



Good Faith Employment Policy



“We work together for the benefit of clients and community.”

Intent

We act in good faith in our employment relationships. This involves mutual obligations of trust and confidence and engaging constructively with each other to provide quality services to the community.

The right of kaimahi to collective representation and the role of unions and other representatives is respected.

Definitions

"Employment relationship" refers to a relationship between:

- management (as board delegate) and kaimahi
- the board and the manager/CE
- management (as the board delegate) and union(s) or other employment advocate.

Responsibilities

The board will apply this policy when appointing and dealing with management and monitor compliance within the organisation.

Management will comply with this policy when dealing with the board and kaimahi.

Kaimahi will comply with this policy when bargaining and addressing employment-related issues.

Requirements

Scope of good faith duty

We will act in good faith in our employment relationships including:



- when negotiating/bargaining terms of an employment agreement (collective or individual agreement)
- when making plans and decisions that might impact on employment interests
- if redundancy or a change in employment conditions is proposed
- when addressing performance and other employment-related matters
- supporting kaimahi rights of access to their union or other workplace advocate for work-related matters.

Good faith behaviour

An active and constructive approach must be taken to building and maintaining employment relationships, which includes:

Being open with each other

- informing each other about relevant issues (unless the information is confidential)
- attending meetings held at reasonable times to resolve bargaining or other employment-related issues
- considering and responding to employment-related concerns and issues in a fair and timely way
- considering and responding to proposals raised through bargaining and employment negotiations.

Dealing with each other honestly and respectfully

- sharing relevant information with each other ahead of when it is needed
- raising and addressing concerns or issues as soon as possible
- listening to each other and being solution-focused
- not misleading or deceiving each other or doing anything that is likely to mislead or deceive each other
- not doing anything to undermine the right to union representation and benefits of collective coverage including the right to join a collective agreement.

Acting fairly

When negotiating the terms or variation of an individual employment agreement and before concluding the agreement, the kaimahi will be given:

- a copy of the proposed agreement or variation
- relevant information
- a reasonable opportunity to get advice before signing it.

If a person's ongoing employment may be affected by a proposed decision, they will be given:

- notice of the proposed decision



- information about the proposal, the reason for it and the implementation effects
- an opportunity to comment on the information before the decision is made.

The kaimahi's response to the proposal will be carefully considered as part of making the final decision about the proposal.

When negotiating a collective employment agreement the [Code of good faith in collective bargaining](#) will be applied as relevant to the circumstances.

Respect rights

The rights of staff/kaimahi will be respected and implemented including the rights to:

- an equitable and inclusive workplace, and
- natural justice in [disciplinary matters](#).

Record employment terms

The terms and conditions of employment will be reflected in an individual or collective agreement. A copy will be given to the staff member.

A kaimahi who is a party to a collective agreement may agree on additional terms and conditions in an individual employment agreement provided these are consistent with and add to the collective terms.

Compliance

NZS 8134: 2021 Workforce and Structure, Service management, 2.3.8

Employment Relations Act 2000

Helpful links