

PRESENTER



Helen White, Barrister, Chancery Chambers, Auckland

Helen has a background representing unions and their members. Last year she successfully defended the Golden Bay Cement workers in a claim by their employer that they had gained an illegal preference in their collective agreement.

CONTENTS

RESTRUCTURING, REDUNDANCY AND REDEPLOYMENT – SUBSTANCE AND PROCEDURE	1
INTRODUCTION	1
THE 1990s: ECA AND <i>HALE</i>	2
FURTHER EROSION IN THE LATE 1990s: <i>AORAKI</i> AND <i>THWAITES</i>	3
MISUSE	4
COUNTERVAILING FORCES: <i>CAMMISH</i>	4
THE NEW JURISPRUDENCE: <i>ERA</i> , <i>WANG</i> , <i>JINKINSON</i> , <i>WRIGLEY</i>	4
GRACE TEAM ACCOUNTING	6
ADAPTING TO THE CHANGE IN SECURITY OF EMPLOYMENT	7
IMPACT ON PRACTICE	7
<i>Step one: forget what you know</i>	8
<i>Step two: comply with the employment agreement</i>	8
<i>Step three: s 4</i>	8
<i>Step four: s 103A</i>	8
<i>Step five: the right to redeployment</i>	9