

INDUSTRIAL RELATIONS TRAINING



SEPARATELY BOOKABLE SEMINARS

Train Your Team

see group discount details on back page

Communicating and Negotiating with Unions

1 & 2 September – Auckland
16 & 17 September – Wellington

Learn how to communicate, negotiate and bargain effectively with unions in a changing legal environment

Stephanie Dyhrberg & Philippa Branthwaite



Beginnings & Endings: The Legal Framework for Managing the Start and End of Employment Relationships

21 September – Auckland
12 October – Wellington

Understand your rights as an employer & gain legal guidance on managing recruitment & termination to minimise your legal risks

**Bridget Smith & Emma Warden (Auckland)
Katie Elkin (Wellington)**



Investigative Interviewing Techniques

4 & 5 October 2010 – Wellington
18 & 19 October 2010 – Auckland

Enhance your investigative skills for IR professionals

Keith McGregor



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Communicating and Negotiating with Unions

1 & 2 SEPTEMBER – MERCURE HOTEL, AUCKLAND • 16 & 17 SEPTEMBER – DUXTON HOTEL, WELLINGTON



COURSE OUTLINE

Day One

Union News & Views: An Introduction to Union Structures & Strategies

- A union's role in an open market economy
- The power and influence wielded by New Zealand unions
- Understanding how unions operate and knowing who the key players are
- Where and why union bargaining strategies differ from the employer approach
- Unions using more partnership styles

The Legal Environment: Employment Law and the Employer-Union Relationship

- Understanding the key features of the current legislative environment, including any recent or forthcoming amendments
- Good Faith – your rights and obligations
- The ERA's core requirements concerning the rights and obligations of unions and employers, collective agreements and the process for collective bargaining
- Understanding different types of employment arrangements and ensuring that you meet your obligations in recruiting new staff
- Essential standard terms
- Multi-party bargaining
- Understanding the nature and implication of strikes and lockouts

Communication

- Legal rights and obligations leading up to and during bargaining
- Prohibited communications – keeping out of trouble
- Communication strategies that work – building the relationships you really want
- Addressing bad behaviour – bad faith

Implementing a Systematic Approach to the Negotiation Process

- Understanding the advantages and limitations of conventional bargaining
- Benefits of interest based bargaining, using joint problem solving
- Selecting a negotiating strategy for your organisation

- Negotiation stages
- Creating an agenda, identifying issues and exploring options
- Managing expectations
- How to cope with the positional bargainer
- Dealing with conflict – understanding the nature of the dispute
- How to work with and handle difficult people

Planning and Executing Team Negotiations

- What are the key elements of a strong and effective team?
- How to select and manage a strong team
- Identifying and maximising individual style and building your overall strategy
- How to prepare the team for employer–union discussion so you work effectively together

Day Two

Unlocking Deadlocks and Avoiding Stalemates

- Understanding what deadlocks and stalemates are and why they arise
- Strategies and tactics you can use to unlock deadlocks
- Managing the potential escalation of interpersonal conflict and major industrial dispute during employer–union discussions
- Looking at ways of keeping both parties in the negotiation process

Reaching Closure in a Union Negotiation

- Strategies and tactics to use when closing a negotiation
- Traps to avoid when attempting to reach closure
- How to record an agreement

Practice Exercise

With the guidance of the presenters, participants will form bargaining teams, prepare for and practice the first stages of bargaining, using the tools and approaches discussed in the workshop. Feedback and coaching will be given, and participants will be assisted to identify learnings.



OTHER COURSES YOU MAY ALSO BE INTERESTED IN:

Negotiating, Drafting & Managing Contracts – September

Mastering Challenging Interpersonal Management Situations – September

Beginnings & Endings:

The Legal Framework for Managing the Start and End of Employment Relationships

21 SEPTEMBER 2010 – MERCURE HOTEL, AUCKLAND • 12 OCTOBER 2010 – DUXTON HOTEL, WELLINGTON



COURSE OUTLINE

Beginnings

Recruitment Issues

- What questions can be asked of an applicant?
- Human Rights Act and Privacy Act
- Disability issues
- Criminal records check
- Pre-employment medical testing or drug testing
- Conducting reference checks
- Dealing with misrepresentation by an applicant
- Cases involving misrepresentation
- The importance of application forms

