

## **Can Human Resource Best Practice Contribute to a Judicial Definition of “Unjustifiable” in Employment Law? The example of redundancy terminations in New Zealand.**

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This paper provides a preliminary discussion of whether human resource best practice has the potential to make a contribution to the legal development and re-evaluation of concepts such as “fairness” and “justification” under the Employment Relations Act 2000 with its focus on good faith behaviour throughout the employment relationship. This paper focuses on termination for redundancy as such terminations generally are not concerned with value judgments over what constitutes misconduct or lack of capacity and is more concerned with process in matters such as the decision whether to make employees redundant and selection for redundancy. These matters seem ones that are most likely to be the subject of human resource practice. The paper outlines relevant aspects of employment law and human resources and examines a brief case study before moving to a discussion on whether human resource best practice has the potential to generate better informed judicial decisions.

### **Introduction**

The genesis of this paper lies in the participation of one of the authors (Bryson) as an expert witness in a case concerning the methodology for selecting employees for redundancy (*Ross v Wellington Free Ambulance Service Inc* [2000] 1 ERNZ 643). This experience raised a number of questions for each of the authors given their different academic disciplines (law on the one hand and human resource management and organisational psychology on the other) which included the core question of whether the disciplines

of human resource management and organisational psychology have a potential role to play in assisting the courts to develop appropriate legal standards of employer behaviour particularly in cases of unjustified dismissal. This question seems particularly appropriate in New Zealand at the present time as the law is in something of a state of transition following the enactment of the Employment Relations Act 2000 (ERA) which legislatively imposes a broad obligation of good faith behaviour in all aspects of the employment relationship. This paper presents some preliminary thoughts on the question of whether human resource management (HRM) best practice and organisation psychology provides a potential source of reliable evidence from which at least some aspects of good faith behaviour can be derived. The paper focuses on redundancy terminations and particularly the situation where an employer is required to make some form of selection for redundancy or where the redundancy relates to a limited number of positions. This area was chosen because it is one where practical legal problems are most likely to interact with HRM and it is an area where one would expect HRM practices and techniques to be properly deployed as part of an informed and balanced employer decision making process.

The paper is essentially in three parts. The first looks at whether insights from HRM are relevant or likely to be welcome in the current legal environment. The second looks at whether the current body of HRM literature is adequate to provide a consistently reliable source of evidence to the judiciary in developing the law. In the third part of the paper the *Ross* case is utilised to provide a brief case study where expert human resource evidence was used by the parties. The case illustrates the gap between what might be regarded as acceptable HRM practice and the relatively minimal demands the law places on employers as well as the difficulties that

arise with expert evidence in this field. The study is also used to illustrate how human resource best practice might impact on legal standards of justification and hence on employer practice.

### **The New Zealand legal environment**

New Zealand personal grievance law allows an employer's decision to terminate employment to be challenged if the termination was "unjustifiable", a term that is not defined in the legislation and which was left to be developed by the courts.

This paper is written at a point when the New Zealand employment law, including the law on personal grievances, is in something of a state of transition. This situation has arisen as a result of the passage of the ERA which in terms of its basic philosophy of labour law is in marked contrast to the Employment Contracts Act 1991 (ECA) which set the legal environment over the previous decade. As is well known the ECA introduced a philosophy of employment law that relied heavily on new-right, strongly unitarist, vision of employment (Anderson, 1999). The ERA by contrast adopts a more pluralist perspective which is implemented though a pervasive emphasis on good faith in the employment relationship (Anderson 2001).

The new legislative philosophy would seem to require a re-evaluation of the direction of personal grievance decisions under the ECA so that the good faith obligations imposed by the Act are explicitly acknowledged and applied to termination decisions. Space precludes a full discussion of the relevant provisions of the new Act but it should be noted that the good faith obligation applies to all aspects of the employment relationship, not just collective bargaining, and that it particularly applies to decisions that might impact on employees. Section 4(4) states that the obligation applies to "consultation...including the effect on employees of changes to the employer's

business"; "a proposal by an employer that might impact on the employer's employees"; and "making employees redundant". These legislative changes would appear to signal to the courts that significant changes to the approach under the ECA are required.

Whether the Court will in fact respond positively to the new legislative philosophy is still an open question. Under the ECA that Court systematically adopted a restrictive approach to personal grievances cases with redundancy terminations providing a central, although not exclusive, focus for this approach. The Court gradually narrowing the definition of what constituted "unjustifiable" conduct by an employer with the test becoming increasingly orientated to the subjective views of a particular employer acting reasonably (Roth 2001; Anderson et al., 2002, para [ER103.25]). The re-interpretation of the law (which had remained largely unchanged from its 1973 formulation) was justified on the basis that long standing case law should be reinterpreted in the new legislative context (*Aoraki Corporation Ltd v McGavin* [1998] 1 ERNZ 601). The reasons for adopting this approach can only be speculative but the most obvious seem to be that the normal judicial pro-employer approach was reinforced by new-right ideology and in particular by the intense and highly charged lobbying by new-right groups arguing that the ECA was seriously defective in not implementing an employment-at-will regime in New Zealand. This narrowing trend was most apparent in the particular case of redundancy where the Court's strongly unitarist views of employer prerogative and an employer's more or less unfettered right to manage were most obvious. For a full discussion of the law see Anderson et al. (2002), para [ER103.47] and following.

Whether the signals of reform clearly spelt out in the ERA have been received by the Court of Appeal, is less

clear. First it might be noted that one of the key cases restricting employer obligations, *W&H Newspapers Ltd v Oram* [2000] 2 ERNZ 448, was in fact decided after the passage of the ERA although the case itself was in fact decided under the ECA. More significantly, in the first redundancy case decided under the ERA, *Coutts Cars Ltd v Baguley* [2001] 1 ERNZ 660, the majority of the Court of Appeal took the view that:

“We do not see that the new statutory obligation on employers and employees to deal with each other in good faith introduces any significantly different obligation to that the courts have placed upon parties to employment contracts over recent years. ... There is no reason why the decisions on *Aoraki* and *New Zealand Fasteners Ltd v Thwaites* [2000] 2 NZLR 565 should not continue to provide guidance on the applicable principles.”

Whether the Court will continue to adopt this head in the sand attitude can only be conjectural. If not, or if its current approach of reading down the extent of the changes to the greatest extent possible continues, the discussion below becomes largely hypothetical. Assuming, however, that the Court does eventually concede that a new legal environment exists, or is forced to do so by further amendments to the Act, the issue arises as what standard of behaviour is to be expected of an employer acting in good faith when deciding on and implementing a redundancy termination will arise for consideration and an opening for an HRM input into this process may arise.

### **Redundancy: the potential for an HRM contribution to the law**

Fairness in redundancy terminations poses particular difficulties as, if the redundancy is genuine, termination is not due to any fault or lack of capacity of the employee. The issue of fairness becomes largely one of process leaving room for only a limited range of questions to be addressed in deciding whether the employer's conduct was justified. At its

simplest three questions need to be answered in considering whether a decision is fair and made in good faith.

#### *Was the employer's decision commercially justified?*

This question, at its simplest, has two possible answers. First, as long as the decision is a genuine business decision it is one for the employer to make and the courts should not attempt to evaluate that decision. Alternatively, such a decision will be justifiable only if it is reasonable taking into account both the employer's and the employee's reasonable interests in the particular factual situation. The second answer of course involves at least some examination of the employer's commercial decision and an external assessment of whether a termination was objectively reasonable.

Prior to 1991 the Employment Court had examined the commercial validity of an employer's decision to make employees redundant but this development was halted by the Court of Appeal in 1991 in *GN Hale & Son Ltd v Wellington etc Caretakers etc IUW* [1991] 1 NZLR 151 where the Court made it clear that, while that a court could inquire into the genuineness of a redundancy, the adequacy of the employer's commercial reasons were purely a matter for the employer's judgment: Cooke P said:

“A worker does not have the right to continued employment if the business could be run more efficiently without him. The personal grievance provisions...should not be treated as derogating from the rights of employers to make management decisions genuinely on such grounds.” (at 155)

The approach set out in this case also severely limited individual employee remedies as the courts took the view that if the employer's commercial decision was one for the employer to make employees' rights to consultation were minimal. Consultation was not seen as a general requirement of fairness and even if be

required in some cases was limited to the implementation of the redundancy rather than the decision itself.

