

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH OFFICE**

BETWEEN David Graeme Lyons (Applicant)

AND Matt Fox (Respondent)

MEMBER OF AUTHORITY Philip Cheyne

DATE OF DETERMINATION 24 March 2006

CONSENT DETERMINATION OF THE AUTHORITY

[1] David Lyons lodged a statement of problem in which he described his employment relationship problem as the refusal by Matt Fox to pay his first week's wages following an accident while working for Matt Fox.

[2] A statement in reply was lodged which made it clear that there was a dispute about whether the accident occurred at work thereby requiring the employer to pay for the first week's absence. The Authority had some difficulty contacting Matt Fox to organise a phone conference which was eventually held with just Mr Lyons. Following that phone conference a notice of direction and notice of investigation meeting was served on Matt Fox. That prompted Mr Fox to contact the Authority to express some difficulty about the date set for the investigation meeting. Arrangements were agreed for a further phone conference which occurred today.

Consent Order

[3] Mr Fox explained that his problem with the date scheduled for the investigation meeting in his absence is that he is committed for the next 6 months to being away on other business. In light of that he proposed to pay the wages claimed by Mr Lyons and during our phone conference both men agreed to the Authority issuing a consent determination in the following terms.

[4] Matt Fox is to pay David Lyons the sum of \$397.30 (nett) within 7 days by sending a cheque to Mr Lyons.

[5] These proceedings are now at an end.

Philip Cheyne
Member of Employment Relations Authority