



MGZ | mcphail gibson & zwart ltd
employment law for employers

Last Man ~~standing~~ reclining

Client Services:

- General advice in relation to all employee-related issues
- Resolving Personal Grievances and Workplace Disputes
- Employment Agreements - drafting and negotiation
- Employment Relations Authority/Employment Court and Mediation Representation
- Employment Relations Strategies
- Training
- Monthly newsletter

On 31 March 2021, a prominent, respected and dearly-loved employers' advocate retired. Coincidentally, on the same day, Peter Zwart retired from MGZ, prompting the odd tear from his long-standing clients, a collective sigh of relief from opposing advocates and lawyers, and the odd grunt from the odd Judiciary.

Peter was a founding Director of MGZ (then known as McPhail Gibson & Zwart Ltd). When deciding on a name for the company way back in 1995, Peter graciously suggested that his surname be last in the title, given the difficulty in pronouncing and/or spelling it. Carey, the long suffering Administration Manger of MGZ (and now the only original woman standing!) was particularly grateful for this concession: *"I was concerned that an additional 20% of my day would be taken up by answering calls to clients saying 'Zwart, that's Z.. W.. A.. R.. T, Gibson and McPhail Limited, how can I help you?'"*

Peter's career in employment law may not have burgeoned had his preferred option of competitive jogging not been cut short on his second or third attempt by a vicious attack of sciatica (for some unknown reason referred to by Peter as the *"blessed South Africa"*, almost as if it saved him from pounding the pavement). Witnesses were impressed by his unique and furtive running style as he exited work by the back alley in long shorts and dark glasses, but alas, it was not to be.

Peter's disappointment in the sporting world was quickly overcome by immediate success in his chosen field of employment law. One of his fortés, that he learnt very early in his career, was the strategic use of meetings. Long meetings. Very, very long meetings. Meetings prolonged to the extent that his clients forgot why they were there, and opposing advocates and lawyers harboured such fear at being subjected to any further such meetings that quick and favourable settlements were agreed to.

Despite this, Peter was well loved by opposing advocates, one of whom fondly described him as a *"cowboy"*. Peter did not take this to heart, indeed he seemed to embrace it, and his colleagues became a little concerned when he began to wear a Stetson to work. The sound of spurs clinking and the odd *"Yeeha!"* from his office were similarly worrying. Other opposing advocates sought to rebuff him however, Peter did not take such rejection lying down (more about lying down later). When a particularly stropky union advocate hung up the phone on him, Peter immediately phoned back and offered said advocate the opportunity to apologise for hanging up. Witnesses say the response to Peter was unprintable.

During his career, and particularly in the twilight years (since about 1999) Peter perfected the art of *"deep-thinking"*. This he would do by reclining in his chair, feet on his desk and eyes closed. Colleagues thought he was napping, and covert surveillance produced evidence of such, however in truth these deep-thinking sessions were trance-like meditative introspections aimed at solving complex problems that Peter faced daily in his role, such as what to have for lunch.



Peter reclining for some deep-thinking

Disclaimer:

This newsletter is not intended as legal advice but is intended to alert you to current issues of interest. If you require further information or advice regarding matters covered or any other employment law matters, please contact **Peter Zwart, Dean Kilpatrick, Jane Taylor or David Appleton.**

Contact Details:

Level 2
71 Cambridge Terrace
PO Box 892, Christchurch
Tel (03) 365 2345
Fax (03) 365 2347
www.mgz.co.nz

Peter Zwart

E: peter@mgz.co.nz
M: 0274 367 757

Dean Kilpatrick

E: dean@mgz.co.nz
M: 027 279 1353

Jane Taylor

E: jane@mgz.co.nz
M: 021 1539 147

David Appleton

E: David@mgz.co.nz
M: 027 247 4274

Peter was well loved by his colleagues, particularly when out of the office, and he was known to exhibit deep care and concern for his colleagues. On one occasion, at a staff function, after consuming a modicum of spirituous liquor, he became concerned about Carey's teeth, and whether they were in fact real. He accordingly reached across the table and tried to remove them (unsuccessfully, given that they were indeed real). But because he was possessed of many 'endearing qualities' (a list of which is still being compiled) Carey chose to forgive him.

