



# cullings

OCTOBER 2008

*cullings* is the newsletter of  
**Cullen – the Employment  
Law Firm**

Level 13, Willbank House  
57 Willis St, Wellington  
Phone 04 499 5534  
Fax 04 499 7443  
enquiries@cullenlaw.co.nz  
PO Box 11 218  
Wellington, New Zealand

**Peter Cullen**

Principal  
peter@cullenlaw.co.nz

**David Burton**

Senior Associate  
david@cullenlaw.co.nz

**Rachel Burt**

Associate  
rachel@cullenlaw.co.nz

**Richard Roil**

Senior Solicitor  
richard@cullenlaw.co.nz

**Charles McGuinness**

Solicitor  
charles@cullenlaw.co.nz

DISCLAIMER: This newsletter is intended to provide our clients with general information. While all statements are believed to be correct, no liability can be accepted for incorrect statements. Readers should not act or rely on this general information without seeking specific legal advice.

## Cullen – The Employment Law Firm Awards

*“There is no substitute for knowledge”*

**Cullen – The Employment Law Firm** is proud to announce the launch of its awards for **Creative HQ** and **Grow Wellington** clients. The awards mark an innovative approach to supporting and nurturing Wellington business.

As the regional economic development agency, **Grow Wellington** works for and with businesses and industry sectors to connect and inspire world changing activity.

**Creative HQ** forms part of the business growth range of services offered by **Grow Wellington** and is recognised as the premier incubator for the Wellington region. **Creative HQ** provides the infrastructure, support and business knowledge, mentoring, and access to specialist professional services, contracts and networks to help start-up businesses become world class.

**Cullen – The Employment Law Firm** is an unashamedly positively Wellington team of lawyers committed to supplying resources and support for Wellington businesses to help them succeed and prosper. Cullen has been

involved with the initiatives of Creative HQ and Grow Wellington for some time now. We have now stepped up our support to a new level through the award of three **Cullen Peace of Mind Employment Audits**, together valued at approximately \$10,000, to these innovative ventures.

A special awards breakfast will be held to announce and celebrate the recipients who will be drawn from the Greater Wellington Region. The awards event will be headed by Fran Wilde, Chair of the Greater Wellington Regional Council. Awards will be presented by Fran Wilde, Mayor Kerry Prendergast and a local body representative from the Greater Wellington Region.

We'd love to see you at the awards breakfast which will be at the iconic mezzanine café at Te Papa from **7.30am 22 October 2008**. Prize Winners will address the gathering and can use the opportunity to present their vision for the future of their businesses and roles as employers.

### Michael Cullen at the Cullen Breakfast Club

Hon Michael Cullen addressed the Cullen Breakfast Club on 26 August. He gave a refreshingly clear view of how he saw the various political parties' approaches and issues going forward to the election. He also broadly discussed the economic outlook. However, on that morning even he did not foresee the crises currently afflicting the world's economic markets.



**Stranger than Fiction**

Ever thought that the resolution to an employment dispute you heard about or were involved in was unfair, unreasonable or unjust? Well; an industrial relations dispute went awry recently in India, resulting in the dismissal of hundreds of employees. Their response – a violent confrontation starting with the damaging of office property and ending in the death of the chief executive as the mob turned their aggression on him. Moral of the story; this extreme and incomprehensible resolution to an employment dispute might help to put a new perspective on your own workplace problems.

**Gender Discrimination**

In the 21st century of equal rights, the occasional case pops up that reminds us that we are relatively politically sound in New Zealand and that raises interesting issues about gender discrimination. A hotel in Turkey has fired its entire male staff, and will now only hire female staff because the males kept having affairs with female tourists. Is it fair to assume that all male employees will conduct themselves in this unseemly manner; is it not possible that female employees may also engage in such behavior; how do you draw the line? Moral of the story...we leave that to the reader!

**The Washington Post's Style Invitational asked readers to take any word from the dictionary, alter it by adding, subtracting or changing one letter, and supply a new definition. Here are the TOP 6 recent winners:**

- **Sarchasm:** The gulf between the author of sarcastic wit and the recipient who doesn't get it.
- **Reintarnation:** Coming back to life as a hillbilly.
- **Giraffiti:** Vandalism spray-painted very high.
- **Foreplay:** Any misrepresentation about yourself for the purpose of obtaining sex.
- **Inoculatte:** To take coffee intravenously when you are running late.
- **Hipatitis:** Terminal coolness.

# Last Cullen Seminar for 2008

**Restraints of Trade/Confidential Information "How to protect your valuable business assets".**

**10 December 2008**

You have worked long and hard to build up your company or business. The people you rely on know your most sensitive commercial information. Can you be sure they won't steal it, use it themselves or sell that information?

**Do you know:**

- What an implied duty is and how they assist employers?
- How restraints of trade work and their limitations?

- How to protect confidential information?
- How to protect your IP in an employment context?

This Cullen seminar will give valuable insights into the traps and pitfalls that await employers who have are uncertain about these questions and their answers.

Issues covered include;

- addressing what an employer's rights are the different types of protection available; and
- what an employer should do while the employee is still employed; and
- when an employee is leaving; and
- after the employee has left.
- Investigations, audits and injunctions.



Please enrol me for **Restraints of Trade on 10 December**

NAME:

POSITION:

ORGANISATION:

POSTAL ADDRESS:

(if different from above) BILLING ADDRESS:

PHONE:

EMAIL:

Cheque enclosed for \$109.12 GST incl. (payable to **Cullen – The Employment Law Firm**)  
Please post with your payment to Cullen – The Employment Law Firm, PO Box 11 218, Wellington, New Zealand