

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

[2018] NZERA Auckland 297  
3032453

BETWEEN            DANA GENEFAAS  
Applicant

A N D                BEN FOOTE  
Respondent

Member of Authority:    Anna Fitzgibbon

Representatives:        No appearance for the Applicant  
No appearance for the Respondent

Investigation Meeting:    19 September 2018 at Hamilton

Written record of        21 September 2018  
Determination:

---

**ORAL DETERMINATION OF THE  
EMPLOYMENT RELATIONS AUTHORITY**

---

**A. The application brought by the applicant, Ms Dana Genefaas, against the respondent, Mr Ben Foote, is struck out for want of prosecution.**

**Employment Relationship Problem**

[1]    The applicant, Ms Dana Genefaas, was employed by the respondent, Mr Ben Foote. When she resigned from her employment she claimed she had not been paid the full amount of her holiday pay.

[2] Ms Genefaas filed a statement of problem in the Authority on 9 July 2018 claiming that she was owed holiday pay by Mr Foote. Mr Foote filed a statement in reply disputing the claim.

[3] The parties were referred to mediation but the matter did not resolve. The matter was set down for an investigation meeting in Hamilton on 19 September 2018.

[4] Both parties received the Notice of Investigation Meeting, giving details of the time and place for the Investigation Meeting. Neither party attended the investigation meeting.

[5] I order the application brought by Ms Genefaas against Mr Foote be struck out for want of prosecution.

[6] There is no order as to costs.

**Anna Fitzgibbon**  
**Member of the Employment Relations Authority**