The requirements as to consultation are likely to be revisited under the ERA which has clear statutory provisions indicating that consultation is an essential element of good faith. In *Coutts* the Court of Appeal conceded that the new provisions will make consultation “desirable, if not essential, in most cases.” In a recent Employment Court decision *NZ Amalgamated Engineers Union Inc v Carter Holt Harvey Ltd* (AC 53/02) the Court issued an order delaying the implementation of major redundancies until proper consultation had taken place. The Court did, however, make it clear that the final decision was the employers.

If consultation in relation to potential redundancies does become a clear requirement of good faith, and given that existing law is clear that consultation must be genuine interactive and responsive process, the potential for an HRM input does arise when assessing some aspects of the validity of a consultation process. The issues that HRM might address, however, would seem to be similar to those it might address when looking at the validity of a selection process in that they concern the validity of particular techniques and processes. These points are discussed below.

*Was the procedure adopted during the decision making process fair?*

If HRM is to provide a useful input into legal decision making it is most likely to be in providing a perspective on the techniques and processes used by employers in selecting employees for redundancy. For that to occur, however, the courts will need to re-evaluate their approach to what standards are expected of an employer in making such decisions. Currently the situation is as summarised in *Phipps v NZ Fishing Industry Board* [1996] 1 ERNZ 195, at 200:

“Employers are entitled to considerable latitude in the management of their employee relations, so long as they observe the law. What the law requires of them is frequently no more than that their decisions affecting the livelihood of their employees should stem from reasonably founded beliefs, honestly held.”

In some cases, however, and more frequently in pre-1991 cases, the courts have, shown themselves ready to hold selection processes to be unfair in some cases. In one such case, *Apiata v Telecom New Zealand Ltd* (AEC 124/97) the employer used a process that involved three assessors using some 15 criteria to rank the pool of employees involved, with the bottom-ranked employees being dismissed. Employees were not shown the assessment, and had no opportunity to comment on it. The Court, in holding the dismissal unjustified, considered that

“ ... it may well have been that the employer in the present case could inform itself of those attributes [relevant to its decision] through an examination of its own records and through discussions with the appropriate supervisors and managers. But what is fair about a subjective assessment of an employee’s attributes behind closed doors without an opportunity for the employee to comment on those subjective assessments?”

*Was the actual implementation of the decision to dismiss for redundancy fair?*

This aspect of the law is perhaps the most straightforward as it is concerned with the process followed once a decision has been made to terminate the employment of individual employees. The courts have generally remained clear that this aspect of a redundancy must be handled fairly in the particular situation. HRM might provide some insights on how such matters should be handled most appropriately.

### **Human resource management ‘best practice’**

Given that there is at least some room for HRM to provide an input into the

development of good faith practice as the law develops that obligation the next question must be whether in its present state of development HRM and related disciplines are able to provide constructive input.

HRM best practice is variously represented as best practice, high commitment management practices or high performance work practices, all of which tend to promote a universal or “one best way” to manage human resources. This is not to say that best practice does not change over time, and indeed benchmarking surveys or best practice case studies are promoted as the means of keeping up to date with current best practice. For those that take a more contingent view of best practice there is the best-fit, contingency or configurational approach all of which are based on the presupposed need for HRM practices to fit with organisation/business strategy (external fit) and for such HRM practices to fit with each other (internal fit). (Huselid, 1995; Pfeffer, 1994; Woods, 1999; Wright & Snell, 1998)

Common to all these approaches is a belief that there are better ways of managing human resources, and that these lead to improved organisational performance.

HRM best practice sounds deceptively simple and sensible. However, the authors contend that the body of literature on HRM best practice is both emblematic and problematic. It is emblematic in the sense that the literature is forcefully normative. That is, it asserts that this is what best practice should be. It is problematic because it is inadequately descriptive. In particular the normative injunctions are unsupported by evidence or moral reasoning, and many studies of HR practice are flawed in numerous ways (Gerhart et al, 2000).

