



Industrial Action: decision making, responsibilities and actions

Guidance for School Boards and Principals

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School Board Strike Action Checklist - Full Strikes

☒ Before the Strike

- Receive formal strike notice (minimum 3 calendar days before strike).
- Confirm nature, start/end times of the strike.
- Identify conflict of interest: Ensure striking union members (e.g. principal or staff reps) do not participate in strike-related board decisions.
- Assess staffing impact using the [SUE report](#) to identify union vs non-union staff.
- [Decide on school status](#): Open for instruction, Closed for instruction, or Closed but offering supervision.
- Plan for student safety and supervision, especially for students under 14.
- If a school is closed for instruction:
 - the day should be removed from student timetables so no attendance is recorded.
 - Notify school transport providers
 - Notify school lunch providers
- Complete Ministry of Education survey about decision to open/close.
- Communicate with parents and caregivers using sample letters ([Appendix D](#) or [Appendix E](#)).
- Inform non-striking/non-union staff about expectations and pay status.

☒ During the Strike

- Ensure [supervision](#) and safety using non-striking staff and relievers.
- Complete EdPay Strike Action screen electronically by 5pm on the first working day after the strike ([Appendix F](#) or [Appendix G](#)).
- Print, sign, and archive the Strike Action screen.
- Record participation accurately, including union members on leave.
- Submit EP31 for short-term relievers who strike.

☒ After the Strike

- Notify each employee listed as not participating.
- Ensure payroll accuracy; EPL will recover overpayments for striking staff.

☒ Additional Considerations

- Do not pay striking staff; boards cannot override Secretary's decisions.
- Do not allow non-union staff to strike; record as unauthorised absence.
- Ensure legal compliance for trips/camps with proper supervision and safety measures.

School Board Strike Action Checklist - Partial Strikes

☒ **Before the Strike**

- Receive formal strike notice (minimum 3 calendar days before strike).
- Confirm nature, start/end times of the strike.
- Identify conflict of interest: Ensure striking union members (e.g. principal or staff reps) do not participate in strike-related board decisions.
- If there are fewer students expected, ensure you notify school lunch providers if applicable.
- Communicate with parents and caregivers using sample letter ([Appendix E](#)).
- Inform non-striking/non-union staff about expectations and pay status.
- Determine which staff are withdrawing their labour (i.e. not teaching the year group covered by the strike notice – see [Appendix I](#))

☒ **During the Strike**

- Identify the union members who are not striking see [Appendix I](#) for examples.
- Student attendance should not be impacted by year-level strike action. While it is lawful for a union to take industrial action by refusing to teach certain year levels on specific days, it is the responsibility of each school board to determine what arrangements will be made so instruction continues for affected students and recorded using standard attendance codes, where possible.
- Attendance must be recorded when schools are open for instruction. However, we expect that many school boards will not be able to provide onsite learning for students affected by the strike. In this case attendance code Q should be used.
- Complete EdPay Strike Action screen electronically by 5pm on the first working day after the strike ([Appendix G](#)). If the strike information is not submitted, all staff will be deemed to have been on strike, regardless of actual participation.
- Print, sign, and archive the Strike Action screen.
- Record participation accurately, including union members on leave.
- Submit EP31 for short-term relievers who strike.

☒ **After the Strike**

- Notify each employee listed as not participating.
- Ensure payroll accuracy; EPL will recover overpayments for striking staff.

☒ **Additional Considerations**

- Incorrect completion or failure to submit via the Strike Action screen in EdPay may expose you to liability. This is because indemnity protections available to school boards do not apply where costs or damages arise out of conduct that is engaged in without reasonable care.

- If you are unsure about the process or your obligations, it is strongly recommended that you seek guidance.
- Do not pay striking staff; boards cannot override Secretary's decisions.
- Do not allow non-union staff to strike; record as unauthorised absence.
- Ensure legal compliance for trips/camps with proper supervision and safety measures.

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Document purpose

This document explains what boards need to know and do when managing lawful strike action taken during collective bargaining.

The guidance, protocols, processes and templates provided in this document can be used for:

1. Strike action taken by principals, teachers and other school staff
2. Full and partial strikes
3. Regional or rolling strike action

Further support will be provided through the Ministry of Education and Te Whakarōputanga Kaitiaki Kura o Aotearoa | New Zealand School Boards Association (NZSBA) in the event of any strike action.

Some steps detailed in this document are included for your understanding but, in practice, will be carried out by the principal as the day-to-day manager of the school.

Note: If the principal is a union member who is on strike, the duties will need to be carried out by the school board's presiding member on the day of the strike, and by the principal in the lead up to and after the strike.

During a principal strike, the board and principals need to be aware of and manage potential conflicts of interest regarding the principal's input into strike preparation.

Strike action definitions

Strikes can be lawful or unlawful depending on circumstances. See below for the requirements of a lawful [strike during collective bargaining](#).

A strike is the act of a number of employees who:¹

- Wholly or partially discontinue employment or reduce the normal performance of it.
- Refuse or fail to resume or return to employment.
- Break their employment agreements.
- Refuse or fail to accept engagement in work they usually undertake in their employment.
- Reduce their normal output or normal rate of work.

Full Strikes are a complete withdrawal of labour by union members on a nominated part day, day or days.

Partial strikes² occur when union members continue to perform some work during the strike but refuse or fail to perform their normal duties, or reduce their normal output, or

¹ Employment Relations Act (2000) s 81

² For definition of Partial Strikes see Employment Relations Act (2000) s82AA

refuse or fail to accept engagement for work that forms parts of their normal duties or break their employment agreement. Previous examples of partial strikes include:

- Refusing to participate in after school meetings, extracurricular activities or Ministry directed initiatives.
- Refusing to provide internal relief cover for absent employees or to instruct students from other classes.
- Refusing to teach specific year levels on designated days, a practice commonly referred to as rostering home.

Note: Regardless of whether a strike is full or partial, a school board's preparation and response would remain the same. However, for a full strike it is more likely they would need to consider whether or not it is safe to keep a school open ([Decisions about school closures](#))

The difference between national and regional strikes

National strikes are where action takes place at the same time across the country.

Regional strikes can occur on different days, impacting different regions or groups of schools at different times, or only in certain regions. These are often known as '**rolling strikes**'.

Strikes during collective bargaining

Collective bargaining is **initiated** when unions send a letter to the Public Service Commissioner (who currently holds the delegation of bargaining for teachers and principals) or to the Secretary for Education (who bargains under delegation by the Public Service Commissioner for other collective agreements) to start the bargaining process. The unions must send an initiation letter for each collective agreement to which they are a party.

Union members may lawfully strike in relation to the collective bargaining that covers their work if **at least 40 days have passed since the bargaining was initiated and the relevant collective agreement has expired**. For a full list of education collective agreements, their expiry dates and initiation information, see [Appendix B](#). Unions are currently required to provide a minimum of 3 calendar days' notice of a strike to school boards and to the Secretary for Education.

The education unions and employees they represent are:

Union	Employees represented
PPTA Te Wehengarua (PPTA)	Secondary teachers Area school teachers

	Secondary principals Area school principals Community Education
Secondary Principals' Association New Zealand (SPANZ)	Secondary principals
NZEI Te Riu Roa (NZEI)	School support staff Kaiārahi i Te Reo and Therapists Primary teachers Area school teachers Te Aho o Te Kura Pounamu specialist and support staff Te Aho o Te Kura Pounamu early childhood teachers Primary principals Area school principals Kindergarten Teachers, Head Teachers and Senior Teachers
Primary Principals' Collective Bargaining Union (PPCBU)	Primary principals
E tū	Caretakers, cleaners, canteen and ground staff
Public Service Association (PSA)	Specialist residential schools' staff

Responsibilities and powers during lawful strikes

In the current bargaining round, responsibility for negotiating teachers' and principals' collective agreements has been retained by the Public Service Commissioner under section 586 of the Education and Training Act 2020.

Strike-related powers, including suspending striking employees and applying specified pay deductions continue to be delegated to the Secretary for Education by the Commissioner. For an outline of these, see [Appendix J](#).

Secretary for Education responsibilities

During the bargaining process for a collective agreement, the Secretary for Education ('the Secretary') takes on some of the responsibilities and powers of the employer. This includes the power to suspend striking employees.³

³ Under delegation from the Public Service Commissioner. See sections 586, 587, and 592 of the Education and Training Act 2020.

Suspended employees are not entitled to receive pay while suspended. The Secretary for Education is also able to decide to make “specified pay deductions” in relation to partial strikes.⁴ Any specified pay deduction will be calculated in accordance with [Appendix F](#) or [Appendix G](#).

