

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND OFFICE**

BETWEEN Jim Hammond & Murray Youngman (Applicants)

AND Bakel's Edible Oils (NZ) Ltd (Respondent)

REPRESENTATIVES Tim Oldfield (for Applicants)
Peter Gaskin (for Respondent)

MEMBER OF AUTHORITY Janet Scott

DATE OF DETERMINATION 31 January 2007

SUPPLEMENTARY DETERMINATION BY CONSENT OF THE PARTIES

The parties have reached agreement in respect of an issue arising from the Authority's determination of the substantive problem between the parties and have asked that I record their agreement in a Consent Order of the Authority. Accordingly the agreement of the parties now becomes the Order of the Authority.

Agreement by Consent of the Parties

1. The Authority issued a determination AA6/07 in respect of this matter.
2. The parties have agreed that the Authority incorrectly calculated lost wages in respect of the second applicant in that determination.
3. The parties have reached agreement on this issue. The parties wish for the Authority to record their agreement as a consent order. The terms of the consent order are as follows:
 - a. The Authority's determination in this matter, AA6/07, shall be amended to read, at paragraph [62] "[62] I direct the respondent company to pay to Mr Youngman the sum of \$429 gross to compensate him for remuneration lost as a result of his grievance".
 - b. Neither party shall seek to reopen AA6/07 under clause 4 of the Second Schedule to the Employment Relations Act 2000 or challenge AA6/07 under s.179 Employment Relations Act 2000.

- c. The parties shall attempt to agree on the issue of costs in the Authority, failing agreement the Authority shall determine costs in accordance with para [65] of AA 6/07.

Janet Scott
Member of the Employment Relations Authority