

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2014] NZERA Auckland 423
5451108

BETWEEN ZOE PICKERING
 Applicant

AND SOUND ENTERPRISES
 LIMITED (trading as SCOTT
 TECHNICAL INSTRUMENTS)
 Respondent

Member of Authority: Anna Fitzgibbon

Representatives: Rose Alchin, Counsel for the Applicant
 Phillip Cornegé, Counsel for the Respondent

Investigation Meeting: 24 September 2014 at Hamilton

Submissions Received: 24 September 2014 from Counsel for the Applicant and
 Counsel for the Respondent

Date of Determination: 14 October 2014

DETERMINATION OF THE AUTHORITY

- A. Sound Enterprises Limited (trading as Scott Technical Instruments), had genuine reasons for terminating Ms Zoe Pickering's employment for reasons of redundancy.**
- B. In terminating Ms Pickering's employment, a fair procedure was followed by Sound Enterprises Limited (trading as Scott Technical Instruments).**
- C. Costs are reserved.**

Employment relationship problem

[1] The applicant, Ms Zoe Pickering, claims the termination of her employment on 20 December 2013 by the respondent, Sound Enterprises Limited (trading as Scott



Technical Instruments) (Scott Technical) for redundancy, amounted to an unjustifiable dismissal.

[2] Ms Pickering claims that the redundancy of her position was not justifiable on either substantive or procedural grounds. Ms Pickering claims that there were mixed or ulterior motives which played a part in her dismissal for redundancy. Ms Pickering points in support of this claim to a discussion with the managing director, Mr Roger Hardy, about her hours of work and her performance. This discussion was shortly before Mr Hardy proposed a restructure which included the termination of Ms Pickering's position.

[3] Scott Technical denies that Ms Pickering was unjustifiably dismissed. Mr Hardy says Scott Technical was suffering from a financial crisis which led to the restructure of the organisation and the reduction in positions, one of which was Ms Pickering's. Scott Technical says that the process followed by it, while swift due to the urgency of the financial circumstances, was fair and reasonable.

[4] Mr Hardy denies having ulterior motives for terminating Ms Pickering's employment. Mr Hardy says the discussion about Ms Pickering's hours of work was in the context of Scott Technical's financial issues. Performance was mentioned in relation to getting the job done in 30 hours rather than 40 hours. There was no suggestion Ms Pickering was not performing, she was a hard working and valued employee.

Issues

[5] The issues for determination are whether Ms Pickering was unjustifiably dismissed by Scott Technical, specifically:

- (a) Whether Scott Technical had genuine reasons for the restructuring exercise which led to the termination of Ms Pickering's employment;
- (b) Whether Scott Technical followed a fair and proper process.

Scott Technical

[6] Scott Technical is a large privately owned provider of environmental monitoring equipment and services in New Zealand. Scott Technical has branches in Hamilton and in Christchurch and employs approximately 20 staff. Many of the staff



employed by Scott Technical have either professional or technical expertise in areas such as hydrology, meteorology, instrumentation, software and electronics¹.

Ms Pickering's employment

[7] Ms Pickering was employed by Scott Technical on 19 June 2007 in a junior sales and technical support role for its subsidiary business, Weather Data.

[8] In mid-2012 Ms Pickering was offered, and accepted, a more senior role with Scott Technical as a sales manager. Mr Hardy wished to increase the profile of Scott Technical and was confident in Ms Pickering's skills to do so. Hours of work were discussed and it was agreed that Ms Pickering would continue to work 30 hours per week, 25 hours on site and 5 hours remotely from home. Ms Pickering was aware that the new role was a more demanding role than her previous one and expected to work more hours as and when necessary.

[9] There was, what was described by Mr Hardy at the investigation meeting, a misunderstanding as to the hours to be worked and payment for the role. Ms Pickering understood that her new salary of \$50,000 per annum was for 30 hours a week, 25 hours of which were worked in the office and 5 hours worked remotely. Mr Hardy understood that for a period of time Ms Pickering would work 30 hours as she proposed. However, when Ms Pickering moved to Hamilton the following year when her son went to Intermediate School, Mr Hardy understood Ms Pickering would increase her hours to 40 per week with no increase in salary. During the course of the investigation meeting, Mr Hardy said this was not discussed during the year with Ms Pickering. This was because Ms Pickering was a good worker who was making positive changes to Scott Technical and there was no need to raise it.