The Secretary decides whether to suspend striking employees or make a specified pay deduction and advises the unions accordingly. It is not the responsibility of School Boards. If the Secretary decides to suspend striking employees, the Secretary also has the responsibility to inform the union of the suspension, and the union then tells the employees concerned. The suspension continues until the strike ends, unless it is revoked earlier.

Employees who are not union members will still be paid as normal.

It is the Secretary, not school boards, who decides whether striking employees will be paid or whether deductions for a partial strike will be made. Boards do not have the power to override the Secretary’s decision and pay striking workers.

School Board responsibilities

The school board has the responsibility and powers to make the decision about the impact of strike action on teaching, and whether the school can be adequately staffed to remain open for instruction.

See [Appendix C](#) for the School Board Strike Action Checklist.

A quick guide to the impact of full strikes on different employees is provided at [Appendix H](#). For additional information about strikes go to the Employment New Zealand website: [Strikes | Employment New Zealand](#)

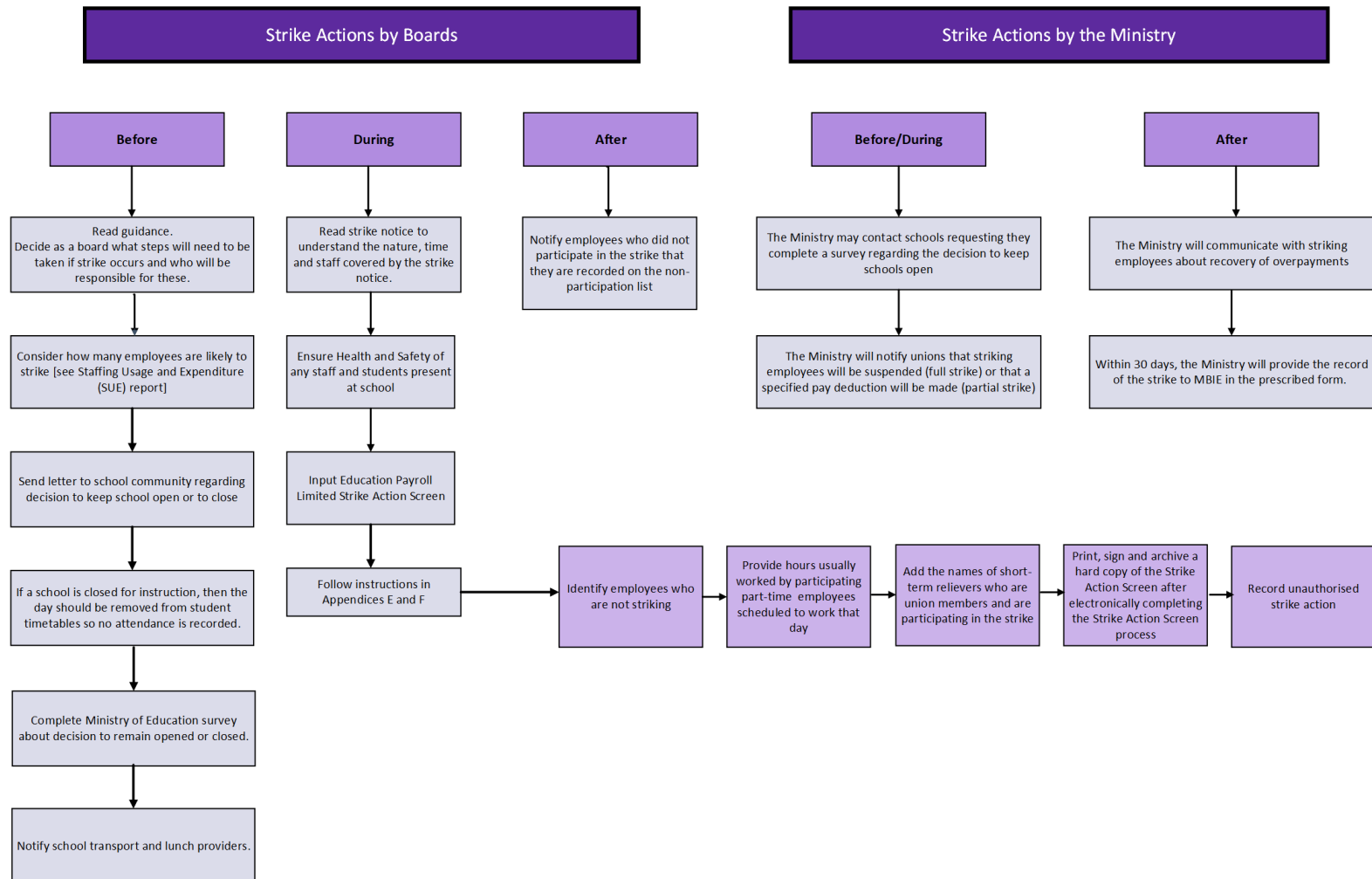
The school board also has a statutory responsibility to provide the Secretary for Education with information about employee participation in strikes.⁵

Note: Regardless of whether a strike is full or partial, a school board’s preparation and response would remain the same. However, for a full strike it is more likely they would need to consider whether or not it is safe to keep a school open ([Decisions about school closures](#))

⁴ Under s 82AA of the Employment Relations Act.

⁵ See section 590 of the Education and Training Act 2020

Actions before, during and after lawful strike action



Board actions before a strike

A union is required to give a minimum of three calendar days' notice of a strike to each school board and the Secretary for Education (under delegation from the Public Service Commissioner).⁶

The union notice must state:

- the nature of the proposed strike, including whether the employees will continue to perform any work for their employer while undertaking the strike action
- the school or schools affected by the proposed strike
- the date and time the strike is to commence, and
- the date and time on which it is to end.⁷

The notice provides a useful starting point for your preparations. Ensure you read this carefully.

In the event of a strike by principals, the board will need to consider if the principal is a member of the union whose members are striking, in which case they will be expected to participate in the strike.

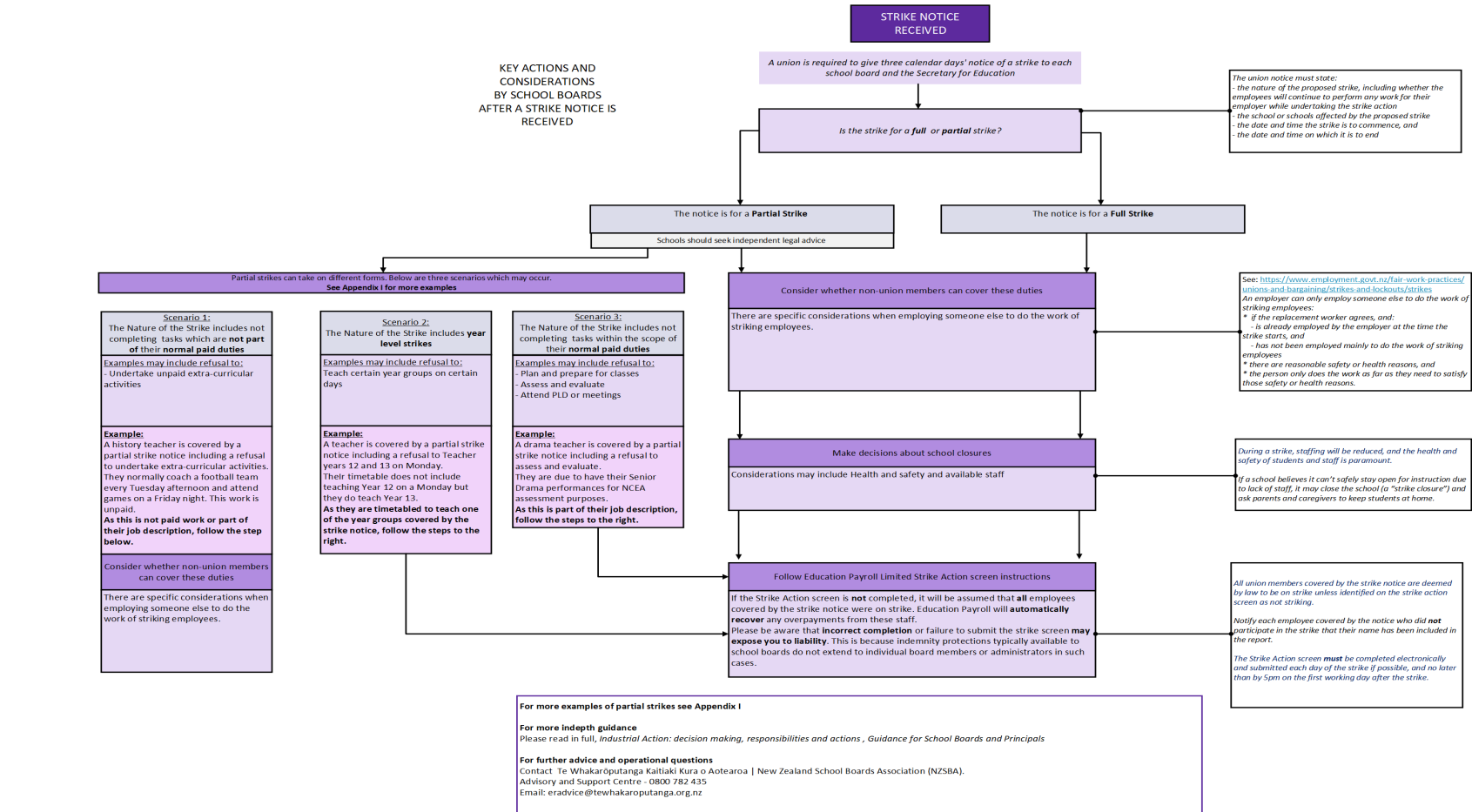
Note: Any striking union member (i.e. staff representative or principal) who is on a school board, must not participate in the decision-making process about strike planning as this would be considered a conflict of interest.

