

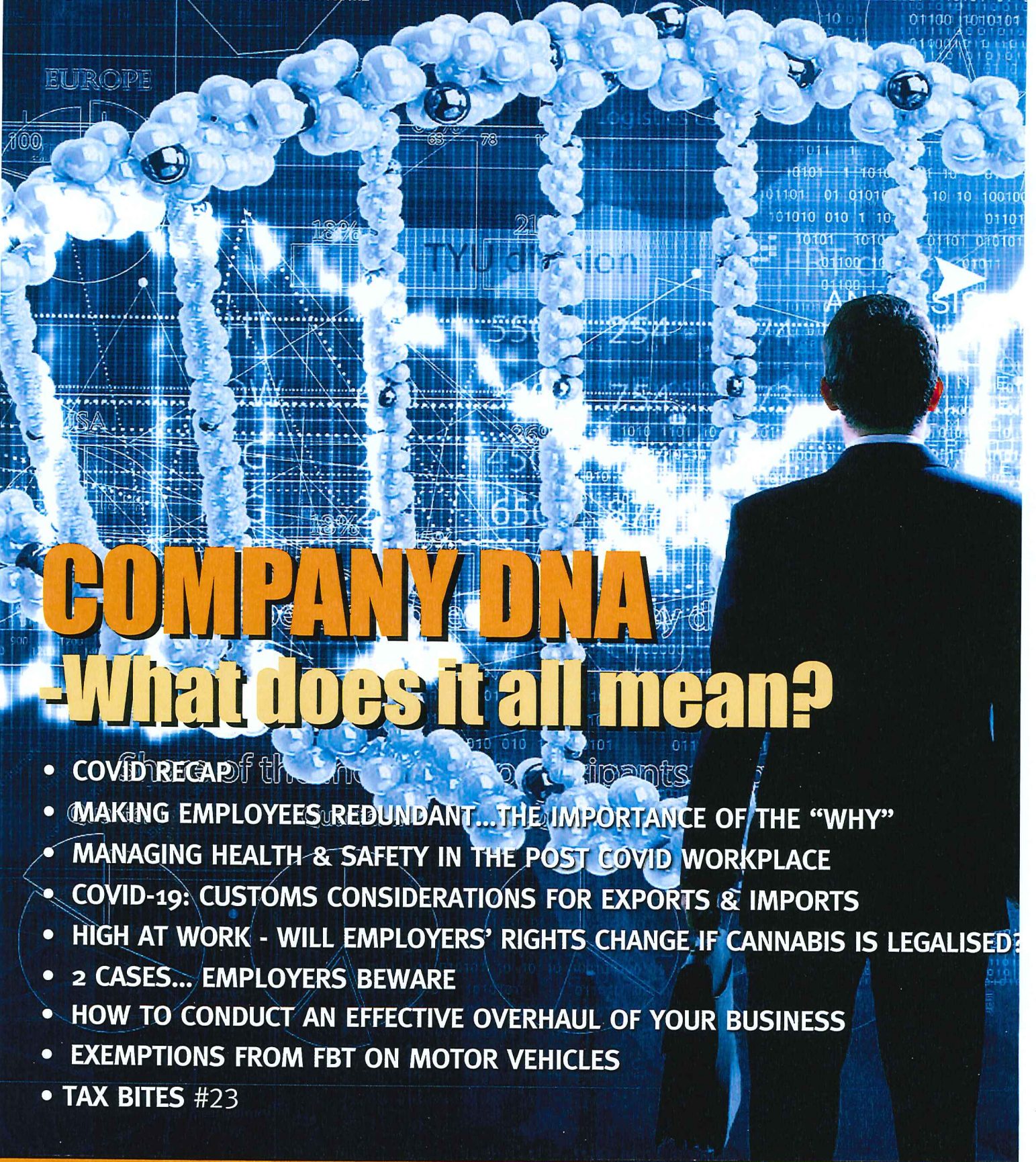
BUSINESS

Financial & Business Advisor Journal NZ

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Management
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COMPANY DNA -What does it all mean?

- COVID RECAP of the impact on business participants
- MAKING EMPLOYEES REDUNDANT...THE IMPORTANCE OF THE "WHY"
- MANAGING HEALTH & SAFETY IN THE POST COVID WORKPLACE
- COVID-19: CUSTOMS CONSIDERATIONS FOR EXPORTS & IMPORTS
- HIGH AT WORK - WILL EMPLOYERS' RIGHTS CHANGE IF CANNABIS IS LEGALISED?
- 2 CASES... EMPLOYERS BEWARE
- HOW TO CONDUCT AN EFFECTIVE OVERHAUL OF YOUR BUSINESS
- EXEMPTIONS FROM FBT ON MOTOR VEHICLES
- TAX BITES #23

Editor's Note

Seems that we may have dodged a bullet with regard to the 50+ people who left quarantine prematurely on compassionate grounds without being tested for coronavirus. Whew!

Sadly, Melbourne was not so lucky – and look at the consequences for our neighbours across the ditch. Whilst I repeat that we should be incredibly grateful for living in New Zealand during these awful times, the risk is not over yet and business owners need to remain prepared for all eventualities. Meanwhile, continued government support and low interest rates can help businesses to weather the storm. Our primary focus continues to be on steps you should be taking at this time, especially if you have been negatively impacted by the unique circumstances of the past few months.

Articles in this issue also include items to keep you up to date, help you comply with the Law and point you in the right direction so that you can make the most of your business opportunities. Our key message at this time is for you to remain positive and actively engaged in shaping your future.

