

PRESENTERS



Bronwyn Heenan, Senior Associate, Simpson Grierson, Wellington

Bronwyn is a senior associate in the firm's employment law group. She has particular expertise in disciplinary and termination matters (including conducting investigations), sales and purchases of businesses, change management processes and drafting employment agreements and policies as well on health and safety matters. Bronwyn acts for clients in the public and private sector as well as Local Government.



Rebecca Rendle, Senior Associate, Simpson Grierson, Auckland

Rebecca is a senior associate in the employment law group. She is experienced in all aspects of employment law including advising on personal grievance claims and restructuring, disciplinary, and performance management processes. Rebecca provides advice on employment law issues to clients in a range of sectors, including health, banking and finance, engineering and manufacturing, retail, and forestry. Her practice involves advising employers on their statutory obligations under the Employment Relations Act, Holidays Act, Parental Leave and Employment Protection Act, and Health and Safety in Employment Act.

Acknowledgement

This webinar is sourced from a session delivered at the NZLS CLE Ltd, Employment - redundancy In Short (7 April 2016).

The statements and conclusions contained in this booklet are those of the author(s) only and not those of the New Zealand Law Society. This booklet has been prepared for the purpose of a Continuing Legal Education course. It is not intended to be a comprehensive statement of the law or practice, and should not be relied upon as such. If advice on the law is required, it should be sought on a formal, professional basis.

Cover and text stocks used in this publication are from Forestry Stewardship Council certified mills, manufactured under the environmentally responsible paper manufactured environmental management system ISO 14001, using pulp from well managed forests and other controlled sources.

CONTENTS

1. INTRODUCTION	1
2. KEY PROVISIONS OF THE EMPLOYMENT RELATIONS ACT 2000	3
GOOD FAITH	3
TEST OF JUSTIFICATION	4
3. KEY CASES	7
<i>Edwards v Two Degrees Mobile Limited</i>	7
<i>Rittson-Thomas t/a Totara Hills Farm v Davidson</i>	7
<i>Grace Team Accounting Ltd v Brake</i>	8
<i>Scarborough v Micron Security Products Ltd</i>	9
<i>Ledger v Delmaine Fine Foods</i>	10
<i>Phillips v Juken New Zealand Ltd</i>	11
<i>Pickering v Sound Enterprises Ltd t/a Scott Technical Instruments</i>	13
<i>Wang v Hamilton Multicultural Services Trust</i>	14
<i>Gilbert v Transfield Services (New Zealand) Limited</i>	15
<i>Ellis v Sports Marketing Ltd</i>	16
4. GOOD FAITH OBLIGATIONS REGARDING THE PROVISION OF INFORMATION	19
<i>Vice Chancellor of Massey University v Wrigley & Kelly</i>	19
5. AMENDMENT TO THE ERA	21
6. CONCLUSION	23