A principal who is a union member may give advice to the board but not vote on decisions related to the strike. If a principal is participating in the strike, then the presiding board member or board's delegate will need to meet the Board's obligations during the strike.

⁶ Education and Training Act 2020, section 589.

⁷ Or an event, on the occurrence of which, the strike will end.

Key considerations after a strike notice is received



Planning for the school and students

In preparing for a strike, there are several considerations, including:

Consideration	Information/action
<p>How many employees are likely to strike?</p> <p>This will be any principal/teacher/support staff employees who are members of the relevant union and occupational group which is striking.</p>	<p>You can use the information in your Staffing Usage and Expenditure (SUE) report to do this.</p> <p>See section on Determining staffing levels.</p>
<p>Is it feasible to keep the school open for instruction based on the number of staff striking?</p>	<p>See section on Decisions regarding school closures.</p>
<p>If the school will be closed for instruction, will you be providing supervision for students under 14 years of age and are you able to keep them safe?</p>	<p>See section on Providing Supervision.</p>
<p>How will you inform parents and whānau and school transport providers of the Board's decisions?</p> <p>Your decisions could be to keep the school open for instruction, close the school, and if closing whether you will offer supervision.</p>	<p>As soon as you receive formal notice of the strike, give parents and caregivers notice to confirm whether the school will be open for instruction, closed for instruction but providing supervision, or will close.</p> <p>Appendices D and E contain sample letters to parents in case of full or partial strikes.</p> <p>Action: Discuss strike arrangements with the school transport provider, then inform parents about what was decided, giving as much notice as possible.</p>
<p>If closed for instruction but offering supervision, how will you ask parents which students will be needing supervision?</p>	<p>See Appendix D (sample letter to parents)</p>
<p>If closed for instruction, how will this affect attendance?</p>	<p>If a school is closed for instruction, then the day should be removed from student timetables so no attendance is recorded. If schools are unsure how to do this they can contact their SMS vendor.</p>

What is the effect of a strike on non-striking staff?	See Communication with non-striking or non-union employees in this guidance.
Is your school normally provided with lunches?	If you are closing or expecting fewer students than is normal, ensure you inform lunch providers if applicable.

Informing the Ministry of your decision

When a notice for strike action has been received, the school board must also inform the Ministry as to whether the school will remain open or close for instruction as soon as the board has made a decision. The Ministry will contact your school with instructions on how to notify your decision and any other information that needs to be provided. This is likely to be in the form of a survey. Please ensure you complete this.

Decisions about school closures

During a strike, staffing will be reduced, and the health and safety of students and staff is paramount. However, unless it is unsafe to do so, **schools should remain open for instruction**. A strike closure should be a last resort.

If you have several staff on strike, you should, where possible, consider how to ensure student learning is not unduly impacted. The school should consider how to best use non-union teacher staff members, any non-union member relievers booked prior to the strike's announcement, as well as non-striking student-facing support staff. School boards could also consider combining classes.

You can arrange for extra supervision, if needed, from day relievers who aren't striking or already scheduled to work that day. You can only hire additional relievers for health and safety reasons and those staff members should only perform work to the extent necessary for reasons of health and safety. Their salary costs can be charged to teachers' salaries (TS) or operational funding (BG) as per existing guidelines.

If a school believes it can't safely stay open for instruction due to lack of staff, it may close the school (a "strike closure") and ask parents and caregivers to keep students at home.

Attendance records

Full Strikes

If a school is closed for instruction, then the day should be removed from student timetables so no attendance is recorded. If schools are unsure how to do this, they can contact their SMS vendor.

Partial Strikes

- Most schools will remain open for instruction, and it is for school boards to decide what arrangements will be put in place for students affected by the strike.
- Attendance must be recorded when schools are open for instruction, and we expect that most school boards will provide:
- *Learning from home* for the students affected by the strike. Attendance code Q (Board approved offsite learning) should be used for these students.
- *Onsite learning* if the students affected by the strike cannot learn from home. Attendance code P (Present) or N (Present but out of class) should be used for these students.

Determining staffing levels

Boards can determine how many staff may be available for supervision on the day of the strike by checking their Staffing Usage and Expenditure (SUE) report. The 'collective agreement' column in the SUE report shows whether an employee is covered by the agreement and is a union member. Union members will be on strike, non-union members will not.

On the day of the strike, ensure the safety of your students and staff who remain on site.

Some schools where all teachers are union members may not be able to access local relievers. If it is not feasible to have staff at school to supervise students under 14 years of age who attend, you will need to ensure every student's parents or caregivers are aware that the school will be closed and will not be providing supervision of those students.

Decision to close the school

If a school is closed for instruction because of a strike, it will not impact on the length of the school year.⁸ The board will not need to make up the shortfall of half days.

The Education and Training Act 2020 does not allow boards to close part of a school (e.g., teaching year 10 and 11 classes only). Strike closures cannot be implemented under section 659 of the Education and Training Act 2020. That only covers epidemic, fire, flood, or other natural disasters.

The Ministry will contact you about your decision.

⁸ Regulation 6(4) of the *Education (When State Schools Must Be Open and Closed) Regulations 2024*.

If a school is closed for instruction, then the day should be removed from student timetables, so no attendance is recorded. If schools are unsure how to do this, they can contact their SMS vendor.

Providing supervision

If your school does not have adequate staffing to remain open for instruction, supervision of students should be arranged if possible.

Supervision can be given by staff employed in the following roles who are not union members and are therefore not engaged in strike action:

- Non-striking teaching staff (principal, teachers, and already scheduled day relievers).
- Non-striking day relievers specifically hired to supervise during the strike.
- Non-striking support staff, under supervision from a teacher, who normally interact with students.

For health and safety reasons, the Secretary for Education expects schools to supervise students who do attend.

Communication with non-striking or non-union staff

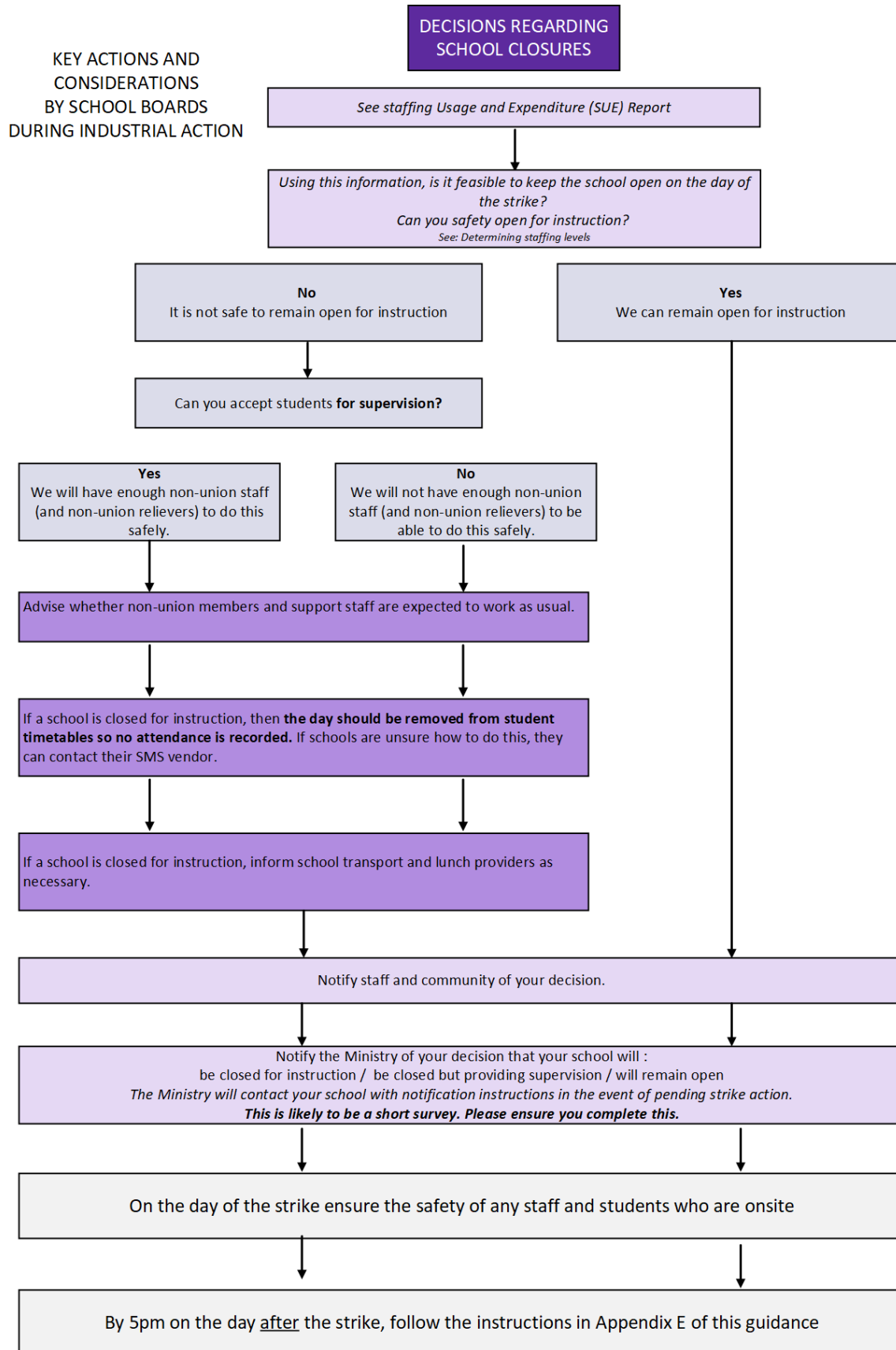
If a board decides to close the school for instruction on the day of the strike, it needs to decide whether staff who are not part of a strike action (non-striking staff and non-union members) will be sent home for the day.

Inform non-union staff and other staff who are not on strike accordingly. The expectation is that during a strike, non-striking staff (e.g. support staff if teachers are striking) and non-union staff (e.g. non-union teachers if teachers are striking), would normally be expected to work rather than being sent home.

If the board decides to send home staff who are not part of a strike action, they will still be paid.

Any staff member who is not a union member or not covered by the strike action notice, cannot strike. If they do it is an unlawful strike action, and the guidance for unlawful strike will apply. (See the NZSBA resource centre article on [Unlawful Strikes](#) for more information).

School closure decision tree and actions



After a strike

Section 590 of the Education and Training Act 2020 requires that School Boards:

- 1) report to the Secretary for Education (under delegation from the Public Service Commissioner) as soon as practicable after the commencement of a strike;
- 2) identify which employees did NOT participate in the strike;
- 3) notify each employee who did not participate in the strike that their name has been included in the report.

By completing Education Payroll Limited's (EPL's) Strike Action screen on EdPay – ([Appendix F](#) and [Appendix G](#)), the board has fulfilled its obligations under 1 and 2 above.

The Strike Action screen must be completed electronically and submitted each day of the strike if possible, and no later than by 5pm on the first working day after the strike.⁹

The Strike Action screen must also be printed and signed by the principal, board Presiding Member, or Board's delegate then archived in the school's official records.

Note: Please do not send the signed versions or PDF copies to Education Payroll Limited (EPL) as these cannot be processed.

The third obligation of boards under Section 590 of the Education and Training Act 2020 is for School Boards to notify each employee who was identified as not participating in the strike. The Ministry communicates with striking union members about recovery of any strike-related overpayments. If an employee has been overpaid while on a partial strike, or on a full strike and suspended:

- The Ministry will give the employees written notice that they were overpaid, and that the overpayment will be recovered.¹⁰
- EPL will recover the overpayment within two months of the notice.

Union members who are on leave

Union members covered by the strike notice will be deemed to be on strike unless the board informs EPL otherwise.¹¹ The school must let the Ministry of Education know, through EPL, if any union members were on leave (sick or otherwise) rather than on strike ([see Appendix F](#) and [Appendix G](#)).

⁹ Education and Training Act 2020, section 590.

¹⁰ The overpayment is recovered under section 6 Wages Protection Act 1983.

¹¹ Education and Training Act 2020, sections 589 and 590.

Notify each union member who did not participate in the strike (e.g., for reasons such as sickness or other leave, or because they received an exemption from their union) that they are recorded on the non-participation list and will be paid as normal.¹²

In the event of a partial strike, union members will be treated as partially striking for the entire duration of the strike notice. See [Appendix I](#) for further information.

Unauthorised strike action

Non-union members aren't allowed to strike. If a non-union member who was scheduled to work withdraws their labour during the strike, record this as an unauthorised absence and notify EPL in the normal way for leave. They won't be paid and the principal will need to address it with the employee. Contact NZSBA or your usual employment adviser for advice.

Reporting to MBIE after the strike.

Section 98 of the Employment Relations Act 2000 requires employers to report every strike to the Chief Executive of the Ministry of Business, Innovation and Employment (MBIE). The Ministry of Education will do this on behalf of boards, collating the information supplied by boards on the Strike Action screen ([Appendix F](#) and [Appendix G](#) of this guidance). MBIE records the numbers of all union members striking and the hours and salaries lost.

The Ministry will contact schools if additional information is required.

Getting advice

Advice from Te Whakarōputanga Kaitiaki Kura o Aotearoa | New Zealand School Boards Association (NZSBA) and the Ministry of Education

For guidance in relation to strikes and industrial action contact the NZSBA Advisory and Support Centre or your regional Ministry office. See [Appendix A](#) for Ministry and NZSBA contact details.

Legal support for boards

Support with legal actions: If the board is threatened or served with legal action as a result of the Secretary making a specified pay deduction, or suspending striking staff and directing that they not be paid, immediately notify:

- the Ministry of Education Employment Relations
- its own insurer, and
- NZSBA.

See [Appendix A](#) for Ministry and NZSBA contact details.

¹² Education and Training Act 2020, section 590(1).

Board indemnity for costs or damages

If a board becomes liable for costs or damages arising out of the Secretary's decision to make a specified pay deduction or suspend and not pay striking employees, the board is indemnified. But the indemnity doesn't apply if, in the reasonable opinion of the Public Service Commissioner, the costs or damages were due to board conduct which was engaged in without reasonable care or was not in good faith.

Frequently Asked Questions

When will a board know if a strike is going to occur at a school?

Unions are required to give school boards a minimum of three calendar days' notice of any strikes. In the past there has been advance (but informal) notice of strikes so boards should use the above guidance to prepare in advance where possible.

Will a school be open or closed during a school strike?

It is a Board's decision whether to close a school for instruction. If the Board is closed for instruction, the Board should still offer supervision if feasible. See [decisions regarding school closures](#).

What does a strike mean for principals?

Union and non-union principals:

All principals are expected to complete the Strike Action screen from EdPay, which contains the names of all potentially affected teaching staff. The Screen must be completed (even if there are no changes) and submitted on the day of strike if possible, and no later than by 5pm on the first working day after the strike (in the case of union member principals).

Non-union member principals are expected to attend work as usual if a school is closed and is not offering supervision: apart from non-union teachers on site there may be non-teaching staff who require direction as to their duties on that day.

Non-union member principals may agree to teach in place of striking teachers. If the school is closed but offering supervision, they are expected to provide that supervision.

Can the principal and/or staff board representative be involved in the Board's decision making?

Union and non-union principals and staff representatives:

Principals and teachers who are Board members (staff representatives) and striking union members should not be involved or vote in any Board decisions about school closures or staffing during strikes as they have a conflict of interest.

Principals who are not union members can provide information to the board to inform its decision-making, as well as voting on board decisions, as they will not be on strike.

Boards should be advised to seek advice from NZSBA or their usual employment adviser and the Ministry if they require more guidance.

If our school is closed for instruction on the day of the strike, do we have to make up the time at the end of the year?

If a school is closed for instruction because of a lawful strike by its employees, it will not impact on the length of the school year. The board won't need to make up the shortfall of half days. This applies even if the school is closed for instruction but is offering supervision. Regulation 6(4) of the *Education (When State Schools Must Be Open) Regulations 2024* makes this clear.

If a union member wants to work, can they?

All union members are expected to participate in the strike action that was balloted for. Union members cannot be asked to come into work.

Can a part-time staff member strike?

If their normal hours are not over the strike period, then they are not on strike. They cannot choose to strike on a different day instead.

Can non-union staff strike?

No.

Do non-union staff still get paid if the school closes due to strike action?