The problems with the best practice literature are problems of argument and measurement. Many of the best practice research arguments are circular. For

instance researchers choose to study the HRM practices of successful companies and assume a causal link between the firm success and HRM practice. Hence airport bookshelves and consultants brochures are filled with aspirational statements and claims that HRM best practice will lead to superior organisational performance. And yet, there is no research that conclusively demonstrates the link between HRM best practice and superior organisational performance (Gibb, 2001; Purcell, 1999). Additionally many studies of HRM best practice tend to be generic, focusing on bundles of HRM practices rather than specific practices (Purcell, 1999), which render them rather unhelpful for the practitioner seeking guidance on the detail of actual practice. Gibb (2001) argues that this is largely due to the fact that most research on HRM practices only canvasses the opinions of managers (and often only human resource managers) and not those of employees (or line managers) in the workplace. Hence such research may only capture the strategic intent of HRM practices rather than their practical implementation and impact. Some studies now include employee and other viewpoints (Gibb, 2001; Grant & Shields, 2002; Guest, 1999), but even then what about the HRM practices in the outsourced workforce (e.g. the sweatshops or factories), the experience of the contingent worker, and others not deemed organisational members? To date, HRM best practice research has been unfortunately selective in its samples, focusing on the successful or popular organisations, seeking mainly management opinion, and as a result reporting only on strategic intent and not the specific implementation practices of HRM.

This selectivity contributes to problems of reliability and validity of measurement and hence limits the generalisability of results. Von Glinow et al (2002) studied ten countries in search of international HRM best practice. They

highlighted the difficulty of generalisability of HRM practice from country to country. And yet the universal marketing of HRM textbooks and research assumes generalisability across countries and across organisations. Management in general has been plagued by a “one size fits all” approach and isomorphic organisational tendencies encouraged by trend-driven consulting practices and, in Australasia, a small pool of management talent. Hence, paradoxically, there is a drive towards similarity in bundles of practice across organisations, but a lack of generalisability of research results. And the devil is in the detail. HRM academics need to improve their ability to conduct reliable and valid research into the specific practices and tools that underpin the generic bundles of practice.

For instance one of the best known international surveys of HRM practice which extends to Australia and New Zealand, the Cranfield survey, tends to report only on bundles of practice. Kramar (2000) reporting the results of the Cranfield survey in Australia indicates (similar to other countries) a reliance on compulsory redundancies for downsizing, but tells us nothing of the actual practices in implementing this. Similarly, Johnson (2000) reporting the New Zealand survey results laments the limited application of best practice HRM in New Zealand organisations. Interestingly, although he never articulates best practice, he is clearly comparing the survey results to some standard in each HRM practice bundle. He makes five suggestions why employers do not follow best practice: 1) they are uninformed/ignorant of best practice; 2) HRM practitioners disbelieve or disparage best practice; 3) best practice appears impractical and costly, particularly for small organisations; 4) HRM practitioners have insufficient clout to sell their ideas to the organisation; and 5) it is expedient not to follow best practice. Whichever reason, or combination of them, explains the result

it illustrates a disturbing disconnection between research and practice. This phenomenon is not peculiar to New Zealand, lack of uptake of so-called HRM best practice is reported around the globe (Purcell, 1999).

It is no wonder, therefore, that a recent article criticises the use of HRM expert witnesses in employment litigation cases in the United States (Rogers, 2002). Rogers contends that HRM experts are unable to provide useful evidence because there is no accepted minimum standard of practice in HRM, nor an accepted research method, and that so-called HRM experts and practitioners have no common training, educational experience or professional regulation. As a result she maintains that HRM expert testimony tends to be merely assertion unaccompanied by evidence or research. This criticism may have more validity in the US-jury based system than in New Zealand where judges have considerable experience in evaluating evidence, and expert evidence is essentially fact-based evidence and it is for a judge to assess the weight which it should be afforded. Nevertheless, it would seem there is plenty of pressure for HRM research to become more relevant, accessible and authoritative if it is to be regarded as factually credible.

One area of research opportunity is an interesting growth in the literature on justice and fairness in the workplace, and increasing exploration of the notion of the psychological contract between employer and employee, but to date these discussions are divorced from discussions of HRM best practice, and vice versa. This is disappointing. The normative thrust of much of the HRM best practice literature could be significantly strengthened by overt acknowledgement of the moral component of HRM practice. HRM best practice would do far better to appeal to the protection and provision of natural justice in organisations than to be solely focused on the short term and flawed

measurement of connection to organisational performance.

Much of the best practice literature ignores the power differential between employer and employee, and between the shareholders of the organisation entity and its employees. The authors believe that HRM best practice is not just for its practitioners and recipients, it is to demonstrate to those who are furthest removed from the human impact of their decisions (i.e., managers and shareholders) that there are better, fairer ways of implementing such decisions. HRM academics and practitioners have become fixated with producing data via the measurement and management of human resources, and have lost sight of the relationship which they are there to facilitate, the employment relationship.