We'd like to remind you again about our Question & Answer Service. Don't forget that we are here to respond to your queries at no extra charge, as this is included as part of your subscription. See recent examples on Page 16.

Thank you again from the team at FBA for your ongoing support. We remain committed to providing excellent service and always value your feedback and suggestions. In the meantime, we wish you all the best for the second half of 2020.

With warm regards



Paul Wilton
 Editor



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We remind our subscribers that a renewal will be automatically forwarded annually.

INSIDE BACK COVER FROM IRD IN BRIEF

INSIDE BACK COVER TAX CALENDAR - July 2020 - August 2020

CONTRIBUTORS



VANESSA TAYLOR
 GM – MARKETING AND MEDIA
 www.realestate.co.nz
 Vanessa believes there is no such thing as 'because that's the way we do it'. "Let's break the process, keep it simple, automate if possible and do it all for our customers".
 See article Page 1.



LAURENCE SPARKE
 SENIOR ACCOUNTANT
 Hayes Knight
 Laurence is the Senior Chartered Accountant at Hayes Knight specialising in business advisory. At Hayes Knight we look beyond the numbers to take your business to the next level.
 See article Page 3.



HANNAH CAREY
 SPECIAL COUNSEL
 Parry Field Lawyers
 Hannah specialises in litigation and dispute resolution, providing advice on a broad range of legal disputes including insurance, employment, estates, trusts, and relationship property matters.
 See article Page 4.



CARLY ARMSTRONG
 SOLICITOR
 Parry Field Lawyers
 Carly works in the area of family and employment law. She has degrees in social psychology (with honours) and law from Lincoln University and Canterbury University respectively.
 See article Page 4.



SUSAN ROWE
 PARTNER
 Buddle Findlay
 Susan leads the Christchurch office of Buddle Findlay and specialises in litigation, local government, insurance, industrial relations and health and safety.
 See article Page 6.



HANNAH MEIKLE
 SENIOR SOLICITOR
 Buddle Findlay
 Hannah is a member of the Christchurch litigation and employment teams. She specialises in litigation and advises on a range of health and safety matters including WorkSafe investigations and prosecutions.
 See article Page 6.



JEANNE DU BUISSON
 DIRECTOR
 Deloitte
 Jeanne is an Indirect Tax Specialist at Deloitte with over 20 years' experience and co-leads the national indirect tax team. Jeanne works closely with a range of corporate and private New Zealand businesses in all industries. See article Page 8.



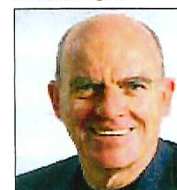
JONATHAN DORAISAMY
 SENIOR CONSULTANT
 Deloitte
 Jonathan is a Senior Consultant with over 6 years of experience in indirect tax advisory. His experience in New Zealand include GST/customs advisory and liaising with tax and customs authorities.
 See article Page 8.



AJ LODGE
 EMPLOYMENT PARTNER
 Cavell Leitch
 Ashley-Jayne (AJ) leads the firm's employment team and advises clients on all aspects of employment law working with them to provide practical, pragmatic solutions to often complex employment issues.
 See article Page 10.



ALAN KNOWSLEY
 MANAGING PARTNER
 Rainey Collins
 Alan Knowsley is the partner in charge of the Litigation team. He is focused on obtaining the best results possible for clients.
 See article Page 11.



DR NEIL FLANAGAN
 MANAGEMENT STRATEGIST
 Plum Press
 World-renowned business strategist and author of several international best-selling books on management, Neil is a sought after keynote, conference and motivational speaker.
 See article Page 12.



MURRAY MCLENNAN
 DIRECTOR
 Tax Central
 A chartered accountant and a member of the International Fiscal Association and the Society of Trust and Estate Practitioners, Murray has over 30 years experience in tax. See article Page 14.

2 CASES... Employers **BEWARE**

Times are tough for many. Stress levels are high. An employee may test your patience or let you down, but that is no excuse for failing to meet your obligations as an employer.

Two recent cases remind employers that there are consequences for treating employees unfairly.

CASE ONE Unjustified dismissal after calling in sick...

The Employment Relations Authority has upheld a personal grievance claim for an unjustified dismissal after a worker was fired following calling in sick.

When the worker contacted his employer to say that he was unwell and could not come to work, he was told to “harden up or there would be no work for him”. The employer then sent a text to the employee telling him not to bother turning up to work. The employee took that as a dismissal and enquired about his final pay. The employer failed to pay any final pay and did not try to dissuade the employee from his belief that he had been dismissed.

The ERA held that this was an unjustified dismissal and awarded \$3,300 for unpaid wages, over \$4,000 for unpaid holiday pay and \$12,000 compensation for the hurt and humiliation suffered by the employee for the unjustified dismissal.

CASE TWO

Company director personally liable for wage arrears...

The Employment Relations Authority has made an order that a company director personally pay over \$18,000 in unpaid holiday pay, wage arrears, unpaid public holiday pay and unpaid alternate days for public holidays worked.

Although the employee was employed by a company, the director was held personally liable because the director knew of the company’s obligations to make the payments for wages and holiday pay and authorised the default by the company in making those payments.

This action was taken against the director after the Employment Relations Authority had made an order against the company itself, which had not been paid.

Directors should be aware that they cannot hide behind a corporate entity when it comes to the non-payment of wages and holiday pay due to the extensive powers to make directors personally liable for the failure of the company to make those payments.



Alan Knowsley
Employment Lawyer
& Managing Partner

Rainey Collins
0800 733 424
www.raineycollins.co.nz