Offering Employment

- Letters of offer and draft employment agreements
- What is the right type of employment:
 - Permanent employee, fixed term or casual?
 - Independent contractor?
- Individual employment agreement or collective?
 - Collective coverage issues and the 30 day rule;
 - Process under Employment Relations Act 2000
- Negotiating terms and conditions of employment

Restraint of Trade Issues

- Determining a new employee's restraint obligations
- What risks does the new employer also face
- Working with a valid restraint clause

Endings

Understanding the Test of Justification

- Section 103A of the Employment Relations Act
- Understanding the following:
 - Good reasons for dismissal (substantive justification)
 - Fair process (procedural fairness)

Dismissal for Repeated Misconduct/Serious Misconduct

- Minimising risks of unjustified dismissal
- The investigation process
- Complying with employment agreements and HR policies
- Rules for suspending an employee
- When can constructive dismissal arise?
- Disparity of treatment
- Case law examples

Dismissal for Continued Poor Performance

- Initial steps to take to manage poor performance
- Process in the event of continued poor performance
- Key case law

Implementing Redundancy

- Duty of good faith – what does it mean?
- Consultation requirements
- When is redundancy substantively justified?



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Investigative Interviewing Techniques

Enhance your investigative skills for IR professionals

4 & 5 OCTOBER 2010 – DUXTON HOTEL, WELLINGTON • 18 & 19 OCTOBER 2010 – MERCURE HOTEL, AUCKLAND



COURSE OUTLINE

Overview on Investigative Interviewing

- What is 'investigative interviewing'?
- Investigative interviewing versus interrogation
- Ethical and legal issues
- Potential and limitations of investigative interviewing
- Leadership and empathy in investigative interviewing

Investigation Scenarios

- HR investigations
- Inappropriate internet and computer access
- Theft and fraud investigations
- Information leak investigations
- Accident investigations
- OSH violations
- Bullying and interpersonal conflict

The Psychology of Deception and Lying

- Lying and deception in nature
- Good lies and bad lies
- Selective memory and accidental deception
- Coercion and self protection
- Reliability of eye-witness evidence
- Understanding false confessions
- The dynamics of factions
- The impact of the 'Stockholm Syndrome'

Non-Verbal Behaviour and Deception

- The role of body language in detecting deception
- The reality behind 'Lie to Me'
- Stress reactions and micro gestures
- Hidden traps in observing versus interpreting reactions
- Cultural patterns in non-verbal behaviour

Formal Interview Strategies

- PEACE interviewing framework
- Cognitive interviewing
- Criterion Based Content Analysis
- SCAN technique

Practical Interview Techniques

- Interview preparation
- Taking and analysing statements
- Question formats
- Confidentiality and witness protection
- Note taking and recording
- Dealing with resistance, denial and fear

Detecting and Managing Deception

- The interview as a 'crime scene'
- Avoiding contaminating the evidence
- Recognising the subtle signals of deception
- Avoiding self-fulfilling prophecies
- Analysing and interpreting information
- Challenging and clarifying deception
- Recognising how people can tell the truth but still be lying

Reporting Results of Investigations

- Separating fact from opinion
- Providing in depth analysis and recommendations
- The right manner of questioning
- Obtaining and incorporating feedback from interested parties

COURSE TIMES

Day 1 8.30am Registration & Coffee

Days 1 & 2 9.00am Start - 5.00pm Finish

Refreshment breaks, lunch and workbook material will be provided.



INSTRUCTOR PROFILES

Steph Dyhrberg



Steph Dyhrberg is a specialist in employment law practice who is dedicated to helping her clients improve their workplace practices and avoid costly staff problems. Prior to setting up her own practice, Steph worked for Russell McVeagh, The Crown Law Office and for human resources specialists Right Management Consultants. Her clients include government

departments and other government agencies, companies, charities and individuals.

Philippa Branthwaite



Philippa Branthwaite is experienced in employment relations and is an effective facilitator and training consultant. She has worked for two large state unions and has spent the last ten years as a consultant for unions and the government sector. Her work has focussed on employment relations including the Employment Relations Act, interest based negotiations,

the development of good faith relationships, employment partnerships and employment equity. She is an associate for the Partnership Resource Centre.

