Example 4: Sample letter offering an individual employment agreement where there is a relevant collective agreement and the successful applicant is not a member of a union that is a party to that collective agreement

[insert date]

[insert name of successful applicant]

[insert address]

Dear [insert name]

Offer of employment

I am pleased to offer you the position of [insert title of position and name of business] at [insert location], starting [insert date]. You can choose whether you want to be employed on a collective employment agreement, or an individual employment agreement.

**Collective employment agreement**

The work you will do is covered by a collective employment agreement between [insert business name] and [insert union name]. A copy of the collective agreement is attached. I understand that you’re not a member of [insert union name]. It is your choice whether or not you join a union but if you want to be employed on the collective employment agreement, then you must join [insert union name]. If you join the union then you would automatically be covered by the collective agreement. If you want to join, you can contact the union on [insert contact details].

**Individual employment agreement**

If you choose not to join the union, you won’t be employed on the collective agreement and your proposed terms and conditions of employment will be those contained in the attached draft individual employment agreement.

You can discuss this offer of employment, and the proposed employment agreement, and seek advice from your family, union, lawyer, or someone else you trust. If you would like information about your employment rights, see [www.employment.govt.nz](http://www.employment.govt.nz) or phone the Ministry of Business, Innovation and Employment’s free information line on **0800 20 90 20**.

If there is anything in this offer of employment that you are unclear about, disagree with, you don’t understand or you want to discuss, please contact me.

**Acceptance of employment offer**

If you agree with the proposed terms and conditions and want to accept this offer of employment, please sign a copy of this letter [and the individual employment agreement ]and return [it or these] to me by **[insert date which gives the person a reasonable chance to get advice]**. If you have joined the union please advise me of this, in which case you only have to return the duplicate of this letter. If I don’t receive a signed copy of this letter [and employment agreement] by [5pm] on that date, this offer of employment will be automatically withdrawn and you will not be able to accept it.

Please advise me if you agree to me letting the union know that you have signed an individual employment agreement. This is your choice.

Welcome to our team, I look forward to working with you.

Yours sincerely,

[insert employer's name, title]

[and contact details]

I, [insert new employee's name], have read and had a chance to get advice about the terms of employment set out in this letter and in the attached employment agreement. I fully understand and accept this offer and terms and conditions of employment.

I agree/don’t agree to [insert union name] being informed that I have entered into this agreement.

Signed by: ......................................................... Date: .........................