

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

Determination Number: WA 29/05

File Number: WEA 298/04

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON BRANCH**

BETWEEN	Michael Howells (applicant)
AND	David & Peter Brown t/a Concours Automotive Services Lower Hutt (respondent)
REPRESENTATIVES	Ross Jamieson for the applicant John Tannahill for the respondent
MEMBER OF THE AUTHORITY	Denis Asher
INVESTIGATION MEETING	Wellington, 22 February 2005
DATE OF DETERMINATION	22 February 2005

CONSENT DETERMINATION OF AUTHORITY

Employment Relationship Problem

1. The applicant, Michael Howells, said he was unjustifiably dismissed by the respondents – amended statement of problem received on 8 December 2004.
2. The respondents denied the allegations – amended statement in reply received on 8 February 2005.

3. The parties underwent mediation but their employment relationship problem remained.
4. The parties agreed to a one-day investigation in Wellington on 22 February, commencing at 10.00 a.m. They usefully supplied in advance of the investigation written statements and documents.

Settlement Reached

5. During the investigation the parties reached a settlement and asked the Authority to issue a consent determination that recorded that settlement (a copy of which is held on the Authority's file).
6. The parties also asked that their settlement and all relevant information be prohibited from publication under clause 10(2) of Schedule 2 of the Act: I accepted that request.
7. The parties are to be commended for settling this matter on their own terms.

Denis Asher
Member of Employment Relations Authority