

Determination Number: WA 123/05

File Number: WEA 128/05

ATTENTION IS DRAWN TO THE  
ORDER PROHIBITING PUBLICATION  
OF CERTAIN INFORMATION REFERRED  
TO IN THIS DETERMINATION

*Under the Employment Relations Act 2000*

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON BRANCH**

<b>BETWEEN</b>	Stephen Carter (applicant)
<b>AND</b>	Valley Tyre & Auto Centre Limited (respondent)
<b>REPRESENTATIVES</b>	the parties represented themselves
<b>MEMBER OF THE AUTHORITY</b>	Denis Asher
<b>INVESTIGATION MEETING</b>	Wellington, 19 July 2005
<b>DATE OF DETERMINATION</b>	19 July 2005

**CONSENT DETERMINATION OF AUTHORITY**

**Employment Relationship Problem**

1. Mr Stephen Carter said he was unjustifiably dismissed, both procedurally and substantively, by the Company and owed arrears of wages – statement of problem received on 14 April 2005.
2. The Company denied Mr Carter's claims – statement in reply received on 27 April.

3. The parties underwent mediation but their employment relationship problem remained. The parties subsequently agreed to a one-day investigation in Wellington on 19 July.

### **Settlement Reached**

4. During today's investigation the parties arrived at a settlement that they asked be recorded by way of a consent determination. I agreed to that request. The Authority has the original settlement on its file. The settlement is confidential. The parties asked that the detail of the settlement be prohibited from publication. I agreed to that request also: Clause 10(2) of Schedule 2 of the Act applied.
5. The parties are to be commended for this outcome.

**Denis Asher**

**Member of Employment Relations Authority**