



New Zealand Employment Relations Authority Decisions

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Booth v Cobb Group Limited (Auckland) [2017] NZERA 249; [2017] NZERA Auckland 249 (23 August 2017)

Last Updated: 31 August 2017

IN THE EMPLOYMENT RELATIONS AUTHORITY AUCKLAND

[2017] NZERA Auckland 249
3001531

BETWEEN EDWARD JOHN BOOTH Applicant

A N D COBB GROUP LIMITED Respondent

Member of Authority: Rachel Larmer

Representatives: Megan Leaf, Counsel for Applicant

Mark Beech and Tim Conder, Counsel for Respondent

Investigation Meeting: 15 August 2017 at

Tauranga

Date of Determination: 23 August 2017

CONSENT DETERMINATION OF THE EMPLOYMENT RELATIONS AUTHORITY

Employment relationship problem

[1] During the Authority's investigation meeting Cobb Group Limited (Cobb) acknowledged that it had unjustifiably dismissed Mr Booth, who Cobb Group at that time incorrectly believed was a fixed term employee.

[2] After investigating remedies the Authority gave an oral indication of the outcome of Mr Booth's remedies claim. As a result of that indication the parties have now agreed that the Authority should issue a consent determination.

[3] Within 28 days of the date of this determination Cobb Group is ordered to pay

Mr Booth:

- a. \$28,846.08 being 16 weeks' lost remuneration;
- b. \$15,000 distress compensation under s.123(1)(c)(i) of the Employment Relations Act 2000 (the Act);
- c. \$4,500 towards his legal costs;
- d. \$71.56 to reimburse his filing fee.

Rachel Larmer

Member of the Employment Relations Authority

