

Determination Number; WA 156/05
File Number: WEA 282/05

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON BRANCH**

BETWEEN	Fiona Kelly (applicant)
AND	The NZ House Inspection Company (Wellington) Limited (respondent)
REPRESENTATIVES	Robert Foitzik for the applicant Gary Koornneef for the respondent
MEMBER OF THE AUTHORITY	Denis Asher
INVESTIGATION MEETING	Wellington, 15 September 2005
DATE OF DETERMINATION	15 September 2005

CONSENT DETERMINATION OF AUTHORITY

Employment Relationship Problem

1. Ms Fiona Kelly said she was both constructively and unjustifiably dismissed by the Company and owed arrears of wages – statement of problem received on 22 July 2005.
2. The Company rejected Ms Kelly's claims – statement in reply received on 9 August.

3. The parties underwent mediation but their employment relationship problem remained. The parties subsequently agreed to a one-day investigation in Wellington on 30 September.

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