Scott Technical's financial situation - 2013

[10] As a senior staff member, Ms Pickering was involved in a number of meetings during the course of 2013 about the state of the company and its financial difficulties. Many of the meetings were "*business as usual*" meetings in which staff were shown monthly revenue figures. There were also discussions at those meetings about promotional and marketing activities and how Scott Technical could improve its sales performance.

¹ www.scottech.net



[11] Mr Hardy says that during 2012-2013, he spent a great deal of time analysing and reducing Scott Technical's expenses. However, Mr Hardy says Scott Technical had a very quiet start to the year in 2013 which lasted for a much longer period than usual. Mr Hardy says that the financial repercussions of the slow start came to a head in late June and July 2013 when he saw Scott Technical's figures for the year to date.

[12] Mr Hardy says because he had already looked at Scott Technical's expenses and had reduced those where he could, he needed to consider the possibility of restructuring Scott Technical. Mr Hardy understood such a restructure might mean redundancies. Mr Hardy put together some ideas and possible scenarios of what a restructure may look like and then sought advice from his law firm regarding his legal obligations.

[13] In mid-August, Mr Hardy decided to shelve the restructuring plan. This was for a number of reasons. Reasons included Scott Technical's improved monthly figures for June and July which had been good revenue months, two staff had left in July and August and were not replaced and Mr Hardy was confident that Scott Technical would have good revenue months in the lead-up to Christmas as in previous years.

[14] In mid-November Mr Hardy reviewed Scott Technical's financial results for the month of October. Scott Technical had only achieved 41% of its revenue target and Mr Hardy became extremely concerned for its future. He decided that he would need to take urgent action in order for Scott Technical to be able to continue through the Christmas holiday break.

Friday 22 November 2013

[15] On Friday 22 November 2013, Ms Pickering and Mr Hardy had an informal discussion in Mr Hardy's office. Mr Hardy says he wanted to speak with Ms Pickering about Scott Technical's escalating financial crisis. Mr Hardy started the conversation by asking Ms Pickering about her plans in terms of her son's schooling and whether she would be able to increase her hours to 40 hours a week. Mr Hardy says he had the financial crisis on his mind and felt that if Ms Pickering was able to work full time it may alleviate some of the financial strain on Scott Technical.



[16] Ms Pickering's recollection of the meeting is that Mr Hardy was pushing her to permanently increase her hours to 40 hours per week, which was not possible given her child care responsibilities. The meeting deteriorated and Mr Hardy was not able to raise the issue of Scott Technical's financial situation. There is a conflict in the evidence regarding whether or not Ms Pickering requested Mr Hardy to put his thoughts in writing about her hours of work. It is not central to the issues that I am required to determine. However, Mr Hardy did send a letter dated 24 November to Ms Pickering early on the morning of 25 November. The letter sets out Mr Hardy's understanding of the hours Ms Pickering was to work. The letter states:

It has been my expectation since you have taken up the position at Scott Technical that you were going to increase your hours. This was based on a discussion that we had prior to you moving to the position, as I was of the understanding that you were going to purchase a house in Hamilton, and move there from Raglan. ...

What has transpired is that you have not increased your hours, and continue working from home as well. A good number of the positions responsibilities are not being done at all, and many of them are being done poorly. The work that you do from home is minimal and operational in its nature. It does not bring your output up to the level required of the position you were to take on.

You also informed me on Friday that your position was unlikely to change for the foreseeable future.

It is of critical importance to the company that I fill the position that was proposed to you. I have expressed this to you on more than one occasion previously. If you cannot, or are unwilling to do so, then we need to change the plans that both of us have had. Certainly from the companies[sic] point of view, we cannot afford to pay two people for the position. ...

[17] The letter ended with Mr Hardy suggesting a further meeting to discuss matters.