Yes.

Can boards pay staff who are striking to show their support?

No. While usually the powers of an employer sit with School Boards, when bargaining the collective agreements all of the "employer" rights, duties and powers sit with the Public Service Commissioner under section 586 of the Education and Training Act 2020 (the Act) and the strike-related powers are delegated to the Secretary for Education. These include the power to suspend striking teachers or make specified pay deductions. Boards do not have the power to over-ride the Secretary's decision.

As the Secretary has indicated she will suspend striking employees, they will not be entitled to be paid (section 87 of the Employment Relations Act 2000 provides that a striking employee who is suspended is not entitled to any remuneration). This includes teachers funded from bulk grants as well as staffing entitlement.

What happens if a union member is booked on Professional Development the day of the strike?

Union members cannot be forced to do any work on the day of the strike, including attending Professional Development (PLD). Whether to attend is the teacher's (and union's) choice. If a union member chooses to attend pre-booked PLD, they should be included in Ed Pay's Strike Action screen as not participating in the strike, and they will be paid.

What happens if a union member is not rostered to teach the relevant year level during a partial strike affecting only certain year levels?

Only staff who are withholding part of their normal duties should be considered as participating. Staff who continue to perform their full range of duties are not considered to be participating, even if they work at a school where a partial strike is occurring.

If a teacher is timetabled to teach the affected year level during the partial strike period and does not do so, they are considered to be participating in the strike - if they are covered by the strike notice (see below).

If a teacher is not timetabled to teach the year level on the day of the partial strike, they are not participating in the strike.

See [Appendix I](#).

What, if anything, should a Board do if a non-union teacher is absent on the day of a teacher strike?

If a non-union teacher advises they are sick, sick leave should be booked as usual. However, if the board has reason to suspect the teacher was not sick, or the employee does not communicate the reason for their absence, the board should discuss the circumstances with NZSBA or their usual employment adviser. Leave for the employee will need to be booked with Education Payroll Limited (EPL) either as sick leave or leave without pay as appropriate.

Can a school trip go ahead if a school is closed for instruction – if there are non-union staff to supervise?

Yes, but as usual the board would need to assess their ability to meet the various legal requirements i.e. Health and Safety, EOTC etc. in order to proceed with taking students on a school trip and have appropriate documentation to evidence this assessment, risk ID, assessment, management and plans in place.

Where a school camp runs for multiple days and the strike falls on one of those days the board can ask non-union teachers to work in order to ensure the camp can continue to operate safely.

Appendix A: Contact details

For legal or operational questions about the strike action in your school, please get specific advice from Te Whakarōputanga Kaitiaki Kura o Aotearoa | New Zealand School Boards Association (NZSBA).

Advisory and Support Centre - 0800 782 435

Email: eradvice@tewhakaroputanga.org.nz

Other contacts

The Ministry will contact schools about their decision to remain open and any additional information required for reporting purposes. Should you need to contact your local Te Mahau office, contact details for each office can be found on the Education New Zealand website:

[Regional offices | Education New Zealand](#)

Ministry of Education Employment Relations Team:

Email: employment.relations@education.govt.nz

Education Payroll Limited (EPL):

Email: information@edpay.co.nz

Appendix B: Collective Agreements

	Collective Agreement		Expiry Date	Bargaining Initiated
Teachers	Primary Teachers'	PTCA	2/7/25	8/5/25
	Secondary Teachers'	STCA	2/7/25	7/5/25
	Area School Teachers'	ASTCA	2/7/25	14/5/25
	Te Aho o te Kura Pounamu Early Childhood Teachers'	TKECCA	2/7/25	25/8/25
Principals	Primary Principals' (PPCBU)	PPCA	1/5/25	14/5/25
	Primary Principals' (NZEI)	PPCA	2/7/25	8/5/25
	Secondary Principals'	SPCA	1/5/25	29/3/25
	Area School Principals'	ASPCA	2/7/25	20/5/25
Non-teachers	School Caretakers, Cleaners, Canteen and Ground Staff	SCCCA	13/11/24	15/10/24
	Support Staff in Schools'	SSSCA	19/12/24	21/10/24
	Kaiārahi i te reo and Therapists'	KRCA	19/12/24	20/10/24
	Community Education	CECA	27/2/24	21/1/25
	Te Aho o te Kura Specialist and Support Staff	TKSSSCA	1/12/24	3/10/24
	Specialist Residential Schools'	SRSCA	1/3/25	25/3/25

Appendix C: School Board Strike Action Checklist

Full Strikes

☒ Before the Strike

- Receive formal strike notice (minimum 3 calendar days before strike).
- Confirm nature, start/end times of the strike.
- Identify conflict of interest: Ensure striking union members (e.g. principal or staff reps) do not participate in strike-related board decisions.
- Assess staffing impact using the [SUE report](#) to identify union vs non-union staff.
- [Decide on school status](#): Open for instruction, Closed for instruction, or Closed but offering supervision.
- Plan for student safety and supervision, especially for students under 14.
- If a school is closed for instruction:
 - the day should be removed from student timetables so no attendance is recorded.
 - Notify school transport providers
 - Notify school lunch providers
- Complete Ministry of Education survey about decision to open/close.
- Communicate with parents and caregivers using sample letters ([Appendix D](#) or [Appendix E](#)).
- Inform non-striking/non-union staff about expectations and pay status.

☒ During the Strike

- Ensure [supervision](#) and safety using non-striking staff and relievers.
- Complete EdPay Strike Action screen electronically by 5pm on the first working day after the strike ([Appendix F](#) or [Appendix G](#)).
- Print, sign, and archive the Strike Action screen.
- Record participation accurately, including union members on leave.
- Submit EP31 for short-term relievers who strike.

☒ After the Strike

- Notify each employee listed as not participating.
- Ensure payroll accuracy; EPL will recover overpayments for striking staff.

☒ Additional Considerations

- Do not pay striking staff; boards cannot override Secretary's decisions.
- Do not allow non-union staff to strike; record as unauthorised absence.
- Ensure legal compliance for trips/camps with proper supervision and safety measures.

Partial Strikes

☒ **Before the Strike**

- Receive formal strike notice (minimum 3 calendar days before strike).
- Confirm nature, start/end times of the strike.
- Identify conflict of interest: Ensure striking union members (e.g. principal or staff reps) do not participate in strike-related board decisions.
- If there are fewer students expected, ensure you notify school lunch providers if applicable.
- Communicate with parents and caregivers using sample letter ([Appendix E](#)).
- Inform non-striking/non-union staff about expectations and pay status.
- Determine which staff are withdrawing their labour (i.e. not teaching the year group covered by the strike notice – see [Appendix I](#))

☒ **During the Strike**

- Identify the union members who are not striking see [Appendix I](#) for examples.
- Student attendance should not be impacted by year-level strike action. While it is lawful for a union to take industrial action by refusing to teach certain year levels on specific days, it is the responsibility of each school board to determine what arrangements will be made so instruction continues for affected students and recorded using standard attendance codes, where possible.
- Attendance must be recorded when schools are open for instruction. However, we expect that many school boards will not be able to provide onsite learning for students affected by the strike. In this case attendance code Q should be used.
- Complete EdPay Strike Action screen electronically by 5pm on the first working day after the strike ([Appendix G](#)). If the strike information is not submitted, all staff will be deemed to have been on strike, regardless of actual participation.
- Print, sign, and archive the Strike Action screen.
- Record participation accurately, including union members on leave.
- Submit EP31 for short-term relievers who strike.

☒ **After the Strike**

- Notify each employee listed as not participating.
- Ensure payroll accuracy; EPL will recover overpayments for striking staff.

☒ **Additional Considerations**

- Incorrect completion or failure to submit via the Strike Action screen in EdPay may expose you to liability. This is because indemnity protections available to school boards do not apply where costs or damages arise out of conduct that is engaged in without reasonable care.

- If you are unsure about the process or your obligations, it is strongly recommended that you seek guidance.
- Do not pay striking staff; boards cannot override Secretary's decisions.
- Do not allow non-union staff to strike; record as unauthorised absence.
- Ensure legal compliance for trips/camps with proper supervision and safety measures.

Appendix D: Sample letter to parents affected by full and/or rolling strikes – teachers

Dear Parents and Caregivers

Subject Line: Full rolling strikes by [insert union name] during the week of [date]

The [insert union name] (the union) has informed us about the impact of its rolling regional full strikes, as they affect our school, during the week [date] (Week X of Term X).

The union has advised our board that its member teachers at our school will be taking full strike action on [day] [date].

The board has carefully considered the availability of non-union teaching staff, and unfortunately decided that we can't provide normal instruction during the strike so the school will officially be closed for instruction during [day] [date].

