

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2019] NZERA 632
3052595

BETWEEN	MICHAEL KLOOSTERMAN Applicant
AND	DION MORRELL SHEARING LIMITED Respondent

Member of Authority:	Andrew Dallas
Investigation Meeting:	31 October 2019 at Dunedin
Representatives:	No appearance for the Applicant Dion Morrell and Gabriela Schmidt-Morrell for the Respondent
Determination:	4 November 2019

DETERMINATION OF THE AUTHORITY

Employment relationship problem

[1] Michael Kloosterman alleged he was unjustifiably dismissed by Dion Morrell Shearing Limited (Morrell) and that his employment was otherwise breached in several significant respects. Mr Kloosterman's claims were denied by Morrell.

[2] Mr Kloosterman did not attend the Authority meeting set down to investigate his claims against Morrell. Mr Kloosterman was initially represented but subsequently took over the conduct of his matter personally. He engaged with the Authority on that basis initially but became unresponsive.

[3] The Notice of Investigation Meeting, which I am satisfied Mr Kloosterman received, provides that if an Applicant in Authority proceedings does not attend the investigation meeting, the matter may be dismissed. I am satisfied this is the appropriate course. Mr Kloosterman's claims against Morrell are dismissed. In any event, Mr Kloosterman's case against Morrell would fail in the ordinary course for want of prosecution.

Costs

[4] This is no order for costs arising out of this determination.

Andrew Dallas
Chief of the Employment Relations Authority