[18] Mr Hardy followed up with an email at 6.23pm on 25 November saying:

*Zoe, hopefully this will make sense. We should meet to discuss it further as soon as you can make some time. See you soon.
Roger Hardy*

[19] Later the same day, at 8.27pm, Ms Pickering responded in an email to Mr Hardy stating:

Roger, as mentioned thanks for the letter clarifying the discussion on Friday. I agree that we should meet to progress this situation. This situation, especially its delivery, has caused emotional stress and



ideally a meeting soon would be preferable. You are away for the next few days and I have applied for annual leave on Friday so meeting this week is highly unlikely I am assuming. So should we meet early next week? My support person is available from Tuesday onwards. I understand that in the meantime any changes, such as hours worked on site or moving from salary to an hourly rate, should not be implemented unless mutually agreed by both parties. I look forward to catching up to work through this. Speak soon.

Kind regards

Zoe Pickering

[20] A meeting did not occur and Ms Pickering said that even though she was in the office on 2, 3 and 4 December, she did not feel comfortable having a meeting directly with Mr Hardy following the heated discussion on 22 November. Mr Hardy too did not approach Ms Pickering to discuss matters.

Restructure proposal 5 December 2013

[21] On 5 December 2013, Mr Hardy called a staff meeting to discuss Scott Technical's financial situation and his restructuring proposal. Prior to the meeting, he spoke individually with staff who may be affected by the proposal, including Ms Pickering. The restructuring proposal was presented to staff and included details of Scott Technical's financial circumstances. The proposal document states that there is a "*need to lower the cost of operating the business.*" and that "*Analysis shows the need to save approximately \$200,000 to \$250,000 per year.*" The major factor for the bad financial situation was stated to be the steady decline in revenue. The main area for cost reduction was wages. The proposal states that "*The company needs to retain staff with specialised skills, and staff whose skills are the most flexible, and can efficiently apply themselves to the widest range of tasks*". Mr Hardy proposes in the document that three to five positions may be made redundant. The positions included the sales manager position held by Ms Pickering, the technical manager position and the web data technician position.

[22] The proposal also sets out the restructure/consultation process and key dates. Staff were offered two weeks to provide feedback on the proposal. Mr Hardy says he was concerned that staff knew whether their positions would be redundant before Scott Technical closed for the Christmas holiday break. Mr Hardy felt leaving staff in limbo over Christmas would have been most unfair and he was anxious to ensure this did not happen.



Consultation

[23] Ms Pickering said that she tried to obtain representation but because of the time of the year, this proved very difficult. A week after presenting the restructuring proposal, Mr Hardy received a letter from Ms Pickering's lawyer. The letter requested detailed financial information and the rationale for proposing Ms Pickering's role be made redundant. The information was requested to be provided to Ms Pickering's lawyer's offices by the next day, 13 December.

[24] Mr Hardy immediately responded to the request for further information by informing Ms Pickering and her lawyer that as the information being sought was commercially sensitive information, they could have access to it at Scott Technical's offices at any time including during the weekend. Mr Hardy also addressed the questions raised by Ms Pickering's lawyer in her letter. Mr Hardy requested Ms Pickering's feedback by close of business on 18 December.

[25] No issue was raised by Ms Pickering or her lawyer to the requirement that due to its commercial sensitivity the financial information be viewed at Scott Technical's offices. On 18 December, Ms Pickering and her lawyer viewed the financial information at Scott Technical's offices. Ms Pickering says she was expecting to receive a financial report of some kind but received information including graphs depicting sales and expenditure over a given period with accompanying financial information. Ms Pickering says without further analysis by her accountant she was unable to confirm whether or not Scott Technical was in financial difficulty and whether a restructuring was necessary.

[26] Ms Pickering was also provided at the meeting with a document entitled "*Restructuring Proposal Basis- Zoe*". This document included a summary of Scott Technical's financial situation and actions proposed to urgently reduce costs.

[27] The document states in relation to further action required:

- *Reduce costs is the only possibility*
- *Needs to be done urgently*
- *Given that the companies[sic] costs (apart from cost of sales) are made up by more than two thirds wages, and as many options as possible have been explored elsewhere, wages is*



really the only viable option to achieve the level of savings required ...

- *Looking at the year to 31 March 2014 results to date, we have made a loss of approximately \$150k in 8 months. This suggests a year end loss of \$225k if nothing is done.*
- *While the current loss has been resourced by personal savings, this has been exhausted.*

[28] The proposal then goes on to set out the rationale for eliminating the sales manager role and to consider the reallocation of that role's tasks among others within Scott Technical as a means to reduce costs.