[Delete this next sentence if closed for instruction but providing supervision] Accordingly, it's important that you make alternative arrangements for the care of your child/children under 14 years of age during the period of the strike as no supervision can be provided.

[Delete this paragraph if no supervision can be provided.] If making alternative arrangements for care is difficult, we can still supervise a small number of students if required. Please contact the office or send a note to indicate if your child/children will need this.

[School transport will be available on [day] [date]] *Delete if it doesn't apply.*

[School transport will not be available on day date]] *Delete if it doesn't apply.*

[School transport will be limited to [add information]] *Delete if it doesn't apply.*

We know that this is inconvenient for parents and students alike. Please be assured that student safety is our main concern.

Thank you for your understanding. Please contact [Principal's contact details] if you have any queries relating to the impact the industrial actions noted above.

Yours sincerely

Presiding Member,

[School name] board

Appendix E: Sample letter to parents affected by rostering home strikes – teachers

Dear Parents and Caregivers

Subject Line: strikes by [insert union name] during the week of [date]

The [insert union name] (the union) has informed us about the impact of its strikes, as they affect our school, during the week [date] (Week X of Term X).

The [union] have advised our board that its member teachers will refuse to teach certain year groups during [Term X, Weeks X-X].

The union refer to this as “rostering home”, but while it is lawful for the union to take strike action in which they refuse to teach certain year levels on a given day, it is for our school board to decide what arrangements will be put in place for the affected students.

It is not lawful for a school board to partially close the school. Accordingly, students should continue to come to school as usual.

Our board has decided on the following specific arrangements for students affected by this strike action [add detail here, E.g., that year [x] students will need to remain at school for instruction; students in year [x] will learn from home etc]

Thank you for your understanding. Please contact [Principal's contact details] if you have any queries relating to the impact the industrial actions noted above.

Yours sincerely

Presiding Member,
[School name] board

Appendix F: Education Payroll Limited Strike Action Instructions – Full Strikes

In the event of a strike, the Education Payroll strike action information **MUST be checked and submitted.**

Relevant business rules / policy

- Union members covered by the strike notice are deemed by law to be on strike unless they are identified on the Strike Action screen as not striking.
- Education Payroll will automatically recover any overpayments from staff who strike unless they are identified as not participating via the Strike Action screen.

What schools need to do

Schools need to identify the union members who are not striking and submit this information to Education Payroll via the Strike Action screen in EdPay. This is important to make sure they are paid as usual and to reduce the administrative load on schools.

Strike action instructions for partial strikes

See [Appendix G](#).

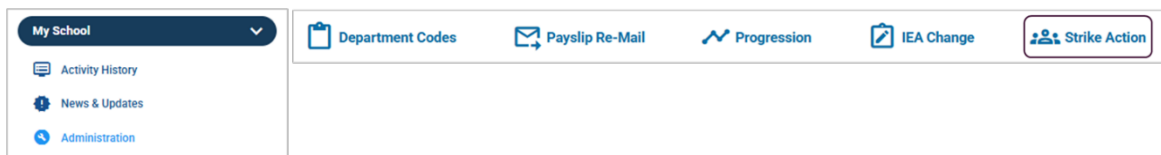
Important submission deadline

The **Strike Action screen** must be checked and submitted (even if there are no changes) ideally on the day of the strike, but no later than 5pm on the first working day after the strike.

If the page is not submitted by the school within two days, it will be submitted automatically and may be inaccurate.

Instructions: Submitting strike action information in EdPay

1. In EdPay, click on **My School**, then **Administration**. Select the **Strike Action** tab on the right.



2. The Strike Action screen shows the name of the union/s and the day of the strike. Click on the arrow on the right. The drop-down list will show the names of

Primary Principals' Collective Agreement on 16 March 2023

Primary Teachers' Collective Agreement on 16 March 2023

Secondary Teachers' and Area Teachers' Collective Agreement on 16 March 2023

employees who are part of that collective and who have an active job on the day of the strike.

3. In the **Participated in Strike** column, each employee will automatically be set to Yes.

Name	MoE#	Contract Title	Participated in Strike	Usual Part-Time Hours Worked
Figueroa, Andy	5885503	02 - Teacher	Yes	e.g. 04:00 *

- a. Check each employee. If an employee did not participate in the strike or was not working due to sickness or leave, click **No**.
 - b. For part-time employees only: If the employee is part-time, enter their usual hours for that day, including non-contact time. For example: If they usually work 1.5 hours on that day, enter 01:30. If they do not usually work on that day or they are absent for a non-strike reason, enter 00:00 hours. If they usually work a full day on that day, enter 08:00.
4. Click the **Submit** button at the bottom of the drop-down list for that collective.
5. Repeat for each collective agreement drop-down list on the Strike Action screen.
6. Make sure all the collectives' drop-down lists are open on the page, then print the Strike Action screen. This must be signed by the principal and filed in the school's official records.
7. Short-term relievers will not be listed on the Strike Action screen. Please submit an EP31 with the names and hours of any short-term relievers who:
 - are union members, and
 - were booked to work at your school on the day of the strike, and
 - participated in the strike.

Note: Please do not submit a timesheet for them for the hours they were on strike.

Appendix G: Education Payroll Limited Strike Action Instructions – Partial Strikes

In the event of a strike, the Education Payroll strike action information MUST be checked and submitted.

Note 1: To apply these deductions lawfully, employers **must submit via the Strike Action screen** in EdPay and inform non-striking staff that they are on the non-striking list. If the strike information is **not submitted, all staff will be deemed to have been on strike**, regardless of actual participation.

Note 2: please be aware that **incorrect completion or failure to submit via the Strike Action screen in EdPay** may expose you to **liability**. This is because indemnity protections available to school boards **do not apply where costs or damages arise out of conduct that is engaged in without reasonable care**.

Note 3: Schools need to complete and submit via the Strike Action screen for **each day** of each partial strike.

If you are unsure about the process or your obligations, it is strongly recommended that you seek guidance before proceeding.

Relevant business rules / policy

- Union members covered by the strike notice are deemed by law to be on strike unless they are identified on the Strike Action screen as not striking.
- Education Payroll will automatically deduct pay or recover any overpayments from staff who strike unless they are identified as not participating via the Strike Action screen.

What schools need to do

Schools need to identify the union members who are not striking and submit this information to Education Payroll via the Strike Action screen in EdPay. This is important to make sure they are paid as usual and to reduce the administrative load on schools. See [Appendix I](#) for an outline of partial strike examples and considerations.

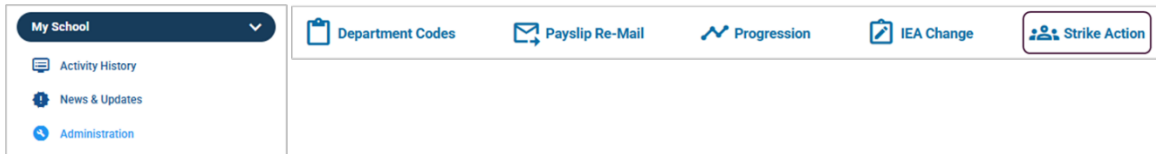
Important submission deadline

The **Strike Action screen** must be checked and submitted (even if there are no changes) ideally on the day of the strike, but no later than 5pm on the first working day after the strike.

If the page is not submitted by the school within two days, it will be submitted automatically. If it was not checked by the school beforehand it may be inaccurate.

Instructions: Submitting strike action information in EdPay – Partial Strikes

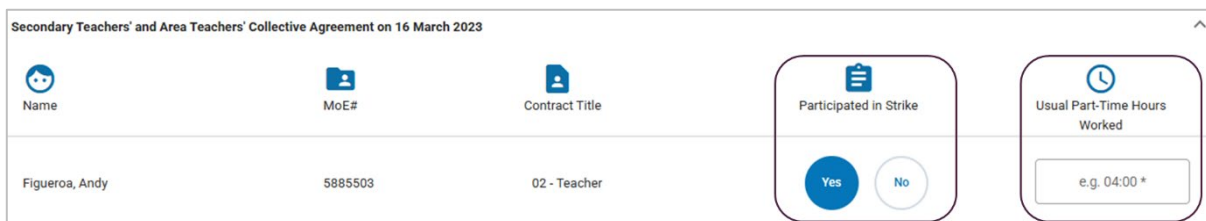
1. In EdPay, click on **My School**, then **Administration**. Select the **Strike Action** tab on the right.



2. The Strike Action screen shows the name of the union/s and the day of the strike. Click on the arrow on the right. The drop-down list will show the names of employees who are bound by that collective and who have an active job on the day of the strike.



