- Understanding that all students are different and treating them all equally
- Providing support and care for students in a way which maintains their dignity
- Building a trusting, respectful and friendly relationship with students to make them feel happy and valued in the school environment
- Maintaining a position of authority with students that allows for firm guidance and instruction when required
- Actively listening to students and taking the time to learn their motivators, interests, backgrounds and personalities to provide tailored support
- Relating to students at their level in order to work effectively with them
- Creating a feeling of security and consistency for students by being a stable presence for them
- Developing an understanding of an assigned student, their needs and what they require to have a successful day

***Communicating with students***

- Communicating with developmentally appropriate language and phrases
- Reading and understanding students' body language and mood and responding appropriately
- Using body language and facial expressions to communicate with students
- Calling upon a variety of communication techniques and using the appropriate one(s) to encourage and promote learning

***Communicating with nonverbal students***

- Paying attention to and understanding the cues of nonverbal students, and responding appropriately
- Communicating with students using specialised devices and/or systems

- Using New Zealand Sign Language, sign language programmes, or informal signing to communicate with students

### Working with students to help them become well-rounded individuals

Teacher aides focus on students holistically, not only supporting their learning but also helping them to develop life skills that enable them to become individuals who form good social relationships, feel positive in their own identity, are actively part of their communities, care for the world around them and become lifelong learners.

#### ***Helping students become well-rounded individuals***

- Assisting students to improve their social skills to help them build relationships with others
- Encouraging students to respect and care for themselves and their peers
- Working with students to grow their self-esteem, confidence and independence
- Encouraging students to contribute to society and their communities
- Encouraging students to care for the environment
- Modelling particular actions, skills and/or attitudes to students

### Developing students' learner agency

- Recognising student achievement and celebrating success at all levels
- Encouraging students to develop responsible work habits and take action to support their own learning
- Identifying when students are missing stationery and school supplies, and taking steps to help provide them

### Supporting the physical, mental and emotional wellbeing of students

Teacher aides help to support students' overall wellbeing. This ranges from noticing and alerting others to a student's need, or becoming the go-to person for students when they are having difficulties or need guidance.

#### ***Supporting students' basic needs***

- Toileting students
- Helping students meet basic hygiene requirements
- Taking action to support the physical health of students
- Recognising when students haven't eaten and taking steps to help provide food
- Providing, washing, or repairing students' clothing
- Providing sanitary items for students who require them and/or supporting students during their period

#### ***Supporting students' mental and emotional wellbeing***

- Promoting an environment that supports physical, mental and emotional safety
- Understanding students; emotional state and identifying possible causes
- Providing nurturing support to students when they are upset or very tired
- Building a level of trust with students that enables them to feel safe talking about any difficulties they are having
- Recognising and providing additional support where a student's home environment may be impacting their wellbeing
- Listening to and supporting students with mental health issues
- Taking appropriate action to support students' mental and emotional wellbeing
- Supporting students through pastoral care programmes
- Recognising when others need to be made aware of disclosures or wellbeing issues and raising them with the appropriate person or people

### ***Supporting students' spiritual wellbeing***

- Supporting students' spiritual wellbeing

### ***Providing palliative care***

- Providing palliative care for student(s)

### **Being a te ao Māori teacher aide in English and Māori medium kura**

Te Ao Māori (Māori worldview) teacher aides work across all school settings – in Te Kura Kaupapa Māori/Wharekura, bilingual units and English medium schools. They have te reo proficiency appropriate to the immersion levels to model, foster and promote its use. Māori identity, language, culture and whānau are interwoven into many schools, shaping the way that teacher aides work with all students and whānau as well as their colleagues. This section should be read in conjunction with the rest of the document as te ao Māori teacher aides will also perform activities from other sections.