[29] At the meeting on 18 December, Ms Pickering raised for the first time concerns about not being able to remove the financial information from Scott Technical's offices so she could take further advice. Ms Pickering says the request was made because she was having difficulty analysing the information in the format provided.

[30] Ms Pickering was requested to provide her feedback by 18 December but at Ms Pickering's request this date was extended to 19 December.

[31] Ms Pickering's response did not address the restructuring proposal in any detail. Rather, the letter focused on the process which had been followed by Scott Technical. Upon receiving and considering the information, Ms Pickering's role was terminated on the grounds of redundancy in a letter to her dated 20 December 2013.

First Issue

Did Scott Technical have genuine reasons for the restructuring exercise which led to the termination of Ms Pickering's employment?

[32] The Court of Appeal's statement of law regarding the genuineness of a redundancy in *GN Hale & Son Limited v. Wellington Caretakers IUOW² (Hale)* was that:

An employer is entitled to make his business more efficient, as for example by automation, abandonment of unprofitable activities, reorganisation or other cost-saving steps, no matter whether or not the business would otherwise go to the wall. A worker does not have

² [1991] 1 NZLR 151



a right to continued employment if the business can be run more efficiently without him.

[33] However, since *Hale* was decided, the test for justification for dismissal is now as stated in s.103A of the Employment Relations Act 2000 (the Act) as being:

s.103A Test of Justification

- (1) *For the purposes of s.103(1)(a) and (b), the question of whether a dismissal or an action was justifiable must be determined, on an objective basis, by applying the test in subsection (2).*
- (2) *The test is whether the employer's actions, and how the employer acted, were what a fair and reasonable employer could have done in all the circumstances at the time the dismissal or action occurred.*

[34] The test of justification requires that the employer act in a manner that is substantively and procedurally fair. An employer must establish that the dismissal was a decision that a fair and reasonable employer could have made in all the circumstances at the relevant time.

[35] The Employment Court has issued recent decisions in this area which have re-examined the statement of law as set out in *Hale* in light of s.103A of the Act. In *Michael Rittson-Thomas T/A Totara Hills Farm v. Hamish Davidson*³ (*Rittson*) the Court referred to its previous comments about *Hale* in *Simpsons Farms Limited v. Aberhart*⁴. His Honour Chief Judge Colgan considered that the Court cannot impose or substitute its business judgment for that of the employer taken at the time, however:

[54] *... the Court (or the Authority) must determine whether what was done and how it was done, were what a fair and reasonable employer would(nowcould have done in all the circumstances at the time.*

So the standard is not the Court's (or the Authority's)own assessment but rather, its assessment of what a fair and reasonable employer would/could have done and how. Those are separate and distinct standards.

[36] In *Rittson* the Court was critical of the lack of information provided to the employee, and how the employer had not adequately explained why the monies saved by the disestablishment of the employee's position justified the position being made

³ (unreported) [2013] NZEmpC 39, 20 March 2013

⁴ [2006] ERNZ 825, 842

redundant. The Court found upon analysis that the employer had been mistaken in concluding that there would be a wage saving of 10% per annum, when in fact it was 6%. This threw into doubt the genuineness of and, therefore, the justification for, dismissal.

[37] In *Brake v. Grace Team Accounting Limited*⁵ Travis J firmly endorsed *Rittson*, finding in that case that although the employer claimed that its financial position had deteriorated over the six months the employee had been employed requiring a reduction in salaries, in fact analysis by the Court concluded that the employer's figures were incorrect and there had been no sudden deterioration.

[38] On this basis it was held that the employer's justification for the dismissal was mistaken, with the consequence that the dismissal of the employee was unjustified.

[39] Although the meeting of 22 November, had become a heated meeting between Ms Pickering and Mr Hardy about her hours of work, it is my finding that Mr Hardy raised the issue of Ms Pickering's hours in the context of looking at ways in which to further reduce Scott Technical's costs.

[40] The subsequent letter by Mr Hardy, which in hindsight could have been expressed differently (as I understand, it caused Ms Pickering distress), was written in order to discuss Ms Pickering's hours in the context of the bigger picture for Mr Hardy which was the financial situation of Scott Technical. Mr Hardy valued Ms Pickering as an employee and acknowledged the positive changes that she had brought to Scott Technical.

[41] Ms Pickering is of the view that Mr Hardy raised issues about her hours and her performance and when the meeting on 22 November deteriorated, he then moved to make her position redundant. I do not accept that was the correct position.

