

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2020] NZERA 250
3076892

BETWEEN

BRENDON PYCROFT
Applicant

AND

CHCH RANG BOBCAT SERVICES
2017 LIMITED
Respondent

Member of Authority: Philip Cheyne

Representatives: Paul Mathews, advocate for the Applicant
Marc Fisk, advocate for the Respondent

Investigation Meeting: 25 June 2020

Date of Determination: 25 June 2020

DETERMINATION OF THE AUTHORITY

A. The claim is dismissed.

Employment relationship problem

[1] Brendon Pycroft claims a personal grievance and arrears against ChCh Rang Bobcat Services 2017 Limited. That company says that Mr Pycroft's employer for the duration of his employment was a different company, now in liquidation.

Determination

[2] Mr Pycroft did not appear this morning. I delayed the start of the meeting. Just as we started after the delay, Mr Mathews received a call from his client. He took the call in private.

When Mr Mathews returned he confirmed that his client had been aware of the meeting. Mr Mathews acknowledged that he could not oppose the claim being dismissed.

[3] Mr Fisk supported that result. Mr Fisk did not seek costs.

[4] I confirm the oral indication given today. The claim is dismissed. Documents in evidence show the company in liquidation as the employer. Mr Shackleton made a Police statement which can be read as him saying that the respondent employed Mr Pycroft, but that is not sufficient to displace the signed employment agreement and IRD information which shows the company in liquidation as the employer. There is no order for costs.

Philip Cheyne
Member of the Employment Relations Authority