

'HOW'S WORK??'

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Employment information provided especially for people working in the New Zealand wine and liquor industries

August 2009

TOPICS THIS MONTH

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Markhams Young Viticulturist of the Year Competitions

Congratulations all round...

Just announced at the Bragato Conference in Hawkes Bay over last weekend is that Caine Thompson of Mission Estate Hawkes Bay is the Markhams Young Viticulturist of the Year for 2009. We wish him well as he goes on to compete in the NZ Hort ITO Young Horticulturist of the Year final later this year. Mike Wing, Two Paddocks, Central Otago was runner up.

Regional winners—Stuart Dudley - Delegat's (1st), Nick Wright - Delegat's (2nd) and Simon Clark - Clark Viticulture (3rd) in **Marlborough**;
Mike Wing - Alex Paddocks (1st), Len Ibbotson - Grape Vision (2nd) and Murray Petrie - McArthur Ridge (3rd) for **Central Otago**;
and from **Hawkes Bay** Caine Thompson - Mission Estate (1st), Tony Verry - Grower (2nd) and Paul Robinson - Villa Maria (3rd);
with Charles Simmons representing **Martinborough**.

Winejobsonline.com donated some lovely Spiegelau glasses for the regional prizewinners —cheers!

Job Security, Redundancies, CV and Interview Tips

It's not surprising to learn that one of the biggest concerns to employees generally at present is **job security**. The unemployment rate is currently more than 5% and still scheduled to at least double that. It's a difficult and worrying time for many people. If laying off people at your place is unavoidable, employers **must follow a thorough and fair process**. Many thousands of dollars are awarded to employees through the personal grievance process because employers do not behave fairly. And, too many employers use redundancy as a reason for not managing poor performance. We hope that's not so at your place!

If you or someone you know has been in the unfortunate position lately of having their role being made redundant, remember it's the **position** that's been made redundant, **not the person**, no matter how hard it may feel. And, if you could do with some CV and interview tips, you can download some helpful hints from the winejobsonline.com website — http://www.winejobsonline.com/employment_info.php. Click on the CV and Interview Tips link near the top of the page. You are welcome to pass this information on to anyone you know who may find it useful, even if they are outside of the wine/liquor industries. We hope it may help.

Applying for a new job is something that (through our HR Consultancy business) we have found a lot of people do quite badly. Recruitment agencies have come in for a lot of bad press lately and while some of it is fairly stated, lots of job seekers don't do themselves any favours by the way they behave during the recruitment process either. Things we have found:.....

Some employees email CVs through with **no covering letter**, and no message in the email. That's not going to get you very far!! Some people are blunt to say the least, or pushy. And, **the most annoying thing of all to a recruiter or employer is when people apply for jobs for which they are not even remotely qualified or experienced**. We see it all the time— we can specify in an ad that New Zealand experience in a similar role is required, and then have people from all over the world with no experience at all in anything remotely similar applying. Or, you say in your ad that the successful applicant must have certain skills or qualifications, and people apply with none of the requirements. Then they wonder **why some people don't reply to them**. Our philosophy at Battersby & Associates is that every applicant deserves a reply, and we do do that. But, when you are bombarded with applications from people who haven't read the requirements, it's very tempting not to bother to get back to them!! (Okay, rant over—but, a word of advice to anyone applying for a job, don't bother the advertiser if you don't meet at least some of the criteria!!)

There are lots more tips for CV's and Interviews in the information that you can download from the winejobsonline.com website. Go to: http://www.winejobsonline.com/cr_data/files/f_CVtips_18.pdf

Redundancy Assistance

If employees are in the position of being made redundant, remember the Government's ReStart **package offers help** for up to 16 weeks to low and moderate income families with children and to people with high housing costs. There are several areas of assistance for anyone needing help so do please feel welcome to pass this info on to anyone you know who may find it beneficial.

For full information visit <http://www.workandincome.govt.nz/documents/restart-package.pdf>

Pay rises, pay cuts

Whereas last year most people were receiving wage increases averaging around 3.5%, the figure this year, if pays are being increased at all, is around 1.5 — 2% with many employees being **asked to take pay CUTS** to keep their jobs. There is meant to be light at the end of the tunnel, but we are still hearing of many job losses and it's both sad and difficult for many people right now.

Add to that the insecurity around the NZ wine industry at present and it's easy to see doom and gloom all around. We do feel for people whose businesses or jobs are less than secure.

Employees in many companies across all industries are being asked to consider ways of cutting costs including reducing hours, taking accrued annual leave, leave without pay, cutting Friday night drinks and the like. If you've **created ways of saving costs** at your place, let us know.

