

NSNZ NOTICE: Employment Disciplinary Support and Representation

Reminder: The Nurses Society of New Zealand provides comprehensive, end-to-end representation for members, across a full range of employment disciplinary matters.

- The Society regularly provides large numbers of members with support, representation and assistance with employment disciplinary matters – literally hundreds of cases each year, usually resulting in a best-possible outcome.
- Such cases typically include advice and representation at disciplinary investigations and employer disciplinary interviews, as well as negotiated settlements. This may include preparing, writing and/or vetting statements for employment disciplinary investigations and interviews. Representation at meetings may be provided in person or remotely, as appropriate. The latter is now common for reasons of efficacy and convenience for all parties.
- Representation is available for employment law matters including mediations and personal grievances. The nature and extent of such representation may be at our discretion and based on our professional judgement. This includes deciding whether a personal grievance should be initiated and whether a matter should be taken to the Employment Relations Authority (ERA) or the Employment Court (EC). However, advice and representation will not be unreasonably withheld.
- The rider above is necessary because rare situations can arise where a member wants a personal grievance to be instigated or a case taken to the ERA or EC, contrary to our advice or professional judgement. This may be because there are no reasonable grounds for a personal grievance claim or related measure and/or because taking such action is not justified on the legal merits of the case and/or it would be unwise for other reasons.
- If a member has instructed a lawyer, employment advocate, another union or other employment law provider to act for them, prior to notifying the Nurses Society of New Zealand, representation may be limited or denied.
- If a member has commenced their own personal grievance or employment law case without prior notification to the Nurses Society of New Zealand and without our agreement, representation may be limited or denied.
- Late notification of an issue can be problematic, in part because issues are best resolved at an early stage, usually at the lowest possible level and in a non-confrontational or adversarial way.
- Hence, it is important that advice is sought early. Late notification of a problem may result in assistance being limited in nature and extent or, in some cases, denied.
- In all cases, the objective is always to resolve the issue, preferably expeditiously and to achieve the best-possible outcome for the member. We have an excellent track record in this regard.

- None of the above points or conditions are new – all of these have always applied. This notice is issued as a reminder to all members and for the information of new members.

NURSES SOCIETY OF NEW ZEALAND *Te Kāhui Tapuhi o Aotearoa & Te Uniana o NSNZ*