### ***Learning assistance***

- Translating resources and learning materials into te reo Māori
- Researching, developing, adapting and/or preparing te reo Māori resources and activities
- Coordinating and delivering kapa haka and other Māori performing arts programmes
- Participating in activities that encourage kaitiakitanga
- Coordinating and delivering learning programmes to support students; achievement in Ngā Whanaketanga Rumaki Māori
- Teaching subjects from Te Marautanga o Aotearoa

### ***Te reo Māori and tikanga***

- Upholding the tikanga of the local iwi
- Guiding students and colleagues in tikanga on marae and during pōwhiri
- Teaching te reo Māori kupu and pronunciation through activities, waiata, and/or games
- Providing translation support for students
- Teaching students te reo Māori by speaking to each other, encouraging and growing their use
- Modelling the use of te reo Māori
- Speaking te reo Māori when representing the school in the community

### ***Students***

- Using knowledge of students; backgrounds and whakapapa when providing support
- Creating a culture of respect in relationships with students
- Nurturing students, making them feel cared for and loved
- Supporting students' taha wairua

### ***Whakawhanaungatanga***

- Maintaining professional boundaries whilst encouraging whanaungatanga
- Participating in open and honest verbal communication among colleagues
- Providing advice and guidance on te reo Māori, tikanga, and/or how best to work with Māori students to teachers who may ask for additional assistance
- Helping and advising teachers with their understanding of students and whānau, and how best to engage with them
- Attending school-whānau hui
- Acting as a communication link between the school, teachers, and whānau
- Working with whānau to support and encourage students' learning

### **Supporting the physical, mental and emotional wellbeing of students and whānau**

- Using whānau knowledge to support the physical, emotional and mental wellbeing of students



- Keeping the school informed when students' home environments may affect their learning and/or wellbeing, and any action taken in response
- Visiting students; whānau, providing community-wide pastoral care
- Acting as a counsellor for students and providing support to parents of students having difficulties
- Working to ensure students have a safe place to stay overnight if they cannot stay at home

### Working with specialists and external agencies

As part of assisting students with additional support needs, teacher aides may work with a variety of specialists and external agencies including RTLBs, RLits, speech language therapists, occupational therapists, psychologists, Ministry of Education staff, REAP, social workers in schools and others.

#### ***Liaising with specialists and external agencies***

- Maintaining the appropriate level of confidentiality and sensitivity
- Working with specialists and external agencies to receive advice, training and resources
- Communicating feedback about students' progress and wellbeing, maintaining records as appropriate
- Acting as a communication link between specialists and the teacher

### Managing challenging behaviour and behavioural Issues

This section does not include routine classroom behaviour management. Teacher aides can encounter a range of challenging behaviour from students with high behavioural needs, including meltdowns, name-calling, yelling, biting, kicking and/or hitting. They may also encounter students who are going through a difficult period and may act out at school. Teacher aides often need to manage or assist in managing these behaviours to ensure the safety of the student and those around them. Strategies can include restraint and withdrawal.

#### ***Working to create a school environment that is safe for students with behavioural issues and those around them***

- Following the school's behaviour management policies
- Applying a variety of behaviour management techniques with individual students
- Understanding students' body language cues and meltdown triggers in order to pre-empt and defuse escalating behaviour
- Assisting students to develop behaviours that improve self-management
- Participating in the use of Individual Behaviour Plans and agreed strategies
- Participating in the development of Individual Behaviour Plans
- Communicating with parents about an assigned student's moods and behaviour
- Monitoring the safety of students who have removed themselves from the learning environment
- Helping students reintegrate into the classroom after a behavioural incident
- Taking on particular responsibility for own and others' actions and safety when responding to a behavioural incident
- Completing and maintaining accurate records and incident reports

### Providing care and support for health conditions

Teacher aides provide a range of support for students with health conditions. This ranges from monitoring students with conditions such as diabetes, to providing specialised care for students with conditions such as cerebral palsy or who require the use of specialised equipment including Mic-Key buttons and catheters. These activities are performed across all school types.