3. In the **Participated in Strike** column, each employee will automatically be set to Yes.



- a. Check each employee. If an employee did not participate in the strike or was not working due to sickness or leave, click **No**.¹³
- b. For part-time employees only: If the employee is part-time, enter their usual hours for that day, including non-contact time. For example: If they usually work 1.5 hours on that day, enter 01:30. If they do not usually work on that day or they are absent for a non-strike reason, enter 00:00 hours. If they usually work a full day on that day, enter 08:00.

Note: See [Appendix I](#) for an outline of partial strike examples and considerations.

4. Click the **Submit** button at the bottom of the drop-down list for that collective.
5. Where the strike involved employees bound by more than one collective agreement, repeat for each collective agreement drop-down list on the Strike Action screen.

¹³ Refer to [Appendix I](#) for examples and considerations for different types of partial strike actions.

6. Make sure all the collectives' drop-down lists are open on the page, then print the Strike Action screen. This must be signed by the principal and filed in the school's official records.
7. Short-term relievers will not be listed on the Strike Action screen. Please submit an EP31 with the names and hours of any short-term relievers who:
 - are union members,
 - were booked to work at your school on the day of the strike,
 - participated in the strike.

Note: Please do **not** submit a timesheet for them for the hours they were on strike.

Appendix H: Categories of employees affected by full strike scenarios (applies to teacher strikes only)

Employee category	School open for instruction during strike	School closed for instruction during strike	School closed for instruction during strike but offering supervision
Principal (union or non-union staff member)	Not covered by strike: On duty, paid as usual	Not covered by strike: On duty, unless board directs otherwise: paid as usual	Not covered by strike: On duty, unless board directs otherwise; paid as usual
Teacher union member (includes a part time teacher if they would normally be scheduled to be at work)	Not expected to attend Will not be paid*	Not expected to attend Will not be paid*	Not expected to attend Will not be paid*
Teacher non-union staff member	Expected to attend Will be paid as usual	If the school is closed it is still a day non-union members would ordinarily work. Will be paid as usual regardless of whether they choose to come to work or not.	Non-union teachers may provide supervision for reasons of health and safety but cannot be required to do so. Will be paid as usual regardless of whether they choose to come to work or not.
Relief teacher (union member)	Not expected to attend Will not be paid	Not expected to attend Will not be paid	Not expected to attend Will not be paid

Relief teacher (non-union)	Already scheduled day relievers (i.e. who were booked before the results of the strike ballot were announced), who aren't union members and therefore aren't striking can still teach if the school remains open for instruction.	Not expected to attend (because no students). If booked prior to strike ballot, should be paid, should not be booked after the strike ballot unless school offering supervision (see next cell).	If the school is closed for instruction but is offering supervision a day reliever can be used to supervise children for health and safety reasons (see Decisions Regarding School Closures) and will be paid.
Support staff	Expected to attend. Will be paid as usual	Expected to attend, unless the board decides otherwise. Will be paid as usual.	Expected to attend unless the board decides otherwise. Any support staff whose role normally involves supervision of students e.g. teacher aides, may be involved in providing supervision for reasons of health and safety; other support staff will be expected to undertake normal duties. Will be paid as usual.

*Unless the board indicates on the Strike Action screen submitted to EPL that the union member did not participate in the strike e.g. due to being on sick leave or bereavement leave

Appendix I: Key information on partial strikes and pay deductions

Each partial strike notice will contain specific details that influence whether an employee was participating in the strike. These details may vary between schools, roles, and individual circumstances. It is essential that decisions regarding participation are made on a case-by-case basis, taking into account the nature of the duties affected, the content of the strike notice, and the staff member's employment conditions. The examples provided in this document are intended to guide schools by illustrating a range of scenarios that may or may not result in participation.

Partial strike action in relation to year levels

Covers refusal to teach certain year levels. The unions refer to this as “rostering home”, but while it is lawful for the union to take strike action in which they refuse to teach certain year levels on a given day, it is for the school board to decide what arrangements will be put in place for the affected students.

Considerations for refusal to teach certain year levels

- **Only staff who are withholding part of their normal duties should be considered as participating.**

Staff who continue to perform their full range of duties are not considered to be participating, even if they work at a school where a partial strike is occurring.

If a teacher is timetabled to teach the affected year level during the partial strike period and does not do so, they are considered to be participating in the strike - if they are covered by the strike notice (see below).

If a teacher is not timetabled to teach the year level on the day of the partial strike, they are not participating in the strike.

- **Participation in strike action is determined by whether a staff member is covered by the strike notice**

Strike notices specify which union members and which collective agreements are affected. If a teacher aide's duties include supporting a year level that is part of the strike action, and they are supposed to perform those duties on the day of the partial strike action and do not perform those duties, they would only be considered to be participating—if they are covered by the strike notice. For example, if a partial strike covers only secondary teachers, the teacher aide is not participating in the partial strike, even if they were withholding their duties on the day of the partial strike action. If an employee has withheld their duties on the day of the strike, but is not covered by the strike notice, contact NZSBA or your usual employment adviser for advice.

- **Each partial strike is treated as a separate event.**

This means that if a teacher is not scheduled to teach the affected year group on the strike day in the notice, they will not be considered to be participating in strike action for that day (even if they do participate in a subsequent partial strike on a different day).

- **Schools must assess participation individually.**

Each school is responsible for identifying which staff members are undertaking only part

of their usual duties on each strike day. This assessment ensures clarity around who is participating in the action.

The partial strike notice covers certain year levels on certain days

A staff member is under the coverage of the collective agreement specified in the strike notice and...	Consideration	Participation
Does not teach the year level covered by the strike at all.	As the partial strike does not cover the teacher's normal work duties, the school would indicate that they are not participating in the strike.	No
Teaches the year level covered by the strike but is not timetabled to teach them on the day of the strike.	As this is not part of the teacher's timetable on the day which the strike is occurring, the school would indicate that they are not participating in the strike.	No
Teaches the year level covered by the strike and is timetabled to teach them on the day of the strike.	As this is part of the teacher's timetable, they would be participating in the strike.	Yes
Teaches a combined year 11 and 12 class. The partial strike is a refusal to teach year 11. The teacher is timetabled to teach the year 11 and 12 class and does so (without teaching the year 11s).	As this is part of the teacher's timetable, they would be participating in the strike despite the fact they are still teaching in the timetabled time – because they are only teaching year 12, not year 11 who is covered by the strike.	Yes
Is a relief teacher who was supposed to be covering a Year 11 class on the strike day but does not teach due to the strike.	The relief teacher is scheduled to teach the affected year level and does not do so and is participating in the strike.	Yes
Is a specialist teacher (e.g., music or PE) who teaches multiple year levels, including the affected one, but does not teach the affected year level.	The teacher is performing only part of their duties and is participating in the strike.	Yes
Is a teacher aide supporting a Year 11 student but does not provide support due to the teacher strike.	If the aide's duties include supporting the affected year level and they do not perform them, whether they are	No, unless the strike notice covers their work and

participating in the strike depends on the strike notice and union membership. they're a member of the relevant union.

Strike notices specify which staff are included based on their union membership and the collective agreement bargaining that the strike relates to. Participation is determined by both the duties withheld and whether the staff member is included in the scope of the strike notice. If a rostering home strike covers only (e.g.) secondary teachers, the teacher aide is not participating in the strike.

Partial strike action in relation to extra-curricular activities

Covers refusal to participate in voluntary or paid activities outside the core duties, such as coaching, school productions, or leadership of student clubs.

Considerations regarding extra-curricular activities

- If extracurricular duties are part of a teacher's **normal paid duties**, refusal to perform them during a strike may constitute a **partial strike** if those duties would otherwise be performed during the period of the partial strike. Attention should be paid to the time period of the strike included in the strike notice.
- If duties are **voluntary and unpaid**, they do **not** amount to strike action.

