

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON OFFICE**

BETWEEN Robert Smith (Applicant)
AND Edward Wills (Respondent)
MEMBER OF AUTHORITY P R Stapp
TELEPHONE CONFERENCE Wellington, 31 October 2005
DATE OF DETERMINATION 31 October 2005

CONSENT DETERMINATION OF THE AUTHORITY

Employment relationship problem

- [1] The employment relationship problem is about the enforcement of agreed terms of settlement signed by a mediator from the Department of Labour.
- [2] Following this matter up, with a telephone conference, the parties were able to resolve their differences and requested the Authority record and note the following terms by consent:
- Mr Smith has decided not to pursue the letter of regret.
 - Mr Wills has undertaken to, in good faith, verify the reference dated 16 January 2005 that he provided to Mr Smith, with any prospective employer. Mr Wills has also undertaken to verify the reference in a positive way that is consistent with the positive terms of the reference.
 - Mr Wills has agreed that if he is asked, if he would employ Mr Smith, he is able to say that he is no longer in a position to do so, but would employ him if he could.
- [3] That concludes the Authority's role in this matter. There is no issue of costs.

P R Stapp
Member of the Authority