### **How can HRM best practice contribute?**

So, to what extent can HRM best practice be potentially used as a bolster for good faith conduct? The authors argue that there is scope for important contribution by HR best practice, but that this is reliant on ongoing improvement in the best practice literature. Even if best practice research has been flawed or too generic, it still remains that there are better and worse ways of doing things in HRM – and the better ways hinge around avoiding the traps that the best practice research falls prey to, that is improving the reliability and validity of measurement, focusing not only on bundles but also on detailed practice/process, and underpinning all actions with a clarity of moral reasoning and principle.

Currently most studies of HRM practice, best or otherwise, do not examine redundancy processes or if they do then only as a business strategy not as a specific set of HRM practices. The closest are studies of the mitigating effect of procedural justice on employee attitudes in restructuring and layoff situations. For example, Turnley & Feldman (1998) report

“employees who perceive there is procedural justice in their firms may not react as negatively to psychological contract violations because they are unlikely to feel that they have been unfairly singled out for bad outcomes”(p. 78). Similarly “last on, first off” decision strategies for redundancy purposes have been challenged by research on the basis of unfair discrimination to newer (and often younger) employees.

However, generally we know very little about the decision strategies or tools used by employers in redundancy situations. Hence there is a place for survey research that reports on common practice in redundancy decision making. In addition to this type of study, the best practice research could investigate the validity of specific tools and approaches used to determine those to be made redundant. For instance, the proliferation of competency assessment frameworks and instruments has remained largely unchallenged by the HRM academic community, the main challenges coming from those with training in organisational psychology (Shippmann et al, 2000).

The HRM academic community should be investigating and commenting on the validity and fairness of process and practice across the sphere of HRM activities. Responsible HRM practice is not a mere extension of management will, it has an essential role in the guardianship and facilitation of the employment relationship. It behoves us as HRM and industrial relations academics to improve our research practices, and to actively inform and challenge the practices of HRM consultants, employers, and their agents.

### **The Ross decision**

One case where expert evidence was called from human resource experts (including one of the authors of this paper) was the Employment Court case of *Ross v Wellington Free Ambulance Service Inc* [2000] 1 ERNZ 643. In that case the

employer was compelled to make redundancies following the withdrawal of funding for a pilot rapid reaction scheme for which it had employed extra ambulance officers. A major focus of the case was the method used for selecting staff for redundancy. The employer decided to select staff on the basis of a comparative competency evaluation developed for the employer developed by professional HRM consultants. The selection criteria were based on five identified key competencies, including attitude and clinical skills. Each ambulance officer was ranked by a management team, as well as the respective shift team leaders. The management evaluation was given a weighting of 8/9 and that of the shift leaders 1/9.

The plaintiff employee selected for redundancy alleged that the last on, first off method should have been used to effect redundancies but was also highly aggrieved by the results of the competency evaluation, and believed it was a result of extraneous considerations. In particular, he believed that his outspokenness on management issues had wrongly prejudiced his competency evaluation.

Both parties in this case called expert witnesses to assess the selection methodology. As might be expected the two witnesses took quite different views although the difference might be summarised as one of best practice against actual practice. The Court summarised Dr Bryson's criticism of the position as follows:

- “(1) Lack of real input from on-the-road ambulance officers in establishing the competencies.
- (2) The focus was on future performance of staff but the assessment was historically based.
- (3) Lack of reference to stress resilience as a competency,
- (4) The poor definition of the competencies and sub-competencies, which she described as vague. She said this

vagueness can lead to subjectivity, differences in interpretation and application, and the exclusion of candidates from a fair and reasonable opportunity to understand or challenge the specifics of a decision.

(5) The weightings of each skill which she described as inadequate or out of balance.

She saw these points accumulating into a series of flaws in the process. She emphasised the lack of definition of the criteria which she said did not accord with human resources best practice.

*The assessment process*

Dr Bryson's criticisms of this were

(1) Each member of the management team should have completed an individual score sheet rather than only one being provided for the whole team

(2) She found that the weighting (or importance) of the team leaders' assessment compared with that of the management team was low. She thought, given the close contact between team leaders and ambulance officers, that their assessment should have been given at least equal weight as that of the management group. When

referred to differences between the scores reached by team leaders and the management team for a number of ambulance officers Dr Bryson's conclusion was that there is either a major difference in the perception of the competence of the ambulance officers or the way the competencies were interpreted.”

