

STAFF CHARTER AMENDED 24.04.08

Section	Human Resources		
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INTRODUCTION

The intention of this Charter is to clarify the rights and responsibilities of the Employer and Staff of Nelson Marlborough Institute of Technology (NMIT).

1. Rights and responsibilities come from a variety of sources including:
 - employment contracts
 - legislation
 - the Common Law
 - NMIT Policies and procedures

The Charter aims to highlight the key rights and responsibilities of the employer and staff of NMIT. It is not intended to be and can never be a definitive document.

The Charter should be viewed as a living document which assists us in our daily tasks, providing guidance as appropriate.

On occasions however, the Charter will need to be read in conjunction with the Staff Misconduct Procedure.

2. This Charter incorporates:

Code of Conduct

The established parameters for staff behaviour including legal requirements which are binding on all staff.

Code of Ethics

The established professional boundaries within which educators are obliged to operate.

3. **Definitions:**

Employer - the Chief Executive (CE)
Staff - the employees of NMIT

4. **Review:**

Review of the Charter shall incorporate staff involvement.

5. **Access:**

The Staff Charter constitutes part of the NMIT Quality Management System. Up to date copies are available on the Computer network (in Controlled Documents).

EMPLOYER'S RESPONSIBILITIES

General

- 1 Under the provisions of s56 of the State Sector Act 1988 the employer is responsible for ensuring that the following "good employer" matters are instituted as follows:
 - Good and safe working conditions
 - Impartial staff appointments
 - Recognition of Maori aspirations and employment requirements
 - Enhancement of employees' abilities
 - Recognition of aspirations and cultural differences of ethnic or minority groups
 - Recognition of the employment requirements of women
 - Recognition of the employment requirements of people with disabilities.
- 2 To abide by the NMIT Charter.
- 3 To abide by statutory obligations as they pertain to NMIT.
- 4 To conduct himself/herself so as to uphold the dignity, standing and reputation of NMIT and to refrain from any conduct that brings discredit to NMIT.
- 5 To ensure that NMIT policies and procedures are clearly written and available to all staff as required.
- 6 To respect the cultural background of staff and to not discriminate or harass because of ethnicity, disability, marital status, sexual orientation, age or religious or ethical beliefs.
- 7 **Safety and Health:** (ref. Health & Safety in Employment Act 1992)
 - To provide and maintain a safe working environment
 - To provide and maintain facilities for the safety and health of staff at work
 - To ensure that machinery and equipment is designed, made, set up and maintained to be safe for staff.
 - To ensure that staff are not exposed to hazards in the course of their work.
 - To develop procedures for dealing with emergencies that may arise while staff are at work.
- 8 **Staff Development:**
To provide for continuing professional growth and development for NMIT staff.
- 9 **Equity:**
 - To be committed to the elimination of discrimination through NMIT's Equal Educational Opportunities (EEEO) Programme.
 - To be committed to the elimination of discrimination through NMIT's Equal Employment Opportunities (EEO) Programme.

- 10 **Appraisal:**
To ensure that all staff receive impartial appraisals according to approved NMIT procedures.
- 11 **Staff Participation:**
To ensure that NMIT staff have input to the management of the institute and are consulted on issues that directly affect them.
- 12 **Human Resources:**
- To ensure that all staff have written letters, or contracts of appointment and current job descriptions.
 - To ensure all staff receive a copy of the Staff Charter on appointment.
 - To ensure the confidentiality of personnel files.
 - To ensure that staff who fulfil timesheet requirements are correctly paid on time every pay day.

EMPLOYER'S EXPECTATIONS

- 1 To exercise the powers and prerogatives as set out in the Education Amendment Act 1990 and as delegated by the NMIT Council.
- 2 To expect staff compliance with NMIT policies and procedures
- 3 To exercise Academic freedom as detailed in s 161 (2) of the Education Amendment Act 1990 namely:
 - 1(a) The freedom to regulate the subject matter of courses taught at NMIT
 - (b) Freedom to teach and access students in the manner considered that best promotes learning
 - (c) The freedom of the Employer to appoint NMIT's own staff.

