

People Transition Activities

Frequently Asked Questions

1. What does the new commencement date mean for people transfer activities?

The Commencement Date is the date that the Education and Training (Vocational Education and Training System) Amendment Act 2025 comes into force. This changed from 1 January 2026 to the day after the Act received Royal Assent, 22 October 2025. However, people transfer activities are still intended to take effect on 1 January 2026.

2. Does that mean the new entities stand up on 22 October 2025? What happens next?

The process of people transition requires approval of the ITP and WBL transition plans by the TEC Board. This has now been done.

Now the plans are approved, the following steps need to occur to enable the new entities to start making formal offers to kaimahi in line with the new legislation:

- The orders in councils are gazetted (completed)
- Governance members are appointed - Councils for ITPs and Boards for Industry Skills Boards (underway with expectation to be completed early December)

Offers will be made following this by the new entity for those kaimahi whom are to transition to:

- one of the ten ITPs that will stand up on 1 January 2026; or
- one of the eight Industry Skills Boards.

3. When will offer letters be sent to kaimahi?

Offers have started to go out to kaimahi who will be transitioning to the new entities. These commenced early December with the last of the offers likely to go out mid-December.

4. Why does my offer letter have 1 January 2026 as the effective date?

It is intended that for kaimahi transitioning, this will be effective 1 January 2026.

This allows for the activities that need to occur before the entities can stand up to be undertaken.

It also allows kaimahi time to review their offer, ask any questions and seek advice.

5. Why am I being offered employment by the current business division that I work for?

The Education and Training (Vocational Education and Training System) Amendment Act 2025 sets out the process for the new entities to offer employment to kaimahi where the functions those employees had been performing are to be transferred to the new entity.

An offer and acceptance means that your employment with NZIST would cease and you would become an employee of the new organisation.

This needs to be done in accordance with the Act (Part 7, subpart 1, clause 138 – 140).

If you have received an offer of employment, it means the functions you perform are transferring to the new organisation.

6. I will be on leave during the time period for consideration and signing. What should I do?

If you will be on leave during the month of December, we ask that you either:

- log in to your work email account so that you can review your offer of employment; or
- if that is not possible, please contact your local People and Culture Team as soon as possible to provide an alternative communication mode.

It is important you consider and make a decision about the offer of employment you receive before 12 December 2025.

7. What happens if I do not sign by 12 December 2025?

If you are wanting to accept the offer from the new entity, then it is important that you accept the offer by the 12 December 2025.

If you have not returned your offer by this date, NZIST national office People and Culture team will contact you to arrange a meeting with you before the end of the year.

8. If I don't sign, will I be entitled to redundancy?

If you do not accept the offer and do not send back your acceptance, then NZIST national office People and Culture team will meet with you, provide you a letter informing you that you have been offered an equivalent position and as such in line with the Act should you not accept that offer, your employment with NZIST will end. You will not in accordance with the Act be entitled to any redundancy compensation or notice, or any payment in lieu of notice.

9. What if I am not sure if I want to accept the offer?

If you have questions or would like to discuss your options on the offer provided to you, you should speak with your local People and Culture team.

It is important that you do that as soon as you have questions and not wait till 12 December.

10. What if I intended to sign the letter and forgot, and it is past 12 December. What do I do?

Please contact your local People and Culture team as soon as possible, even if this is in the new year and they will discuss your specific situation with you.

11. Will this offer of employment impact my work visa?

Not unless you are on the Accredited Employer Work Visa.

For kaimahi on the Accredited Employer Work Visa, you will not need to do anything, however the new entity will undertake the process to become an accredited employer.

Once this is done and if you are identified as transferring to the new entity, an offer will be made to you in accordance with the Act (e.g. on equivalent terms).

We suggest that you speak with your business division People and Culture team if this is the case for you, or you do not know what type of work visa you are on.

All other work visas will transition, and you do not need to do anything.

12. Can I negotiate my terms and conditions with the new employer?

No, this transfer process does not provide an opportunity to re-negotiate your current terms and conditions.

The offer of employment is for you to work in the same capacity as your current role on equivalent terms and conditions of employment.

It is simply a transfer of your current role with no changes.

13. I am not sure of my terms and conditions, what do I do?

If you are unsure, please contact your People and Culture team and they can provide you a copy of your employment agreement.

14. I am a member of a union. Will I still be on a collective agreement?

If you are a union member and the work you do is covered by the coverage clause of the applicable collective agreement, and you are made an offer, then you will continue to be covered by that collective agreement. NZIST and the business divisions will be in conversation with the union on this.

15. I am on a Collective Employment Agreement; do I need to sign the letter of offer?

Yes, you do. An offer and acceptance must be made and done in order for you to transition your employment to the new entity on 1 January 2026.

16. What happens to my leave and continuity of service?

There will be no change to any of your leave balances and your service with NZIST will be recognised as service with the new entity. This is for all service-related entitlements.

17. I am a member of the Government Superannuation Fund. What will happen with the Fund?

If you are currently a contributor to the Government Superannuation Fund, you will continue to be treated as employed in the Government service as long as you continue to be an employee of the new entity.

18. I'm currently on secondment at NZIST national office from a business division, what does that mean for me?

Your secondment will be unaffected by this process. If there was to be a change to your secondment, that would be a separate process and would follow the terms outlined in your secondment agreement. If you are identified to transfer to the new entity, you will still receive an offer from the new entity.

19. I am a member and covered by the TIASA CEA. Given that expires on the 31st of December 2025, what happens?

TIASA and NZIST are currently discussing extending the expiry date of the collective agreement. In any event, you remain covered by the terms and conditions of the current Collective Employment Agreement, even after 1 January 2026.

20. Can you please explain what the 'Acknowledgement and Acceptance' section means in the letter of offer?

The letter of offer provides one place for you to acknowledge that you have read the offer and that you agree to accept it on the terms outlined in the letter.

Some of the points to clarify are:

"I have had the opportunity to seek independent advice prior to accepting this offer": The purpose of this is to make sure you are aware that you can seek advice about the letter of offer, but you are not required to do so. You may choose to seek advice from your union, an advisor, a support person, or anyone else you trust to provide you with advice.

"Any previous agreements, understandings, or undertakings between me and NZIST are superseded by this offer": This means that the letter of offer and the documents referenced in it, are the complete set of terms and conditions for day 1 of your employment with the new employer.

"I have not relied solely on the advice of the new employing entity or any of its representatives": The purpose of this statement is to make sure that you are comfortable with the letter of offer based on your own assessment including any advice you might have obtained from your advisors, your union or support people.

21. I am a permanent employee and have a temporary arrangements eg, secondment to another role and/or receiving higher duties for performing more responsibilities on a short-term basis. If I agree to the transfer letter, do these transition?

Yes, all current terms and conditions of employment will transfer with you, including any currently agreed temporarily arrangements/variations. These will remain in place in accordance with the written arrangement you have in place – e.g. until the end date for those temporary arrangements.

22. I am currently going through an internal recruitment or selection process. What happens if I get a new role before the 31 December

If your current role is identified to be needed by the new entity from 1 January 2026, then early December 2025 you will get an offer of employment from the new entity for your current role on the same terms and conditions. If your current role is not identified to transition to the new entity, you will not get an offer of employment from the new entity. Should you then be successful for a new internal role before 31 December 2025, that is required in the new entity in 2026, you will get a new employment offer outlining the terms of that offer applicable to the role.