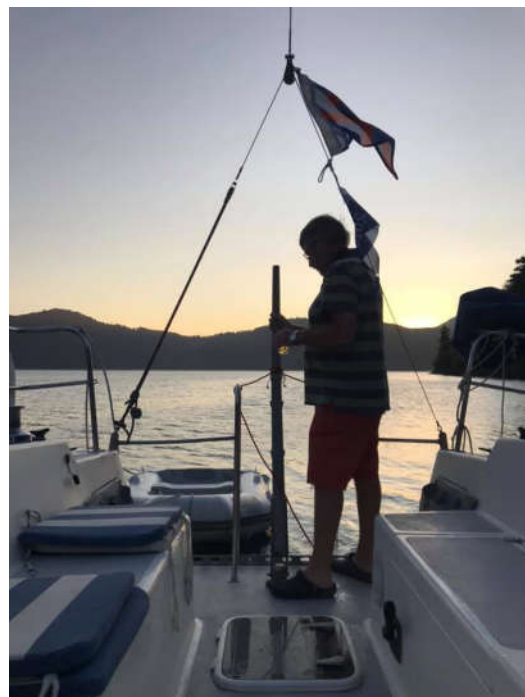
In retirement, Peter will no doubt be doing what he loves best (no, not deep-thinking). He will be behind the wheel of one of his yachts, the wind in his hair, sails flapping in the breeze, singing nautical songs and enjoying the odd tot of rum. He may even launch the yacht into the ocean and sail it, however advance notice to the Harbour Master, the Coastguard and a flotilla of rescue craft is mandatory.

But seriously . . .

Peter began his career at the Canterbury Employers' Association in 1987, coincidentally the same year that Raewyn joined Wellington Regional Employers' Association. He then joined the commercial wing of the Employers' Association, Employers' Consultants Ltd, and after 6 years left to form MGZ. In a career spanning 34 years in total (26 of those with MGZ), Peter provided excellent service to a wide range of clients and was well respected in the employment field as a highly skilled and seasoned practitioner who advocated strongly and capably on behalf of his clients. He was also fun to work with and was very well organised (by Carey!!). We wish him all the best in a well-deserved retirement.



The original cast and 'The Apprentice' – none other than the now Managing Director, Dean Kilpatrick



Peter getting ready to sing a sea shanty!

IE PRESS, Christchurch

Tuesday, March 8, 2005

MCPHAIL, GIBSON & ZWART

ADVERTISING FEATURE

Beyond the call

Christchurch Casino HR manager Frances Barnham is one of many clients who can't speak highly enough of the team at McPhail, Gibson & Zwart.

"Accessibility is a key word for them," she says. "They are always accessible and they are small enough so that you can establish a relationship with all the staff there."

Describing the team as very personable, Barnham says they have provided her with practical management advice.

"It has all been very sound advice with no legalese. One of their other advantages is they have such experience in dealing with different types of employers."

Heinz Watties HR manager Murray Cowan has been with McPhail, Gibson & Zwart since the very beginning.

"I was one of the first customers through the door when they had two desks, no computers and no chairs. I love their strong customer

orientation, incredible coordinating skills and ability to honour their commitments."

He also praises the personable nature of the staff.

"I have predominately dealt with Raewyn (Gibson) and no matter how busy she is, she always makes me feel like I'm the only one on the radar screen. They also differ from a law firm because they offer robust, pragmatic, practical advice."

"They have been around the block and are dealing with employers all the time."

This knowledge and experience has proved to be invaluable for Cowan in his dealings with Heinz Watties' up to 2700 staff.

"They go above and beyond in their relationships with clients. At an important time like the renewal of a collective agreement, they are also available at evenings and weekends."

"In the 10 years I have dealt with them they have never really gone out and marketed themselves and yet



On the job: Peter Zwart, left, discusses employment law changes with Tandoori Palace restaurant owner Anup Nathu.

their base business is growing." ElectroNet CEO Rob Caldwell is also delighted with the service McPhail, Gibson & Zwart has given his company.

An electrical contractor employing 80 staff, the Greymouth-based company builds powerlines and looks after the West Coast electricity network.

"McPhail, Gibson & Zwart have

been assisting us for the past six years. They have provided excellent support and advice.

"They keep us informed of the constantly changing employment law. They have never had a problem with travelling over here to help with collective-agreement negotiations or the like and they are on the other end of a phone or email when we need them."