#### ***Providing care and support for health conditions***

- Monitoring students' health conditions
- Supervising students with health care needs
- Ensuring the provision of health care is carried out hygienically
- Carrying out assisted feeding

- Administering medication and medical care
- Assisting students to use specialised medical equipment and aids
- Assisting students to care for themselves with a view to independence as appropriate
- Taking the appropriate action to respond to students' medical emergencies
- Fixing assistive equipment
- Delivering health programmes provided by specialist services
- Maintaining accurate records and documentation
- Communicating health and wellbeing information to professionals and parents
- Attending students' medical appointments to provide support as required
- Participating in training and professional development regarding the care and support of health conditions

#### ***Assisting with daily personal care***

- Providing assistance with toileting
- Providing assistance with menstruation
- Providing assistance with personal grooming

#### ***Supporting health and safety***

- Following health and safety procedures while providing support for students with health needs
- Ensuring that students with high health needs are transported safely
- Assisting assigned students during emergencies

#### **Providing cultural support for students**

Teacher aides have an important role in creating a school environment that supports and respects the varied cultures of students.

#### ***Providing cultural support***

- Respecting the language, culture and heritage of all students
- Taking steps to understand and cater to the cultural needs and requirements of students and their families
- Showing an interest in Māori culture, using everyday te reo Māori, and following tikanga
- Leading and/or participating in cultural activities and events at the school
- Using cultural affinity to help students be confident and competent in their culture
- Learning and using words and phrases from students' first or most familiar language to grow communication with them

#### ***Supporting Pacific cultures***

- Communicating in the appropriate Pacific language of the student and their fanau/aiga/ kopu tangata
- Encouraging and facilitating Pacific students to speak Pacific languages with each other
- Taking on leadership, liaison and pastoral care roles to support Pacific students and their fanau/aiga/ kopu tangata

#### ***Supporting international students***

- Assisting international students to transition into New Zealand's culture and feel safe in their new environment
- Providing translation support for international students and their families
- Communicating with international students in their first or most familiar language
- Using other strategies to communicate with international students where there is a language barrier

- Providing wrap-around support to the families of international students, helping them become engaged in the school and access wider services

### Supporting students' extracurricular activities, trips and events

Teacher aides support a variety of extracurricular activities. This section covers extracurricular activities and sports, music, swimming assistance (non-instruction), Riding for the Disabled, school events and trips, religious activities, holiday programmes and others. Please note that these tasks are undertaken as part of the teacher aide role, not in a voluntary or other capacity.

#### ***Supporting students' activities, trips and events***

- Supervising students or assigned student(s) and/or assisting during extracurricular activities, trips and events
- Transporting students to extracurricular activities, trips and events
- Delivering extracurricular activities and programmes
- Developing extracurricular activities and/or organising trips and events
- Creating materials and costumes for kapa haka, performances and school productions
- Providing administrative support for extracurricular activities, trips and events
- Fundraising for students' extracurricular activities, trips and events
- Engaging with people in the wider community as part of school trips and events

### Working with colleagues

Teacher aides work with a variety of colleagues in their school, including principals, SENCOs, teachers, and other teacher aides. Using both formal and informal channels, teacher aides form good working relationships by communicating regularly and building a collaborative and supportive team environment.

#### ***Ensuring a positive working environment***

- Maintaining necessary confidentiality and sensitivity when communicating and liaising with colleagues
- Engaging in regular, informal communication with colleagues
- Attending meetings as required
- Participating in meetings to discuss and make decisions about students' needs
- Sharing information with colleagues to ensure everyone is kept updated
- Working as a team to provide mutual support

### Building and sharing expertise

Teacher aides develop their practice and expertise in order to best support students, through external professional or academic courses, school-based professional development, and/or growing their knowledge independently. Teacher aides may also assist colleagues to develop their skills, either formally or informally, using a variety of strategies.

#### ***Building own expertise***

- Actively seeking advice and feedback from colleagues
- Participating in professional development and specialised training
- Keeping knowledge and practice up to-date with refresher training
- Identifying own professional development needs
- Independently expanding own knowledge about school curriculum and how to provide effective support for particular student/s
- Actively learning and developing own practice by observing teachers modelling in-class techniques
- Visiting other schools to learn about and observe teaching practices and/or the delivery of programmes
- Actively participating in performance appraisals

***Helping to build colleagues' expertise***

- Formally or informally providing advice and guidance to colleagues by sharing own expertise
- Using knowledge of specific student(s) to provide guidance to colleagues about how best to work with them and support their learning
- Demonstrating learning programmes and training colleagues on how to deliver them
- Mentoring new teacher aides and assisting with their induction
- Being shadowed by other teacher aides to build their expertise and skill
- Delivering professional development workshops and/or training to others based on own training and expertise
- Facilitating and participating in sharing expertise with staff at other schools

***Contributing to the effective functioning of the school***

Teacher aides provide a range of support to schools beyond their core student-focused work, helping to keep the entire school running smoothly and successfully.

***Supporting the school's vision and culture***

- Upholding and implementing the schools special character or values
- Implementing the school's initiatives
- Upholding the good reputation of the school
- Assisting in implementing the school's charter, strategic goals and operating plans

***Communicating appropriately with parents and whānau as required***

- Maintaining confidentiality during interactions
- Redirecting any issues or discussion about a student's learning to the teacher
- Engaging in courteous, informal communication
- Sharing general school information, giving reminders and taking absences
- Acting as a communication link between the school and parents
- Acting as the primary point of contact to discuss a student's learning

***Communicating with the wider community***

- Maintaining confidentiality when engaging with the wider community

***Assisting with health and safety procedures***

- Following health and safety procedures
- Providing first aid support as required
- Taking on specific health and safety roles

***Assisting with general school support***

- Assisting with general administrative duties
- Assisting the caretaker
- Providing relief for other support staff
- Supervising students or assigned student(s) arriving and leaving school, and during breaks
- Providing digital technology support to colleagues and students

***Helping to maintain the school***

- Ensuring that the classroom and other areas in the school are kept clean and tidy
- Ensuring resources are organised and maintained
- Assisting with rubbish and recycling
- Cleaning up toileting accidents as required
- Sorting and returning lost property

- Locking the school and responding to security alarms as required

***Working in the school library***

- Maintaining the organisation and tidiness of the library
- Helping students to choose and locate books
- Reminding students about overdue books
- Training student librarians
- Processing and cataloguing books and reading resources
- Ordering new books
- Adhering to the library budget

## Appendix 9: Criteria and guidelines for the selection of assessment tools

At the Teacher Aide Pay Equity Claim checkpoint meeting on 20 April 2018, the attendees including the Ministry of Education, NZEI Te Riu Roa, teacher aide members of NZEI Te Riu Roa and NZSTA collaboratively drafted criteria for the selection of an assessment tool. Further discussions continued with the final criteria and guidelines being agreed between the parties on 28 June 2018.

### Pay Equity Principles: Assessing the claim (Principles 3-6)

3. A thorough assessment of the skills, responsibilities, conditions of work and degrees of effort of the work done by the women must be undertaken.
4. The assessment must be objective and free of assumptions based on gender.
5. Current views, conclusions or assessments of work value are not to be assumed to be free of assumptions based on gender.
6. Any assessment must fully recognise the importance of skills, responsibilities, effort and conditions that are commonly over-looked or undervalued in female dominated work such as social and communication skills, responsibility for the wellbeing of others, emotional effort, cultural knowledge and sensitivity.

Assessment tools will be agreed between the parties, and must be:

- **Gender neutral** - This includes the removal of gender bias through each stage of the assessment (points to consider are the planning, delivery, application, training and decision making of the process).
- **Widely applicable/comprehensive (to comparator groups)** - This includes application of the gender neutral assessment process to multiple comparators across multiple sectors.
- **Transparent** - The parties are able to actively participate in the process and access information needed for decision making. Parties should fully understand and be confident in the process.
- **Consistent** - The assessment tool/s produce repeatable results (i.e. if two appropriately trained groups assess the same occupation using the same tool/s and process, they get an equivalent result).
- **Able to be validated/triangulated** - This includes the parties' ability, by agreement, to ensure both the process followed and information gathered are robust and comprehensive.
- **Sustainable** - This includes the parties' ability to ensure both the process followed and conclusions drawn are durable, with a joint understanding of their sustainability.
- **Clear about using discrete descriptors to minimise ambiguity and subjectivity** - This includes the need for language used within the assessment process (where areas are being defined) to be clear, widely understood and able to mitigate or minimise any potential confusion regarding meaning.
- **Practically focussed and implementable** - This includes workability, efficiency, and the accessibility of the tool.

