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| Title | Describe employment requirements, and employment termination procedures for an agribusiness | | |
| Level | 4 | Credits | 4 |

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| Purpose | <p>The unit standard is intended for people who are, or intend to be, responsible for staff in an agribusiness.</p> <p>People credited with this unit standard are able to describe: employment obligations and responsibilities for an agribusiness; and the procedures for termination of employment in an agribusiness; in accordance with relevant legislation.</p> |
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| Classification | Agriculture > Agribusiness Management |
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| Available grade | Achieved |
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Guidance Information

- Legislation relevant to this unit standard includes but is not limited to:
Holidays and Leave – Holidays Act 2003, Parental Leave and Employment Protection Act 1987.
Health and Safety – Health and Safety at Work Act 2015; Injury Prevention, Rehabilitation, and Compensation Act 2001.
Wages – Minimum Wage Act 1983, Wages Protection Act 1983, Equal Pay Act 1972, Income Tax Act 2007.
Other – Human Rights Act 1993, Privacy Act 2020, Education and Training Act 2020, Employment Relations Act 2000 (ERA).
- Reference
 Information can be found on the Ministry of Business, Innovation and Employment website – <https://www.mbie.govt.nz/>.

Outcomes and performance criteria

Outcome 1

Describe employment obligations and responsibilities for an agribusiness in accordance with relevant legislation.

Performance criteria

- 1.1 Legislative requirements governing employment of staff are identified and described in relation to employment conditions in the agribusiness sector.

Range includes but is not limited to – written employment agreements, written job descriptions, wages, holidays, leave, equal pay, hours of work, equal employment opportunities, training, Accident Compensation Corporation (ACC), pay as you earn (PAYE), human rights, non-cash benefits, privacy, probation or trial periods; health and safety provisions – hazard identification, hazard management, accident reporting, emergency procedures, training, supervision.

- 1.2 The types of employment agreements relevant to employees, and methods of negotiating employment conditions are identified and interpreted in relation to the agribusiness.

Range types of agreement include but are not limited to – individual employment contract, contracts for services, seasonal contracts; employees – casual, permanent, fixed term.

- 1.3 Procedures for managing personal grievance and employment disputes are described in accordance with legislation and the circumstances of the agribusiness.

Range grievances include but are not limited to – sexual harassment, discrimination, personal grievance; employment disputes include but are not limited to – performance, timeliness, hours of work, pay.

Outcome 2

Describe the procedures for termination of employment in an agribusiness in accordance with relevant legislation.

Range redundancy, poor performance, misconduct, serious misconduct, end of fixed term, abandonment of employment.

Performance criteria

- 2.1 Procedures for termination of employment are described in accordance with legislative requirements and agribusiness procedures.
- Range legal requirements – terms and conditions of the employment agreement, the ERA;
substantive justification may include but is not limited to evidence of – misconduct, incompetence, negligence, frustration or breach of contract;
procedural fairness may include but is not limited to – right to due process, right to be heard, right to be represented, right to refute or explain allegations, notice, warning.
- 2.2 Documentation relating to termination of employment provides factual and detailed records of evidence in accordance with legislative requirements.
- 2.3 Consultation with, and use of, labour relations experts protects the agribusiness in difficult or precedent cases outside own level of expertise.
- 2.4 Termination of employment procedures maintain the respect and dignity of all parties and ensure that negative effects on remaining staff and all affected persons are minimised.

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| Replacement information | This unit standard, unit standard 21396, and unit standard 21397 replaced unit standard 16657. |
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This unit standard is expiring. Assessment against the standard must take place by the last date for assessment set out below.

Status information and last date for assessment for superseded versions

| Process | Version | Date | Last Date for Assessment |
|-----------------------|---------|-------------------|--------------------------|
| Registration | 1 | 27 April 2005 | 31 December 2022 |
| Review | 2 | 18 March 2011 | 31 December 2022 |
| Review | 3 | 22 October 2020 | 31 December 2022 |
| Rollover | 4 | 30 September 2021 | 31 December 2023 |
| Rollover and Revision | 5 | 14 December 2023 | 31 December 2025 |

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| Consent and Moderation Requirements (CMR) reference | 0052 |
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.