[42] Mr Hardy was a credible witness. Mr Hardy raised Ms Pickering's hours with her on 22 November as part of his consideration about cost savings. It was unfortunate that Mr Hardy was not clear about this with Ms Pickering at the time. I do accept that Mr Hardy attempted to raise the issue but because the meeting had deteriorated had not been able to. The upshot was that Ms Pickering assumed that her hours of work were being threatened.

⁵ [2013] NZEmpC 81, 13 May 2013



[43] Mr Hardy's subsequent letter of 24 November was not helpful but it is my view that this was written in an attempt to confirm Ms Pickering's hours and duties as part of the restructuring process. Mr Hardy valued Ms Pickering as an employee and wished to retain her if he could, in my view.

[44] Ms Pickering conceded at the investigation meeting that when she studied the financial information provided to her by Mr Hardy she accepted that Scott Technical was suffering from a serious financial problem. However, Ms Pickering says that at the meeting on 18 December when she looked at the financial material in Mr Hardy's office, this was not obvious to her. I do not accept this to be the case. The financial information was straight forward and Ms Pickering could have asked Mr Hardy questions about it, she did not do so.

[45] I find that Scott Technical's business was not achieving the level of revenue required to be profitable and the figures evident in November 2013 indicated a serious financial problem. Scott Technical's managing director, Mr Hardy, determined that immediate steps were required to address the company's financial situation. The immediate step decided upon was to resurrect the restructuring proposal which Mr Hardy had prepared in draft form and sought advice on in June 2013.

[46] The restructuring proposal presented on 5 December was that a number of positions be made redundant, including Ms Pickering's role of sales manager.

[47] Scott Technical was entitled in my view to consider that Ms Pickering's role could not be sustained from December 2013, on economic grounds. It is my view that a fair and reasonable employer could in the circumstances determine that to reduce costs, Ms Pickering's position was to be made redundant.

[48] Ms Pickering claims that there were mixed or ulterior motives which played a part in her dismissal for redundancy. Ms Pickering points in support of this claim to the discussion on 22 November with Mr Hardy about her hours and to the subsequent letter of 24 November which referred to her performance.

[49] I do not accept these claims to have any merit. There had never been any issues with Ms Pickering's performance or hours of work. In mid November 2013, Mr Hardy attempted to discuss Ms Pickering's hours with her in the context of reducing costs, he failed to get his message across in a way which did not threaten Ms Pickering and she assumed this was a reason for her subsequent termination.



[50] Similarly, with regard to Ms Pickering's claim that her performance was at issue. I do not find that this was the case. Mr Hardy valued Ms Pickering but felt he could get more value if she worked the hours he thought had been agreed.

[51] On the balance of probabilities, I do not accept that there was sufficient evidence to establish that Scott Technical had ulterior or mixed motives to dismiss Ms Pickering. Scott Technical had genuine concerns about the viability of its business, that is what led to Ms Pickering's redundancy. Ms Pickering's role has not been replaced since the termination of her employment on 20 December 2013, nor have any of the other positions that were made redundant.

[52] The answer to the first issue is "Yes".

Second Issue

Did Scott Technical follow a fair and proper process?

[53] An employer who is proposing to terminate an employee's position for redundancy must not only have genuine reasons for doing so, but must follow a fair procedure.

[54] Provisions of the Act govern questions of justification for dismissal and, in particular by reason of redundancy. Section 4 of the Act addresses the requirement for parties to the employment relationship to deal with each other in good faith. Section 4(1A)(c) is particularly relevant to a redundancy situation and requires an employer who is proposing to make a decision that will, or is likely to, have an adverse effect on the continuation of employment of an employee to provide to the employee affected:

- (i) *Access to information, relevant to the continuation of the employees' employment, about the decisions; and*
- (ii) *An opportunity to comment on the information to their employer before a decision is made.*⁶

[55] In a redundancy situation a fair and reasonable employer must, if challenged, be able to establish that it has complied with the statutory obligations of good faith

⁶ Section 4(1A)(c)(i) and (ii)

dealing in s.4 of the Act. His Honour Judge Couch in *Jinkinson v. Oceana Gold (NZ) Limited*⁷ noted in para.[40] that:

Sub-section (1A)(c) is particularly significant in cases involving restructuring such as this. It emphasises the need for full and open communication by the employer and the provision of a properly informed opportunity for the employee to participate in the process.

[56] His Honour Chief Judge Colgan in *Simpson Farms Limited v. Aberhart*⁸ noted that this compliance with good faith dealing includes consultation *as the fair and reasonable employer will comply with the law.*⁹

[57] It is clear that during the course of 2013, there were a number of meetings held with staff including Ms Pickering whereby the financial circumstances of Scott Technical were discussed. Many of the meetings included business as usual type discussions but after August 2013 the meetings became more focused on the viability of Scott Technical.

[58] Ms Pickering accepted that Scott Technical was suffering from difficult financial circumstances. Ms Pickering was spoken to by Mr Hardy on 5 December about the restructuring proposal and was part of a staff meeting at which time the financial circumstances of the company were discussed in more detail and a restructuring proposal was provided. The restructuring proposal set out the savings that needed to be achieved and the proposed ways in which that could occur. The proposal set out a consultation process which was to be completed prior to Christmas so that staff were not left *hanging* over the Christmas period.

[59] Ms Pickering received the consultation proposal on 5 December and on 12 December through her lawyer requested further information. Ms Pickering says that she struggled to obtain representation at that time of the year. This led to the delay in requesting more details from Mr Hardy about the restructure and the financial reasons for it. Mr Hardy responded immediately to the request for information allowing Ms Pickering and her lawyer to access the information sought, at Scott Technical's offices. A meeting was held, financial information and information concerning the restructuring specifically in relation to Ms Pickering's role was

⁷ [2010] NZEmpC 102

⁸ [2006] 825, 842

⁹ *Ibid* at para.[40]



provided by Mr Hardy. Ms Pickering and her lawyer had been invited to ask questions, they did not do so.

[60] Ms Pickering's lawyer had asked for detailed financial information and it had been made clear to her by Mr Hardy that due to its commercial sensitivity, it was available to be viewed at Scott Technical's offices. Ms Pickering could have arranged for her accountant to attend that meeting, she did not. Ms Pickering's lawyer did attend for the purpose of going through the financial information.

[61] In closing submissions, Ms Pickering's lawyer was critical of Scott Technical withholding the financial information on commercial grounds, especially when the information was subsequently disclosed to the Authority, a public forum. I accept this criticism. However, it does not follow that the process was flawed as a result.

[62] The financial information provided to Ms Pickering at the meeting on 18 December and subsequently to the Authority was reasonably straightforward. As requested by Ms Pickering's lawyer, Scott Technical's profit and loss reports for the last 3 years were provided, a sales activity report from April 2011 to November 2013, a graph showing revenue, expenses and wages from April 2011 to October 2013 and a graph showing revenue broken down into areas of specialty including meteorology, hydrology and research.

[63] This information demonstrates a decline in revenue and profits and an increase in wages and expenses. The bad result in October 2013 was what prompted Mr Hardy to revisit his restructuring proposal. In my view there was no need for the financial information which Mr Hardy considered to be commercially sensitive to be taken from Scott Technical's offices, it was clear and understandable. Mr Hardy provided access to the information as soon as he was asked to by Ms Pickering and gave Ms Pickering the opportunity to consider it, ask questions and to comment. Scott Technical complied with its obligations under s.4(1A)(c)(i) and (ii) of the Act.

[64] Mr Hardy stopped the process in order to allow Ms Pickering the opportunity to provide feedback, which she did on 19 December. Mr Hardy reviewed the feedback. Having reviewed the feedback, Ms Pickering's role was terminated on 20 December.



[65] Ms Pickering was given access to the information relevant to the continuation of her employment with Scott Technical, and she had an opportunity to provide feedback before the decision was made about the continuation of her employment.

[66] I find Scott Technical followed a fair process in making Ms Pickering redundant. The answer to the second issue is “yes”.

Costs

[67] Costs are reserved. The parties are encouraged to agree costs between themselves. If they are not able to do so, Scott Technical may lodge and serve a memorandum as to costs within 14 days of the date of this determination. Ms Pickering will have 14 days from the date of service to lodge a reply memorandum. No application for costs will be considered outside this time frame without prior leave of the Authority.



Anna Fitzgibbon
Member of the Employment Relations Authority