Bridget Smith



Bridget is an employment lawyer, with significant litigation experience, who advises on the full range of employment law issues including both contentious and non-contentious matters for a range of corporate, government and state sector clients. Bridget has significant litigation experience, having appeared in

the Employment Relations Authority, Employment Court, Court of Appeal, District Court and High Court. She regularly attends mediation on behalf of clients and is focussed on achieving pragmatic and commercially driven outcomes for clients.

Katie Elkin



Katie is an employment law specialist with a wealth of experience advising high profile private and public sector clients. Katie regularly represents clients in litigation including in the Employment Relations Authority and Employment Court. She also has extensive experience in attending mediations and negotiating private settlements.

Emma Warden



Emma is an employment lawyer who provides legal advice in all areas of employment law including health and safety, public law and education law. Emma's areas of expertise include drafting employment documentation, representing both private and public sector employers at mediation, the Employment Relations Authority and the Employment Court, and providing legal opinions on employment, health and safety and public law issues.

Keith McGregor



Keith McGregor's background includes 12 years as an occupational psychologist with the Royal New Zealand Air Force and over twenty years as an organisational psychologist in private practice. Keith has extensive experience in selection interviewing and has assisted in a number of accident and workplace investigations.



ABOUT THESE COURSES

Communicating and Negotiating with Unions

Work stoppages and strikes can affect productivity levels, increase employment costs and create a negative atmosphere that prevents employers and unions alike from achieving what they want from their negotiations.

Both sides of the industrial fence can get what they want if they are astute in their industrial bargaining. Success in the bargaining outcome with unions requires strong preparation, a persuasive negotiation strategy and a sound understanding of employment law

Communicating and Negotiating with Unions has been designed to develop your knowledge of the ERA and your rights and obligations concerning unions, collective agreements and good faith. This course is your chance to learn and understand key negotiation techniques and employment law crucial for union engagement.

Beginnings & Endings: The Legal Framework for Managing the Start and End of Employment Relationships

The recruitment and termination process can be harrowing as a wrong decision or wrong legal process when recruiting staff are not only costly but stressful and damaging to the company's goodwill.

Beginning and ending an employee's employment have been identified as some of the most difficult things for managers to deal with and some of the most risky areas of employee relations.

Recruitments and terminations are drastic thus it has to be fair, warranted and managed carefully. There will be several considerations employers will have to make to ensure that the prospective employee is suitable and appropriate for the job.

Investigative Interviewing Techniques

Situations can arise in organisations when it is necessary to carry out interviews to establish the facts of an event, uncover dishonest or illegal actions or resolve conflict.

Interviewing in these situations can be challenging but can also be rewarding when there is a clear structure to follow and an understanding of how to obtain and analyse information. Key topics for the seminar are supported with practical exercises and skills training during the two days.

Investigative Interviewing Techniques is a course designed to give you the knowledge skills to confidently lead and structure investigative interviews.

Priority Booking Code

Customer Number

INDUSTRIAL RELATIONS TRAINING

Communicating and Negotiating with Unions

Beginnings & Endings: The Legal Framework for Managing the Start and End of Employment Relationships

Investigative Interviewing Techniques



Brochure Code: A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

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 Last Name _____
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- Send a substitute delegate in your place
- Confirm your cancellation in writing (letter, fax or email) at least ten working days prior to the event and receive a refund less a \$300+GST service charge per registrant. Regrettably, no refunds can be made for cancellations received after this date.

Delegates are responsible for their own travel/accommodation bookings and no compensation will be made should the conference be rescheduled or cancelled.

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Please Note: Bright*Star reserves the right to make any amendments that we may deem to be in the best interest of the seminar

Course Information

EARLY-BIRD SPECIAL

Registrations received/paid before below dates

STANDARD PRICE

Registrations received/paid after below dates

	EARLY-BIRD SPECIAL Registrations received/paid before below dates	STANDARD PRICE Registrations received/paid after below dates
Communicating and Negotiating with Unions (TD050)	\$1895 plus GST SAVE \$100 (14 July 2010)	\$1995 plus GST (14 July 2010)
Beginnings & Endings (TD051)	\$1195 plus GST SAVE \$100 (3 August 2010)	\$1295 plus GST (3 August 2010)
Investigative Interviewing Techniques (TD052)	\$1895 plus GST SAVE \$100 (16 August 2010)	\$1995 plus GST (16 August 2010)

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