

Determination Number; WA 34/05

File Number: WEA 46/05

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

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON BRANCH**

BETWEEN	David Brown (applicant)
AND	Fonterra Co-operative Group (respondent)
REPRESENTATIVES	Phillip Drummond for the applicant Gary Pollak for the respondent
MEMBER OF THE AUTHORITY	Denis Asher
INVESTIGATION MEETING	Palmerston North, 28 February 2005
DATE OF DETERMINATION	1 March 2005

CONSENT DETERMINATION OF AUTHORITY

Employment Relationship Problem

1. In an urgent application to the Authority the applicant, David Brown, said the respondent (the Company) had altered his conditions of employment to his disadvantage by an unjustified action and/or the unilateral alteration to his terms and conditions was to his disadvantage – statement of problem received on 15 February 2005. In an amended statement he added to the above the claim he had been unjustifiably dismissed – amended statement of problem received on 25 February.

2. The Company did not accept Mr Brown's claims – statement in reply received on 16 February.
3. The parties underwent mediation but their employment relationship problem remained.
4. The parties agreed to a one-day investigation in Palmerston North on 28 February, commencing at 9.30 a.m. They usefully supplied in advance of the investigation written statements and relevant 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 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