

PRESENTERS



Michael Quigg, Partner, Quigg Partners, Wellington

Michael has appeared in various employment forums and Courts and has been involved in a vast number of cases dealing with all aspects of employment law and H&S matters. He has a special interest in Board and CEO issues.



Rukumoana Schaafhausen, Director, Auckland

Rukumoana is a director on a number of Boards including Genesis Energy, Te Waharoa Investments and is Deputy Chair for Waikato-Tainui Te Kauhanganui Inc. She has practised as a lawyer in the areas of governance and property.

CONTENTS

EXITING SENIOR EXECUTIVES	1
INTRODUCTION	1
NEW ZEALAND EMPLOYMENT LAW LANDSCAPE.....	1
AUSTRALIAN LANDSCAPE.....	2
OTHER JURISDICTIONS	2
PREPARATIONS TO MANAGED EXIT	3
<i>Contractual arrangements</i>	3
<i>Contract for services</i>	3
<i>Fixed term</i>	3
<i>Open tenure – specific clauses</i>	5
<i>Irreconcilable difference/irretrievable breakdown</i>	5
<i>Walk in the park</i>	6
<i>Without prejudice</i>	7
<i>Mediation (private or statutory)</i>	8
PARTICULAR SETTLEMENT TERMS	8
<i>Severance payments</i>	8
<i>Bonus/incentive payments</i>	9
<i>Shares/share options</i>	9
<i>Pensions/superannuation</i>	9
<i>Directors and officers insurance</i>	10
<i>Restraints</i>	10
<i>Announcements/agreed statements</i>	10
<i>Garden leave</i>	10
<i>Warranties</i>	10
<i>Mutual full and final settlement</i>	11
<i>Neither party speak ill/non disparagement</i>	12
<i>Insurance cover</i>	12
<i>References/referees</i>	12
<i>Execution</i>	12
CONCLUSION	12
<i>Appreciation</i>	12