The requirements outlined in this section have implications for training and quality control processes as well as the integrity of the assessment methodology itself.

The parties agree that in addition to the points above the following factors will be considered in relation to the development/selection of assessment tools:

- How qualifications and experience are balanced / recognised
- How the process will be facilitated
- Training and support
- Incorporation of comparator groups
- Consensus – process for reaching; process when can't agree.

## Appendix 10: PEAM assessment scoring

The Pay Equity Aromatawhai Mahi (PEAM) was used to job size teacher aide and comparator roles. For each role assessed, scores were given for the set of skills, responsibilities and demands of the role. The set of factors used for assessing skills, responsibilities and demands and the scoring tables are set out below.

Below is an example of Factor 1. The full table, assesses the requirements of the role. In this example the role shown here has been assessed to require knowledge at level 3, which equates to a score of 40 - see Factor 1 highlighted in yellow the table below. Each factor is assessed individually and scores allocated to provide the total size of the role.

An example of an individual teacher aide's assessment

Factor	1	2	3	4	5	6	7	8	9	10	11	12	13	14	Total score
Role level	3	2	2	3	1	1	1	1	2	4	2	1	2	1	
Role score	40	6	28	56	7	14	15	15	30	60	13	7	10	7	308

Skills set of factors and scoring

Factor 1 Knowledge		Factor 2 Planning and organising		Factor 3 Problem solving		Factor 4 Communication	
Grade	Score	Grade	Score	Grade	Score	Grade	Score
11	117	6	39	8	112	6	98
10	107	5	25	7	98	5	84
9	103	4	15	6	84	4	70
8	91	3	10	5	70	3	56
7	85	2	6	4	56	2	42
6	73	1	3	3	42	1	28
5	62			2	28		
4	52			1	14		
3	40						
2	27						
1	14						

Factor 5 Bi- and multi-cultural	
Grade	Score
5	35
4	28
3	21
2	14
1	7

Factor 6 Physical	
Grade	Score
5	70
4	56
3	42
2	28
1	14

'Responsibilities' set of factors and scoring

Factor 7 People leadership	
Grade	Score
7	105
6	90
5	75
4	60
3	45
2	30
1	15

Factor 8 Resources	
Grade	Score
6	90
5	75
4	60
3	45
2	30
1	15

Factor 9 Organisational outcomes	
Grade	Score
8	120
7	105
6	90
5	70
4	60
3	45
2	30
1	15

Factor 10 Services to people	
Grade	Score
7	105
6	90
5	75
4	60
3	45
2	30
1	15



'Demands' set of factors and scoring

Factor 11 Emotional	
Grade	Score
4	25
3	19
2	13
1	7

Factor 12 Sensory	
Grade	Score
4	25
3	19
2	13
1	7

Factor 13 Physical	
Grade	Score
5	25
4	20
3	15
2	10
1	7

Factor 14 Working conditions	
Grade	Score
5	25
4	19
3	19
2	13
1	7

## Appendix 11: Criteria and guidelines for the selection of comparators

At the Teacher Aide Pay Equity Claim checkpoint meeting on 20 April 2018, the attendees including the Ministry of Education, NZEI Te Riu Roa, teacher aide members of NZEI Te Riu Roa and NZSTA collaboratively drafted criteria for the selection of comparators. Further discussions continued with the final criteria and guidelines being agreed between the parties on 17 May 2018.