STAFF RESPONSIBILITIES

During employment at NMIT, all staff are required to meet the following responsibilities:

General:

- 1 To support and operate within the principles of the NMIT Charter.
- 2 To carry out duties in good faith as set out in job descriptions, and to comply with reasonable and lawful instructions from persons to whom they are responsible.
- 3 To exercise professional and technical skill and judgement to the best of their ability and to discharge their duties and responsibilities with honesty and integrity.
- 4 To conduct themselves in such a way as to uphold the dignity, standing and reputation of the Institute, and to refrain from any conduct which might bring discredit to NMIT.

- 5 To comply with approved policies and procedures.
- 6 To adapt to changes in the work environment and to the method and procedure of work.
- 7 To work co-operatively with all NMIT staff.
- 8 To present themselves in a manner befitting the institution and acceptable to the client.
- 9 **Safety:**
- Not to wilfully do anything likely to endanger human life or property.
 - To adhere strictly to laboratory and workshop safety rules and to fire and emergency exit procedures.
- 10 **Human Resource Issues:**
- To inform the employer of illness or other absence at the earliest opportunity.
 - Not to be absent from work without good cause.
 - To comply with leave, payroll and timesheet policies.
 - To participate in the staff appraisal process.
 - To comply with room lock up and security procedures.
- 11 **Personal/Private:**
- To ensure that personal interests or activities do not interfere with the aims and objectives of NMIT.
 - To ensure that private activities do not bring NMIT into disrepute.
 - To refrain from any outside employment, paid or unpaid, which conflicts with NMIT duties.
- 12 **Intellectual Property:**
- To promptly disclose any intellectual property made or conceived during the course of employment with NMIT. This property including discoveries, inventions, design or software development etc is owned by NMIT unless a specific contract to the contrary or apportioning joint ownership has been entered into with the Employer. See NMIT's policy on Intellectual Property.
- 13 **Gifted Property:**
- To promptly disclose any gifted property of substance (valued at over \$50) received from outside the Institute while in the course of employment with NMIT. This property is owned by NMIT.
- Staff shall not accept any income, gifts or favours that may compromise any decision, action, or commitment in respect of NMIT or its students.
- 14 **Staff Development:**
- To strive to improve professional and technical competence by using professional development time to assist NMIT in achieving its objectives.
- To undertake specific training in the targeted EEdO areas of cultural awareness and sexual harassment prevention.
- Teaching staff are to comply with Tutor Training requirements.
- 15 **Computers:**
- To take care with computer equipment to prevent pirated software or computer viruses entering NMIT's computer networks.

- 16 **Confidentiality:**
While employed at NMIT and after employment has ceased, not to use or disclose information which may be supplied to the staff member during employment or information which the staff member may be aware of during employment, such information being in any way related to or connected with NMIT, unless necessary for the performance of duties or to meet the requirements of the law.
- 17 **Discrimination:**
To respect the cultural background of colleagues and clients; and not to discriminate or harass colleagues or clients because of sex, ethnicity, special needs, age, marital status, sexual orientation or religious or ethical beliefs in accordance with the provisions of the Human Rights Commission Act 1977.
- 18 **Substance Abuse:**
- To refrain from the consumption of alcohol while at work unless on an approved and organised social occasion.
 - To refrain from the possession or consumption of illegal drugs.
 - To comply with NMIT's non-smoking policy.
- 19 **Termination:**
To comply with exit requirements and return any Institute information or property on terminating employment.
- 20 **Copyright:**
To comply with the NMIT copyright policy and to ensure written, visual and audial reproduction is within the provisions of the Copyright Act 1962.
- 21 **Financial Interests:**
Staff, or any business in which they have a financial interest, shall not supply goods or services to NMIT unless that interest has been declared in writing to the Employer.
- 22 **Student Matters:**
- Tutors are responsible for establishing and maintaining appropriate boundaries between themselves and students so that working relationships are not confused with friendship or other relationships.
 - Tutors shall comply with the requirements of the NMIT Student Charter.
 - Tutors shall respect the cultural and ethnic backgrounds of students.
 - Tutors shall respect the learning styles of students and present lessons in a non-sexist and unbiased manner.
 - Tutors shall select, assess and evaluate students in a scrupulously fair and unbiased manner.
 - Tutors shall ensure a balanced presentation of controversial course content.
 - Tutors shall comply with student course evaluation procedures.
 - Tutors shall maintain student confidentiality.
- 23 **Teaching:**
Tutors shall be available to teach on courses in accordance with Contractual requirements and as negotiated with their Supervisor.
- 24 **Responsibility to Colleagues:**
- Staff shall seek conflict resolution or arbitration when conflicts with colleagues and/or students must be resolved in the interests of the students or of professional integrity.
 - Staff shall treat colleagues with respect, courtesy, fairness and good faith.
 - Staff shall promote co-operation with colleagues to further the education process.

