

PRESENTER



Steph Dyhrberg, Dyhrberg Drayton Employment Law, Wellington

Steph Dyhrberg is a specialist employment lawyer practicing in Wellington. She has 23 years legal experience. Prior to joining forces with Johanna, Steph practised as a sole practitioner for six years. Steph previously worked for Russell McVeagh Wellington, as a Crown Counsel in the Employment and Education team of the Crown Law Office, and as an employment lawyer for human resources specialists Right Management Consultants (formerly Greene Hanson, and The Empower Group). Steph is a founding member of the Social Workers' Disciplinary Tribunal, a member of the New Zealand Law Society Wellington Branch Council and was a founding author of Brookers District Court Procedure. Steph is a member of the New Zealand Law Society and the Wellington Women Lawyers' Association. Steph is recognised as a highly effective senior employment advisor and advocate. She is a skilled conference and workshop presenter, and has developed a specialist expertise in undertaking independent investigations and reviews.

The statements and conclusions contained in this paper 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.

CONTENTS

RESTRUCTURING AND REDUNDANCY	1
INTRODUCTION	1
THE BUSINESS CASE FOR CHANGE – PLANNING FOR SUCCESS	1
<i>Cases - re-visiting Simpsons Farms v Aberhart</i>	1
<i>Principles arising out of the Totara Hills Farm, Brake and Tan cases:</i>	4
<i>Best practice consultation & implementation processes</i>	4
DISCLOSURE OF INFORMATION	5
REDEPLOYMENT REQUIREMENTS	5
RECENT CASES	6
KEY POINTS TO TAKE OUT OF THE REDEPLOYMENT CASES:	6
MULTIPLE FAILINGS, ARGUABLE DISCRIMINATION AGAINST FORMER UNION DELEGATE	7
PUBLIC SECTOR ISSUES	8
ACTING FOR EMPLOYEES FACING REDUNDANCY OR WHO HAVE BEEN MADE REDUNDANT	9