



Working Contracts

Checklist

Control Point	Description	Tick Appropriate Box	Option
6 GRASP – Working Contracts			
6.1 There are written employment contracts for all employees signed by both parties	The contractor must maintain valid copies of working contracts for every employees. The contractor must use a contract that is compliant with applicable legislation and/or collective bargaining agreements and indicate at least full names, a job description, date of entry, wage and the period of employment.	<input type="checkbox"/> YES <input type="checkbox"/> NO	MANDATORY
6.2 All employees have received a copy of the signed employment agreement	The contracts must be signed by both the employee and the employer. The employee must received a copy. NOTE: if the employee does not wish to receive a coy of the contract, the contractor must record this on the employers copy and be signed by the employee as acknowledgement.	<input type="checkbox"/> YES <input type="checkbox"/> NO	MANDATORY
6.3 Employees have the correct contract according to national legislation	What contracts do you use; seasonal, fixed term, permanent. Ensure a contract is issued to each employee for each activity; harvest, summer pruning, winter pruning and ensure that the correct contract is in place for that employee.	<input type="checkbox"/> YES <input type="checkbox"/> NO	MANDATORY
6.4 Employment agreements and attachments include basic information (e.g. permanent, fixed term, seasonal)	<ul style="list-style-type: none"> • According to the Employment Relations Act 2000 sections 65 and 69OJ and the Holidays Act 2003 section 52, an employment agreement must include the following; <ol style="list-style-type: none"> 1. the names of the employee and employer concerned 2. a description of the work to be performed by the employee 3. an indication of where the employee is to perform the work 4. an indication of the arrangements relating to the times the employee is to work 5. the wages or salary payable to the employee 6. a plain language explanation of the services available for the resolution of employment relationship problems, including a reference to the period of 90 days within which a personal grievance must be raised 7. an employee protection provision requiring an Employer to provide information and consider comments in restructuring situations and include a process that the employer must follow in negotiating with a new employer about the restructuring 8. a provision that confirms the right of the employee to be paid at least time and a half for working on a public holiday. • It is best practice to include a privacy clause in the employee contract which outlines that a third party may see records e.g. employee representative or Inspector. 	<input type="checkbox"/> YES <input type="checkbox"/> NO	MANDATORY



Working Contracts

Checklist

Control Point	Description	Tick Appropriate Box	Option
6 GRASP – Working Contracts			
6.5 If the Contractor has added anything else to the employment agreement and/or schedules, there is no contradiction to the New Zealand Employment Law	Provide evidence that the EAs/schedules/deductions meet all the requirements under NZ legislation. NOTE: Ensure that there is nothing illegal in the contract – such as requirement for deduction from wages.	<input type="checkbox"/> YES <input type="checkbox"/> NO	MANDATORY
6.6 Do the employment records indicate the legal status to work either by a work permit or birth certificate and/or passport. Has the Contractor verified work permits (using visa view for example)	Provide evidence that any non-national employees working for the contractor indicate their legal status to be employed. A valid working permit is available. NOTE: Best Practice is to use Visa View and keep records of the visa checks (either soft or hard copy).	<input type="checkbox"/> YES <input type="checkbox"/> NO	MANDATORY



Working Contracts

Checklist

Control Point	Description	Tick Appropriate Box	Option
7 GRASP – Payslips			
7.1 Person/s responsible for the processing of payroll has sufficient knowledge and suitable systems in place to administer employee remuneration	<p>Detail the person/organisation responsible for payroll. From the payslips reviewed, detail any deductions that are authorised to be processed with employee remuneration (i.e. Kiwisaver).</p> <p>The employer shows adequate documentation of the salary transfer (e.g. employee's signature on payslip, bank transfer). Employees sign or receive copies of payslips/pay register that make the payment transparent and comprehensible for them. Regular payment of the employees during the last 24 months is documented.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
7.2 Are payslips issued for payment in defined intervals?	The payslip for payment is made in defined intervals (e.g. payslips or pay registers) is available for the employees to receive.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
7.3 Payments are made in accordance with the contract, payslips indicate that payments are made by bank transfer, or a signature on a payslip for cash wages received	Payslips or registers indicate that payments are made in accordance with the working contracts (e.g. employees signature on payslips, bank transfer etc).	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
7.4 There is documentary evidence that a copy of the payslip is provided to each employee regularly	GRASP requires the employee receives a copy of regular payment, as in a payslip.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
7.5 If the payment is calculated on a contract rate (piece rate), does the payslip show at least legal minimum wage on average (i.e. weekly) within regular working hours and paid breaks.	<p>The payslip must show the calculation from contract rate to hourly rate, show top up if needed to gain at least minimum wage. Hours worked must be shown.</p> <p>NOTE: Paid breaks must be shown on the payslip, when a contract rate is defined, at the calculated hourly rate if higher than minimum wage.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY



Working Contracts

Checklist

Control Point	Description	Tick Appropriate Box	Option
8 GRASP – Wages			
8.1 Complete traceabilities on random workers, pick week ending that contains statutory holiday; record details of compliance requirements of: <ul style="list-style-type: none"> - contract - legal right to work (visa, passport, visa view etc) - time sheets - payslips - contractor bank statement wage payments 	<p>Wages and overtime payment documented on the pay slips/pay registers indicate compliance with legal regulations (minimum wages) and/or collective bargaining agreements as specified in the GRASP National Interpretation Guideline. If payment is calculated per unit, employees shall be able to gain at least the legal minimum wage (on average) within regular working hours.</p> <p>NOTE: Minimum Wages are regulated by statute under the Minimum Wage Act 1983. Minimum Wages change with the discretion of the Government and are published under Legislative Instrument as Minimum Wage orders.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
8.2 All records and employee payments are kept for 7-years Documents are stored securely and effectively controlled	<p>The contractor must demonstrate these records exist and are retained (even if the employee has left).</p> <p>Inspection checks are made as to where the documents are stored to confirm they are secure and are effectively controlled.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY



Working Contracts

Checklist

Control Point	Description	Tick Appropriate Box	Option
11 GRASP – Time Recording System			
11.1 There is a time recording system that shows daily working time and overtime for the employees	The time recording system appropriate to the size of the company (e.g. time record sheet, check clock, electronic cards, etc.) is implemented and explained to the employees.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
11.2 A time recording system is implemented, appropriate to the size of the company (e.g. time record sheet, check clock, electronic cards etc)	NZ law requires the employer to have a wage and time record which includes “where necessary for the calculation of the employees pay” the number of hours and employee has worked per day and the wages paid to the employee for each pay period	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
11.3 The records indicate the regular working time for employees on a daily base	The number of hours an employee has worked for per day must be recorded. It is critical that hours of work are kept in order to determine average hourly rate to compensate for breaks.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
11.4 The records indicate the overtime hours as defined by contracts for all employees on a daily basis	All hours of work are recorded including any overtime hours.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
11.5 The records indicate the breaks/holidays days for the employees (on a daily basis)	To work out leave and public holiday entitlements you need to know the pattern of hours and days that are worked. Breaks taken and holidays taken are recorded for each employee. Every employee regardless of the type of employment is entitled to at least 4 weeks annual leave per year. For some employees (e.g. fixed term and casual) it may be appropriate to pay annual leave as “pay as you go” if the employee agrees to it. This must be recorded separately in the records.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
11.6 The working records are regularly approved by the employees (i.e. regularly signed record sheet, checking clock)	There is evidence that system records are regularly checked and approved by the employees (e.g. regularly signed record sheet, checking clock).	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
11.7 Access to these records is provided to the Employees’ Representative	Access to these records is always provided to the employees and to the employees’ representative(s) when applicable. NOTE: Principle 10 of the Privacy Act requires that personal information should only be used for the purpose for which it was collected, unless one of the exceptions in the Privacy Act applies. One of those exceptions is where the use is for a directly related purpose. A similar exception applies in relation to disclosing information to a third party under Principle 11 of the Act. In this case where an employer engages an inspector to conduct an inspection, the inspector is acting as an agent. Employers may wish to advise employees that some of the private information relating to contract and wage records may be made available for audit purposes. If requested by the employee, this information may also be made available to the employee representative. To inform employees that this information may be sighted by a third party it is recommended that you include a clause in their employment agreement.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY



Working Contracts

Checklist

Control Point	Description	Tick Appropriate Box	Option
12 GRASP – Working Hours and Breaks			
12.1 Information on valid labour regulation regarding working hours and breaks is available (e.g. in the GRASP National Interpretation Guideline)	This information available on the employment nz website. Employees must be aware of their rights. https://employment.elearning.ac.nz/ website.	<input type="checkbox"/> YES <input type="checkbox"/> NO	MANDATORY
12.2 Working hours including overtime as shown in the records indicate compliance with legal regulations	Overtime payments are not a legal requirement in New Zealand. Ensure that all working hours are recorded and are kept within the maximum as detailed in 12.4.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
12.3 Rest breaks/days as shown in the records indicate compliance with national regulations and guaranteed	Rest breaks are to be paid at the employees earning rate. For piece rate, rest break payments rates are to be paid based on the rate the employee will have been receiving at the time of the break.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
12.4 Regular weekly working time does not exceed 48 hours During peak season, weekly working time does not exceed 60 hours	In NZ there is no law regarding maximum working hours. We recognise that the nature of the industry means that work is seasonal and there may be more than one “peak season” depending on the type of work carried out. The intention of the control point is to ensure that people are not overworked. Obviously employee health and safety is a big concern when there are long hours over a continuous period. Usual working hours should not exceed 48 hours a week. During peak times the AVERAGE working week should not exceed 60 hours. (note this is an average across the whole peak times so some weeks there may be an exceedance of 60hrs, as long as the average of all weeks doesn’t exceed 60hrs).	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY



Working Contracts

Checklist

Control Point	Description	Tick Appropriate Box	Option
17 GRASP – Onsite GRASP			
17.1 Question worker: Legal status – get names and check evidence of legal right to work	Ensure that workers are legally eligible to work in NZ: • Keep copies of overseas employees' passports/ work visas on file.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
17.2 Question worker: How do you make a complaint if you have one – do you know the procedure?	All employees should be informed of the complaint/ suggestion procedure as part of their induction training.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
17.3 Question worker: Have you signed an employment agreement contract with your employer?	All employment agreements must be signed by both the employer and employee.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
17.4 Question worker: Have you been given a copy of the signed employment agreement contract?	The employees must be provided with an employee agreement and copies kept on file. When the employee does not wish to be given a copy, there must be evidence of this on the contractor's copy.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
17.5 Question worker: Are you provided with a payslip giving evidence of payment for hours worked?	A payslip must be provided to the employee.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
17.6 Question worker: Are you paid according to your contract?	The pay rate in the employment agreement must correspond to the rate on the payslip.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
17.7 Question worker: Has your employer communicated their Good Social Practices Declaration – how was this done?	The contractor's Good Social Practices Declaration is actively communicated to the employees.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
17.8 Question worker: What are the emergency procedures (i.e. where to find the first aid kit, who has first aid training, where is the nearest phone).	The answers need to reflect the health and safety procedures and the accident and emergency procedures for the contractor which should have been included in the workers training.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY



Working Contracts

Checklist

Control Point	Description	Tick Appropriate Box	Option
17 GRASP – Onsite GRASP			
17.9 Question worker: What requirements have you been asked to complete for COVID-19 before starting worker on orchard?	<p>The inspector will ask the worker about:</p> <ol style="list-style-type: none"> 1. Pre Employment Protocols 2. Prior to Entry to an orchard Protocols 3. Good Hygiene Practices (Appendix 2) 4. All sick staff must go home immediately (Records must be kept for a period no less than 8 weeks after entering COVID-19 Alert Level 1) 5. Distancing and the use of Masks 6. Site registers, Tracer app., manual sign in (visitor register appendix 1) 7. Site and Equipment Hygiene (Appendix 3) 8. Communicate risks and good practice to all staff (Appendix 4 or equivalent) <p>NOTE: Best Practice to encourage the persons responsible for worker's welfare to subscribe to the NZKGI Newsletter https://www.nzkgi.org.nz/what-we-do/subscribe-to-our-newsletter/</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
17.10 Question worker: What are the hand-washing procedures, reporting of illness and return to work procedures?	The answers must reflect the hygiene instructions and policies which must have been included in the workers training.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY