

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

**AA 116/08  
5099303**

BETWEEN      ROBERT ALLAN REAY  
                         Applicant  
  
AND              BURSUK LIMITED  
                         Respondent

Member of Authority:      Leon Robinson  
  
Representatives:          No attendance by Applicant  
                                 Kiril Kirilov for Respondent  
  
Investigation Meeting:      28 March 2008  
  
Determination:              28 March 2008

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**DETERMINATION OF THE AUTHORITY**

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**The problem**

[1] The applicant Mr Robert Allan Reay ("Mr Reay") by a statement of problem lodged in the Authority on 10 September 2007 claims his dismissal from his employment with the respondent Bursuk Limited ("Bursuk") is unjustifiable. Mr Reay applies to the Authority for an investigation into the problem and seeks reinstatement and reimbursement.

**The investigation meeting**

[2] Contrary to a direction of the Authority dated 24 September 2007 the parties did not attend mediation.

[3] On 14 February 2008, I scheduled the matter for investigation meeting today. A notice of investigation meeting was served on Mr Reay on 25 February 2008.

[4] Mr Reay did not attend at the appointed time for investigation meeting today.

Mr Kirilov attended for the respondent.

[5] I asked the support officer to contact Mr Reay by telephone. I am advised by the support officer that the person answering the telephone number Mr Reay provided to the Authority disconnected the call immediately. The support officer then left a message asking Mr Reay to call the Authority.

[6] The Notice of Investigation Meeting notes that where the applicant does not attend the matter may be dismissed and costs may be awarded against the applicant.

### The determination

[7] I am not aware of any good reason why Mr Reay has failed to attend today. Accordingly, he offers no evidence, information or assistance to the Authority in support of his application for investigation of his employment relationship problem.

[8] **That being so, I find that Mr Reay was not unjustifiably dismissed and he does not have a personal grievance. There is no case for the orders sought by Mr Reay.**

[9] This investigation is now closed.

[10] As the respondent is not represented by professional advocate, there will be no order for costs.

Leon Robinson  
**Member of Employment Relations Authority**