The partial strike notice covers extra-curricular activities

A staff member is under the coverage of the collective agreement specified in the strike notice and...	Consideration	Participation
Coaches a soccer team every Tuesday after school, without remuneration.	As the partial strike does not cover the teacher's normal paid duties, the school would indicate that the teacher did not participate in the strike.	No
Leads the school's kapa haka group every Wednesday after school, receiving a management unit.	As the partial strike does cover the teacher's normal paid duties, if the group meets during the period of the strike notice, the school would indicate that they did participate in the strike.	Yes

Runs a drama production as part of teaching and assessment of senior drama.	As the partial strike does cover the teacher's normal paid duties, if the drama group meets during the period of the strike notice the school would indicate that they did participate in the strike.	Yes
Runs a drama production as an unpaid extra-curricular activity.	As the partial strike does not cover the teacher's normal paid duties, the school would indicate that did not participate in the strike.	No
Oversees a house choir competition and receives 1 MMA for this responsibility.	As the partial strike does cover the teacher's normal paid duties, if the overseeing occurs during the period of the strike notice the school would indicate that they did participate in the strike.	Yes
Runs a lunchtime coding club for gifted students voluntarily and unpaid.	As this is not part of the teacher's paid duties, the school would indicate that they did not participate in the strike.	No
Leads a school-wide wellbeing initiative as part of a leadership role covered by a management unit.	As this is part of the teacher's paid duties, refusal to participate mean that they did participate in the strike.	Yes
Coordinates the school's debating team and receives a unit for this responsibility.	As this is a paid responsibility, refusal to perform it during the time period of a partial strike would mean they did participate in the strike.	Yes
Leads a school-wide literacy competition as part of a curriculum leadership role covered by a unit.	As this is part of the teacher's paid duties, refusal to participate would mean they did participate in the strike.	Yes
Supports a student-led podcast project during lunch breaks, unpaid.	As this is voluntary and not part of the teacher's paid duties, they did not participate in the strike.	No
Organises a student film festival as part of senior media studies assessment.	As this is part of the teacher's teaching and assessment duties for which they receive payment refusal to participate during the time period contained in a strike notice would mean they did participate in the strike.	Yes

Partial strike action in relation to standard school hours

Addresses refusal to engage in duties scheduled beyond contracted hours, including supervision, meetings, events, and communications occurring before or after the school day.

Considerations regarding work outside of school hours

Each school will have its own timetable and expectations regarding when teachers are required to be onsite or actively working. These expectations may include scheduled meetings, supervision duties, or events that occur outside the standard school day. Each collective agreement outlines expectations for teachers regarding hours of work and professional responsibilities. While the wording may differ slightly, the underlying principle is consistent: teachers are expected to work the hours necessary to meet their professional obligations.

- The **Secondary Teachers' Collective Agreement (STCA)** states in **Part 5** that teachers are expected to work the hours required to fulfil their professional responsibilities, including teaching, planning, assessment, and participation in school activities. The STCA also provides that secondary schools are open for instruction between approximately 8.30am and 4.30pm.
- The **Primary Teachers' Collective Agreement (PTCA)** outlines in **Part 2** that teachers must work such hours to enable them to properly fulfil their responsibilities as teachers whether or not such hours exceed 40 hours per week. The PTCA also provides that employees are required to undertake duties such as professional development in addition to their normal class contact time and this has been taken into consideration when determining the employee's hours of work.
- The **Area School Teachers' Collective Agreement (ASTCA)** outlines in Part 4, that as well as the number of classes a teacher may be timetabled to teach, the hours of work of individual teachers are influenced by factors such as preparation, evaluation and assessment time, and the administrative responsibilities of individual teachers either in respect of their curriculum or pastoral responsibilities or in respect to the general administration of the school.

These provisions form the basis for determining whether refusal to perform certain duties outside of a teacher's standard hours—such as marking, attending meetings, or completing Ministry initiatives—constitutes participation in partial strike action that may warrant a pay deduction. Each case should be assessed in light of the specific agreement, the strike notice, and the teacher's role.

The partial strike notice covers refusing to work outside of certain hours

A staff member is under the coverage of the collective agreement specified in the strike notice and...	Consideration	Participation
Is expected to be onsite between 8am and 4pm each day, and a partial	If the partial strike action does not change the teacher's normal paid duties, the school would indicate that	No

strike occurs outside of these onsite hours.	they are not covered by the notice and are therefore not participating in the strike.	
Attends parent-teacher interviews until 6pm once per term.	As this is part of the teacher's normal work, refusal to attend would be covered by the notice.	Yes
Often responds to emails from parents in the evenings, but this is not formally part of their job description.	As this is not part of the teacher's paid duties, the school would indicate that they are therefore not participating in the strike.	No
Is rostered for after-school detention supervision until 4:45pm (outside of the school's standard hours), which is included in their job description.	As this is part of the teacher's paid duties, the school would indicate that they are therefore participating in the strike.	Yes
Supervises a homework club from 3:30–5:00pm (outside of the school's standard hours) and receives a fixed allowance for this role.	As this is a paid responsibility, the school would indicate that they are therefore participating in the strike.	Yes
Is expected to attend a leadership team meeting at 7:30am every Monday, which is part of their management unit responsibilities.	As this is part of the teacher's paid duties, the school would indicate that they are therefore participating in the strike.	Yes
Volunteers to help with morning drop-off supervision from 7:45–8:15am (outside of the school's standard hours).	As this is voluntary and unpaid, the school would indicate that they are therefore not participating in the strike.	No
Attends a professional development webinar from 7:00–8:00pm monthly, unpaid.	As this is outside of hours or duties reasonably required and unpaid, the school would indicate that they are therefore not participating in the strike.	No

Partial strike action in relation to professional duties

Includes refusal to perform tasks that are considered part of a teacher's professional responsibilities, such as marking, reporting, attending meetings, and engaging in Ministry initiatives.

Considerations regarding professional duties

While collective agreements may not always explicitly list these activities as contractual duties, they are implicitly recognised through provisions for hours of work, non-contact time, and classroom release time. These responsibilities—such as assessment, reporting, professional development, and participation in school-wide initiatives—are considered essential components of a teacher's professional role. This is supported by Ministry guidance, sector expectations, and established practice across schools.

The partial strike notice covers refusal to perform professional duties

A staff member is under the coverage of the collective agreement specified in the strike notice and...	Consideration	Participation
Refuses to mark student writing during the partial strike.	Marking is considered an essential part of a teacher's professional responsibilities and duties. The school would indicate that they participated in the strike.	Yes
Does not attend a voluntary after-hours staff social event organised by the school.	This is not a professional duty. The teacher did not participate in the strike.	No
Does not attend the weekly staff meeting scheduled on a Monday afternoon between 3.30pm and 4.30pm.	Attendance at staff meetings is a recognised part of professional duties. The school would indicate that they did participate in the strike	Yes
Refuses to complete end-of-term reports for their students.	Reporting is a core professional responsibility and part of a teacher's duties. The school would indicate that they did participate in the strike.	Yes
Does not attend the school's open evening event.	Participation in school events is considered part of the professional role and part of a teacher's duties. The school would indicate that they participated in the strike.	Yes

Does not participate in moderation meetings for student assessment.	Moderation is a key part of assessment and teaching practice and part of a teacher's duties. The school would indicate that they participated in the strike.	Yes
Refuses to update their students' progress in the school's SMS system.	Maintaining student records is a professional obligation and part of a teacher's duties. The school would indicate that they participated in the strike.	Yes
Does not attend a weekend school gala where staff presence is encouraged but not required.	As this is a voluntary event outside of a teacher's contracted hours, the school would indicate that they did not participate in the strike.	No
Does not attend the school's professional development day.	Professional development is a contractual and professional requirement and part of a teacher's duties. The school would indicate that they participated in the strike.	Yes
Refuses to complete a Ministry initiative that was not communicated through official channels or endorsed by the school.	If not formally required or integrated into school planning, the school would indicate that they did not participate in the strike.	No
Refuses to mark mock exams for their senior students.	Marking assessments is a core teaching duty and part of a teacher's duties. The school would indicate that they participated in the strike	Yes
Refuses to complete the annual appraisal documentation.	Appraisal is a contractual and professional requirement and part of a teacher's duties. The school would indicate that they participated in the strike.	Yes

Appendix J: Roles and Responsibilities during lawful strikes

Responsibility Area	School Boards	Secretary for Education
School operations during strikes	Decide whether the school can remain open for instruction based on staffing levels and must report that decision to the Ministry.	Not responsible for decision of whether the school remains open during strike action.
Reporting requirements	Required to report employee strike participation to the Secretary (via Education Payroll Strike Action screen).	Receives information from EPL about employee participation in strikes.
Suspension of striking employees (full or partial strike)	No authority to decide whether to suspend striking employees, or to pay suspended employees.	Has the authority to suspend striking employees. Suspended employees are not entitled to pay.
Specified pay deductions for striking employees (partial strike)	No authority to decide whether to deduct pay for a partial strike, or to top up pay where a deduction is made.	Can decide to make “specified pay deductions” for partial strikes, calculated per Appendix E.
Communication with Unions and striking employees	Not responsible for communicating strike-related decisions to unions or striking employees - other than informing employees who did not strike that their name has been included in the Strike Action screen on EdPay.	<p>Informs unions of suspensions or deductions; unions then notify affected employees.</p> <p>Informs employees of any overpayment deductions.</p>
Authority over pay decisions	Must comply with the Secretary’s decisions regarding pay and deductions. Boards cannot override these decisions.	Sole decision-maker on whether striking employees are paid or deductions are made.

Role during bargaining	Not involved in bargaining decisions – but can convey views to NZSBA as the boards' representative.	Assumes some employer responsibilities and powers during collective agreement bargaining.
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