- Staff should take constructive action through appropriate channels against unethical conduct by other staff, especially when it is detrimental to the professional credibility of NMIT.

STAFF EXPECTATIONS

General:

- 1 To be accorded personal dignity, privacy and respect regardless of background or status.
- 2 To be accorded freedom of speech, association, assembly, information, religion and academic freedom and political action within the laws of the land.
- 3 To remain in employment unless just cause for dismissal, non-renewal or severance is demonstrated by sound management practice.
- 4 To contribute to the educational, administrative and decision making processes of NMIT.
- 5 Not to be prejudged or discriminated against in any way or on any occasion on the grounds of ethnicity, disability, marital status, sexual orientation, age or religious or ethical beliefs.
- 6 To exercise professional judgment in areas of expertise.
- 7 To have access to NMIT policies and procedures.
- 8 To receive free borrowing rights from the NMIT Library Learning Centre within approved library policy.

9 **Human Resources:**

- To be advised immediately in writing of any official complaint made about personal performance.
- 10 To know the standard required for tasks undertaken, to know when standards are not met, and to know what needs to be done to meet the standard.
- 11 To be given time, training and encouragement as necessary in order to meet the required standard for tasks undertaken.
- 12 For "natural justice" to be applied in any investigation including the opportunity to explain and the opportunity to be represented by a person of the staff member's choice.
- 13 To operate with current job descriptions and have access to regulations and policies affecting conditions of employment.
- 14 To access their personnel file by contact with the Human Resources Team.
- 15 To receive correct pay on time provided timesheet requirements have been adhered to.

Health & Safety:

- 16 To have a safe and healthy working environment including:
 - safe facilities and equipment
 - provision of protective clothing as required

- provision of accident reporting procedures and accident documentation
- procedures for dealing with emergency situations that may arise while employees are at work.

17 To have access to an Employee Assistance Programme and Health Nurse.

Industrial Expectations:

18 To participate in employee organisations and to negotiate collectively in areas of mutual interest (eg TIASA, ASTE).

19 To enter into individual agreements as prescribed by the Employment Relations Act and any subsequent amendments.

20 To choose the bargaining agent of choice (within the limits presented by the Employment Relations Act and any subsequent amendments).

Childcare:

21 To have access to available childcare where possible.

Professional Development:

22 To have professional development needs recognised and approved needs met within resources available.

23 To have financial assistance provided for directed extramural study.

Academic Freedom:

24 The right to academic freedom as detailed in s 161 (2) of the 1990 Education Amendment Act namely:

- (a) The freedom of academic staff within the law to question and test received wisdom, to put forward new ideas and to state controversial or unpopular opinions
- (b) The freedom of academic staff to engage in research
- (c) The freedom to regulate the subject matter of courses taught at NMIT
- (d) The freedom to teach and access students in the manner which best promotes learning.

Information:

25 To have access to agendas and minutes of Council, Academic Board and Management Team meetings, except for confidential 'in committee' minutes.

26 To attend NMIT staff meetings and forums.

27 To attend Council and Academic Board meetings as observers.

NON-COMPLIANCE WITH THE STAFF CHARTER

1 Every attempt will be made to accommodate compliance with the provisions of this Charter in a fair and open manner that respects individual expectations and by procedures that are just and equitable.

2 Employer Non-Compliance:

Employer breaches of the Staff Charter will be matters for the NMIT Council to address as deemed appropriate.

3 Employee Non-Compliance:

Code of Conduct matters such as statutory requirements or matters specifically covered within NMIT

policy will be addressed by way of the Staff Misconduct Procedure.

4 Code of Ethics matters:

In the absence of Professional Association Codes of Ethics that are endorsed by the Employer/Council, NMIT management will work with local staff professional associations to resolve Code of Ethics issues.

Following development of endorsed Codes of Ethics, Staff Professional Associations will in the first instance, have initial responsibility for resolving staff related ethical issues.