By contrast the expert called by the employer focussed much more on what she called “the practical realities of such an assessment in the absence of a fully developed competency based HR system” although the Court noted that she conceded that certain improvements could have been made “at the margins of the process”. The Court summarised her opinion as follows:

“(1) The formulation of the criteria was undertaken by a team with very extensive experience in the job of ambulance officers [including] members



of management who had previously been ambulance officers.

(2) The criteria chosen displayed a good balance between attitude, generic skills, and clinical skills which she described as a reasonably common level of definition for a restructuring situation

(3) As to the definition of the competencies, she said it was almost impossible to assess these in an objective way. Her view was that the key to a fair process is to take steps to ensure consistency in assessment

(4) She agreed that the clinical skill competency did not receive an equal weighting with other competencies but noted that this was intentional because it was core skills and attitudinal competencies which reveal clear differentiations between staff. She said: "Overall, if those involved in the process were comfortable with the weightings applied, as qualified people, I see no reason to question their judgement."

(5) As far as the assessment process was concerned her opinion, based on the briefs of evidence she had read, was that considerable debate occurred during the management group sessions as they did the assessments and that they reached a consensus on the scores reached".

Essentially the Court dealt with this difference of opinion by refusing to deal with it and instead decided first that the gap between the witnesses was "more apparent than real" and second upheld the employer's methodology as it was "not irrational" and because "Dr Bryson was unable to convince the Court that the assessment and its results had no validity at all."

A number of points can be made about this case. The first and most important is that the standard the Court used to assess the validity of the employer's process imposed a standard that would present a very high, if not insurmountable, barrier for an employee to overcome. For that reason the decision itself must be viewed as highly questionable. In essence the Court adopted a standard so low that it made an evaluation of the evidence unnecessary.

Second the case indicates that experts can come to quite different conclusions depending on the starting point of their analysis. If such evidence is to be useful it is up to the court to determine a benchmark standard and to use that to evaluate the evidence – in this case the standard set was close to zero. However if the courts move to a more objective, good faith based, benchmark the point for evaluation would change.

Finally the case indicates a tension between what might be characterised as "real world" verses "best practice" evaluation. This raises the question of whether the courts should expect an employer to adopt best practice if its conduct is to be held justifiable. It might be suggested in this case that either best practice was ignored or not understood by the employer's consultants or that a "flexible" methodology was advised to allow the employer to make essentially unilateral and largely discretionary decisions.

## Discussion

This paper suggests that HRM and organisational psychology have a potential role to play in assisting the law to develop standards of employer fairness and good faith conduct. The ability of these disciplines to contribute is however limited by two factors. The first is the receptiveness of the law to such expert testimony. Generally the courts are more likely to be responsive to technical expert evidence or evidence based on sound empirical research than "opinion" evidence. In *Aoraki* for example the Court of Appeal had little difficulty in accepting statistical evidence from the VUW collective bargaining database. Equally, in spite of *Ross*, one might expect technical criticism or evaluation relating to selection and competency instruments to be accepted. Greater acceptance of such evidence is, however, highly dependent on the standard used to assess employer

conduct. Given that current New Zealand law is extremely favourable to employers and allows them undue latitude the room for expert, or indeed any, challenges is limited. If, however, the law were to move to a more objective and balanced test of justifiable conduct based on good faith there would clearly be more room for expert input from HRM or organisational psychology.

The second factor is the extent to which the disciplines of HRM or organisational psychology are sufficiently developed to provide convincing and credible evidence which a court will find convincing. Currently the state of development is uneven but on the other hand the degree of development might be expected to be greatest where evidence might be useful- that is in relation to the technical aspects of the validity of assessment instruments and the like.

HRM and organisational psychology are important disciplines in the management of human resources and have a direct impact on employees. If these techniques are used in a way that is questionable, unethical, inappropriate or biased employees will suffer an unjustified detriment. If they are to challenge such detrimental action legal counsel disciplinary experts must be able to convince the courts of the validity of the challenge to the employer actions, a task that requires the disciplines to work together.

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