

*Under the Employment Relations Act 2000*

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON OFFICE**

**BETWEEN** Fred Haustein (Applicant)  
**AND** Affordable Scaffold Hire Limited (Respondent)  
**REPRESENTATIVES** Graeme Ogilvie for the Applicant  
Wayne Livingstone for the Respondent  
**MEMBER OF AUTHORITY** P R Stapp  
**INVESTIGATION MEETING** Wellington, 21 February 2006  
**DATE OF DETERMINATION** 21 February 2006

**DETERMINATION OF THE AUTHORITY**

**Employment relationship problem**

[1] The parties' employment relationship problem is about the payment of two weeks wages in lieu of notice, holiday pay and the circumstances of the termination of Mr Haustein's employment.

**The Background to the matter**

[2] The parties signed off an individual employment agreement. Mr Haustein was employed by Affordable Scaffold Hire Limited as a groundie spanner hand. His hourly rate of pay was \$12 per hour.

[3] Mr Haustein's employment ended when he handed in notice on 16 June 2004. Subsequently a claim was taken up on his behalf for the payment of holiday pay and two weeks wages in lieu of notice and a request made for the wage and time records to complete the calculations.

[4] The applicant did not turn up for the investigation meeting and there was no explanation for his non appearance. I decided to continue with the meeting since the applicant was represented and there was no explanation for his non appearance. The issue became focussed on the holiday pay since Mr Haustein was not present to give any evidence about the circumstances of leaving his employment. During the investigation meeting the respondent agreed to pay the sums of \$15.84

and \$259.68 holiday pay claimed on 27 September 2004, and the \$70 filing fee following a discussion on costs and an indication that I would award this sum in equity and good conscience.

**The outcome of the investigation meeting**

[5] Affordable Scaffold Hire Limited is to pay Mr Haustein the total amount of \$275.52 holiday pay (being the sum of \$15.84 plus \$259.68 claimed on 27 September 2004).

[6] Affordable Scaffold Hire Limited is to also pay the \$70 filing fee to Mr Haustein.

P R Stapp  
Member of the Authority