Pay Rates—Wine Industry Salary Survey....

This is under way again for this year—Strategic Pay in association with NZ Winegrowers conducts an annual salary survey for positions particular to the wine industry. We totally support and endorse this survey as one that **every winery employer should participate** in so that the industry as a whole has reliable data from which to assess, compare and set fair pay rates for their people. There is no cost to participate; the reported results are available to anyone to purchase and at a reduced rate for participants.

Many positions are covered, together with some market data on generic sales and other roles. Please, if wage and salary rates are important to you, PLEASE **recommend to your wine employer** that they take part. (Only available to winemaking companies and grapegrowers) Contact Catherine on 09 303 4057 or Catherine@strategicpay.co.nz for details. It's important not only to individuals but the industry as a whole. Please note that winejobsonline.com does not provide salary information either to employers or jobseekers; we ourselves refer people to the Strategic Pay / Winegrower survey. Convince someone today to take part!

Immigration Bill

This one is interesting — at present if an overseas employee's work permit expires, the employer must terminate the employment in accordance with the notice period contained in the employment agreement, otherwise the employee would be working illegally and the employer would be **committing an offence**.

What isn't clear, is if that employer is also committing an offence if they require the person to work out the notice period for which they are being paid, if it takes the work period beyond the term of the work permit. The Bill is being clarified at present.

Immigration Adviser Licensing

While on the subject of Immigration, remember that now (from May this year actually) anyone giving NZ immigration advice onshore needs to be licensed — **you can continue to give information, just not advice**. Review in detail at www.iaa.govt.nz/faqs.html#whatisadvice.

Be careful on this one, especially when employing harvest workers for next year — **interested parties can apply for a licence**, or use a registered Adviser. If you have been in the habit of advising overseas applicants about visas, work permits and the like, you may want to reconsider your position. Remember, you may still give information, you may not give advice unless you are licensed.

Do you employ harvest workers at your place??

The new job listings for harvest 2010 vacancies will be appearing from next week and winejobsonline.com has added some great new features to **save jobseekers and prospective employers lots of time in the recruitment process**. Make sure those who need to know are kept up to date with what's on offer. You can email us for further details. mail@winejobsonline.com

Do you annoy your boss?

One of the most **annoying things** (and there are several) that bosses tell us their employees do, is not let them know if they are not coming to work on a particular day for a particular reason. For example, if you are sick on a work day, you should let your employer/supervisor know as soon as possible on that day but definitely before the time that you were due to start work. Ask your employer what method of notification you should use — some people are OK with a text message, some require you to phone. If you were meeting a friend at an appointed time and couldn't keep the arrangement, you would try and get hold of them to let them know—you should do the same at work. **Don't just not show up** — your absence will have an effect on others in your workplace as well.

Fired Employee won his job back, then lost it again on Employer's appeal — Inappropriate Email Case

This is quite a long read but we feel it is worth detailing—this case shows the importance of having clear policies in place around emails, and of employees being aware of those policies and expected standards of behaviour.

You would have no doubt heard about the recent case of the 29 year old Blenheim employee who was dismissed for inappropriate use of company email facilities... Just to recap — this chap received and send hundreds of 'inappropriate' emails over a 6 month period, there was an investigation, **he was fired, then he took a personal grievance** for unjustified dismissal to the Employment Authority which he won and together with other remedies he **was to be reinstated to his former position**.

His employer appealed the decision and ultimately **won its case** in the Employment Court. It was an interesting case that referred in quite a lot of detail to the disparity of treatment that he received compared with colleagues who also were involved in various degrees in the sending and receiving of these emails, and also to whether he should have been dismissed at all. At the heart of the investigation was whether **he knew about the company's policy for emails** and internet use. We have read at length the full judgement of the investigating Employment Court Judge who overturned the Authority's decision.

The investigation started because the company had concerns that sensitive information was being sent out of the company by computer, and the emails sent and received by a particular staff member were examined. This disclosed that inappropriate emails were being sent and received and a wider investigation was conducted. It was then found that 123 staff had received inappropriate emails (not all from the employee in question) and 34 staff had sent them. One particular staff member was found to have sent 425 inappropriate emails, including 172 to people outside of the company. Most of them contained mildly offensive or inoffensive jokes, cartoons etc. but there were **26 emails in question that his employer found to contain material which was distinctly offensive in one way or another**. A through internal investigation was carried out and ultimately the employee in question was dismissed.

