

ATTENTION IS DRAWN TO
THE ORDER PROHIBITING
PUBLICATION OF CERTAIN
INFORMATION REFERRED
TO IN THIS DETERMINATION

Determination Number: WA 41/05

File Number: WEA 382/04

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON BRANCH**

BETWEEN	Raymond To'o (applicant)
AND	The Dominion Post, a division of Fairfax New Zealand Limited (respondent)
REPRESENTATIVES	Tony Wilton for the applicant Rosalind Webby for the respondent
MEMBER OF THE AUTHORITY	Denis Asher
INVESTIGATION MEETING	Wellington, 10 March 2005
DATE OF DETERMINATION	10 March 2005

CONSENT DETERMINATION OF AUTHORITY

Employment Relationship Problem

1. The applicant, Raymond To'o, said that the respondent (the Company) unjustifiably dismissed him – statement of problem received on 20 October 2004. He sought reinstatement, compensation for humiliation, etc, and lost wages and costs.
2. The Company denied Mr To'o's claims – statement in reply received on 9 November.

3. The parties underwent mediation but their employment relationship problem remained unresolved.
4. The parties agreed to a one-day investigation in Wellington on 10 March 2005, commencing at 10.00 a.m. They usefully supplied written statements in advance of the investigation.

Settlement Reached

5. During the investigation the parties reached a settlement and asked the Authority to issue a consent determination that recorded that settlement. I have no difficulty in accepting the parties' request and recording their settlement (the original copy of which is held by the Authority) by way of a consent order determination.
6. The parties also asked that their settlement be prohibited from publication under clause 10(2) of Schedule 2 of the Act: I accepted that request also.
7. The parties are to be commended for the manner in which they lent themselves to the investigation and for settling this matter on their own terms.

Denis Asher

Member of Employment Relations Authority