### Pay equity Principle 9

Principle 9 of the Joint Working Group recommendations: An examination of the work and remuneration of appropriate comparators may include:

- I. male comparators performing work which is the same as or similar to the work at issue in circumstances in which the male comparators' work is not predominantly performed by females; and/or
- II. male comparators who perform different work all of which, or aspects of which, involve skills and/or responsibilities and/or conditions and/or degrees of effort which are the same or substantially similar to the work being examined; and
- III. any other useful and relevant comparators.

#### ***Core criteria (must include the following)***

- Male dominated (or established pay equity comparator)
- Employee (not self-employed)
- Workforce size (substantial preferred)
- Accessible (Collective agreement preferable)
- New Zealand based comparator roles

#### ***Comparator preferences (may include one or more of the following)***

- Works with people to influence outcomes or behaviours
- Involve health, safety and well-being component
- Formal qualifications not required but may be relevant
- Recognise the need for cultural competence in a Te Tiriti o Waitangi and multi-cultural context

Note: There are likely to be multiple comparators

## Appendix 12: Draft new teacher aide matrix

(Version as of 6 September 2019)

### Teacher aide grade alignment

The table below sets out the most common skills, responsibilities and demands that apply to teacher aides.

Determine the Grade by locating **one or more of the highest level** skills/demands/responsibilities (see the table below) required for competent performance of the role you are assessing. These should be part of the major permanent role responsibilities. Do not include isolated or one-off demands.

**For example:** this means that if the Teacher Aide is required to provide regular coaching and mentoring of other Teacher Aides Grade 3 will apply, even if their other responsibilities are clearly at Level 2.

While the levels are incremental – e.g.: competence at Grade 1 is assumed for any role at Grade 2, not all activities will be undertaken at each level. The role may include General Support, Additional Support, Te Ao

	General Support	Additional Support	Te Ao Māori
Grade 1	<p>Teacher aide follows structured programmes, lesson plans and activities</p> <p>Works with students under teacher supervision on a set variety of standardised and specified tasks, e.g., EarlyWords, reading.</p> <p>Assists students to stay on task.</p> <p>Monitors and observes students and acts to build trusting relationships with students and colleagues.</p> <p>Responsible for own work under regular supervision although may show others how to perform tasks as part of their orientation.</p> <p>Collaborates with others in their team.</p> <p>Creates resources required by the class. e.g.: photocopying, laminating, paint preparation.</p> <p>Respects and accommodates language, heritage and cultures in a multi-cultural environment.</p>	<p>Primary responsibility is the health and safety of a student/s and may perform simple tasks related to feeding, personal hygiene and/or monitoring and observing these students inside or outside the classroom.</p>	
Core Skills include; listening, patience, empathy, encouraging and resilience			
Grade 2	<p>Teacher aide follows structured programmes but can make minor adaption and create activities/resources</p> <p>Works with individual students and small groups delivering a range of subjects and topics OR works more in depth in a single or limited range of subjects</p> <p>Will make minor adaptations to lesson plans and resources to ensure learning objectives are achieved and in response to individual student needs.</p>	<p>Provides direct support for specific health, behavioural and/or other needs of student/s in order to enhance the student's ability to integrate, improve, be independent and participate more fully in the school.</p> <p>Implements behavioural, physiotherapy, and/or occupational therapy programmes as prescribed by specialists.</p> <p>Responsible for a range of physical care and will be required to ensure the students' dignity is maintained.</p>	<p>Translates resources and learning materials into te reo Māori.</p> <p>Adapts and prepares te reo Māori resources and activities to support programmes.</p> <p>Provides translation support for students</p> <p>Guides students and colleagues in tikanga on marae and during pōwhiri</p> <p>Participates in activities that encourage kaitiakitanga.</p>