Part of the reason for dismissal was that the company had clear policies in place which were breached, as the employee should have known what they were. He acknowledged that he knew that his company had policies on email usage and that he had an obligation to make himself aware of what they were. The Judge said that the employee had been prepared to engage in questionable conduct which he knew was the subject of company policy without finding out what that policy was. The matter was raised by his defence lawyer as to different people having quite different views of the degree to which particular emails were offensive or humorous. The Judge outlined that in such a case, **the standard to be applied is that of a fair and reasonable employer**. That objective standard requires the Court to reflect **the generally accepted values of our society** in matters such as this, and on that basis the Judge found that a significant number of the emails sent **were seriously offensive and the employee's conduct was capable of being regarded as serious misconduct**.

The issue of unfair treatment was also addressed by looking at the numbers of emails the other employees sent and the serious concern with which the company viewed the content.

All in all, a very interesting situation and one that reinforces the importance of **having sound policies in place around emails** and internet usage, **AND ensuring that all staff behave appropriately**.

So, think about how many jokes and the like you may be guilty of forwarding by email... Perhaps it's time to review your own use of the internet at work. **Familiarise yourself with your Company's email and internet policies** to be sure you are not in breach of them, and if you don't have them in place at your work, please, get your boss to get some in place pronto! We can provide them so don't be afraid to ask for help.

Meantime, maybe time to stop those jokes and dodgy emails, huh? Not everyone finds them funny. Pass the word to your colleagues.

Some Cheery Thoughts

Amongst all the doom and gloom we sometimes come across little snippets of joy that are quite uplifting. The following 45 statements have been around on the internet and you have probably already heard them (emailed to you perhaps???) They are attributed to an American woman (appearing on the Oprah Show and who, thanks to the power of the internet has been both 54 and 95 years old! Whatever her age and whatever her name or even if she doesn't exist, we think they are a nice little reminder of how to think of life sometimes. We've got them printed out and stuck on the fridge at home. I personally like Nos 14, 17 and 43..

1. Life isn't fair, but it's still good.
2. When in doubt, just take the next small step.
3. Life is too short to waste time hating anyone.
4. Your job won't take care of you when you are sick. Your friends and parents will. Stay in touch.
5. Pay off your credit cards every month.
6. You don't have to win every argument. Agree to disagree.
7. Cry with someone. It's more healing than crying alone.
8. It's OK to get angry.
9. Save for retirement starting with your first pay check.
10. When it comes to chocolate, resistance is futile.
11. Make peace with your past so it won't screw up the present.
12. It's OK to let your children see you cry.
13. Don't compare your life to others. You have no idea what their journey is all about.
14. If a relationship has to be a secret, you shouldn't be in it.
15. Everything can change in the blink of an eye. But don't worry; God never blinks.
16. Take a deep breath. It calms the mind.
17. Get rid of anything that isn't useful, beautiful or joyful.
18. Whatever doesn't kill you really does make you stronger.
19. It's never too late to have a happy childhood. But the second one is up to you and no one else.
20. When it comes to going after what you love in life, don't take no for an answer.
21. Burn the candles, use the nice sheets, wear the fancy lingerie. Don't save it for a special occasion. Today is special.
22. Over prepare, then go with the flow.
23. Be eccentric now. Don't wait for old age to wear purple.
24. The most important sex organ is the brain.
25. No one is in charge of your happiness but you.
26. Frame every so-called disaster with these words 'In five years, will this matter?'
27. Always choose life.
28. Forgive everyone everything.
29. What other people think of you is none of your business.
30. Time heals almost everything. Give time some time.
31. However good or bad a situation is, it will change.
32. Don't take yourself so seriously. No one else does.
33. Believe in miracles.
34. God loves you because of who God is, not because of anything you did or didn't do.
35. Don't audit life. Show up and make the most of it now.
36. Growing old beats the alternative — dying young.
37. Your children get only one childhood.
38. All that truly matters in the end is that you loved.
39. Get outside every day. Miracles are waiting everywhere.
40. If we all threw our problems in a pile and saw everyone else's, we'd grab ours back.
41. Envy is a waste of time. You already have all you need.
42. The best is yet to come.
43. No matter how you feel, get up, dress up and show up.
44. Yield
45. Life isn't tied with a bow, but it's still a gift.

NICE, LITTLE POSITIVE STATEMENTS AREN'T THEY?? Cheers!

Keep up with what's happening in the employment side of the New Zealand wine and liquor industries by checking out the latest job vacancies at www.winejobsonline.com or WWW.LIQUORJOBS.CO.NZ,

If you know someone interested in joining the industry or looking for a job change, refer them to the websites. Of if you need another pair of hands to help out at your place,

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