	<p>Designs activities to supplement programmes.</p> <p>Supports inclusion in school and amongst peers and takes appropriate action to support students' wellbeing</p> <p>Has more day to day independence although will have regular conversations with colleagues.</p> <p>Has occasional supervisory responsibility for other employees, parent help or volunteers.</p> <p>Uses a language other than English in daily conversations to provide assistance or respond to needs. Includes modifying own behaviour to develop rapport.</p>	<p>Precision in providing care and safe handling is required.</p> <p>If responsible for behavioural needs students, must be constantly monitoring for escalating behaviours.</p>	
Additional skills at this level may include: active listening, calmness, tact			
Grade 3	<p>Teacher aide independently delivers programmes with ability to adapt as required</p> <p>Has a high level of day to day independence which includes planning tasks and activities and clear accountability for delivering specific programmes to agreed standards.</p> <p>Will involve tailoring, testing, adapting and creating individual plans and resources within the programme.</p> <p>Provides regular provision of coaching and mentoring, guidance and training to other employees.</p> <p>Will identify and take action to understand the causes of students' emotional states and provide appropriate support or alert others where escalation is required.</p> <p>Provides cultural leadership which requires specific language skills, knowledge and expertise.</p>	<p>Specific expertise required in supporting students with additional needs. These needs include some or all of medical, behavioural, academic, pastoral and personal care. Skills may include learned physiotherapy techniques, proficiency in braille, sign, Makaton, and medical support e.g. mic-key.</p> <p>If responsible for behavioural needs students, must be constantly vigilant for escalating behaviours and defuses difficult situations which may pose risks to themselves or others e.g.: restraint.</p> <p>Supports a student's wellbeing by engaging with family to address identified pastoral issues and enhance the student's ability to attend school and/or participate. This would include assisting new migrants with their transition into Aotearoa New Zealand culture and environment.</p>	<p>Delivers te reo Māori programmes including adapting and preparing resources and activities.</p> <p>Speaks te reo Māori when representing the school in the community.</p> <p>Coordinates and delivers kapa haka and other Māori performing arts programmes</p> <p>Uses knowledge of students' background and whakapapa in order to provide appropriate support.</p> <p>Works with whānau to support and encourage students' learning.</p> <p>Uses te reo Māori in daily conversations and participates in leadership and/or cultural events.</p>
Additional skills may include: ongoing mentoring, emotional management, de-escalating difficult situations, negotiation and/or persuasion			
Grade 4	<p>Teacher aide creates, plans and delivers programmes</p> <p>Strong technical proficiency and skills are required to develop programmes, lesson plans and associated resources.</p> <p>Develops and organises or has a major collaboration role in a number of complex activities or programmes requiring the development and approval of longer term plans.</p> <p>The role de-escalates emotionally charged situations and overcomes</p>	<p>Highly specialised skills are required to provide services to students with highly complex needs</p> <p>In-depth understanding of the students' conditions and capabilities involves the independent or shared responsibility to amend, adjust or modify the level and type of support in response to progress or change</p> <p>Formulates programmes for student/s.</p> <p>Leads crisis management interventions</p>	<p>Develops and delivers learning programmes to support students' achievement in Ngā Whanaketanga Rumaki Māori.</p> <p>Teaches subjects from Te Marautanga o Aotearoa.</p> <p>Provides expert advice and guidance to teachers on te reo Māori, tikanga and/or how best to work with Māori students.</p> <p>Works with whānau to address serious issues of physical, emotional and/or mental wellbeing of students.</p>

	<p>significant barriers to learning by employing a wide range of techniques and competencies over time.</p> <p>The role has permanent supervision of other Teacher Aides or support staff.</p> <p>Requires immersion in at least two cultures and provides leadership across cultural boundaries</p>	<p>The role de-escalates extreme emotionally charged situations and overcomes significant barriers to learning by employing a wide range of techniques and competencies over time.</p> <p>If working with behavioural students will need to be aware and respond to unpredictable behaviours where there are significant risks of harm to the student or others.</p> <p>Provides pastoral support, services or cultural liaison to student families on the school's behalf, to enable them to engage with education, integrate into the community and/or access appropriate community assistance.</p>	<p>The role requires a broad application of te reo Māori skills, customary concepts and traditions together with the ability to function effectively in Māori culture. Provides leadership in the school and/or community.</p>
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**equitable** and **excellent outcomes**

He mea **tārai** e mātou te **mātauranga**  
kia **rangatira** ai, kia **mana taurite** ai ōna **huanga**