

Determination Number; WA 85/05

File Number: WEA 62/05

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**

<b>BETWEEN</b>	Nicola Cross (applicant)
<b>AND</b>	Johnson Preschool Limited (respondent)
<b>REPRESENTATIVES</b>	Graeme Ogilvie for the applicant Hamish Kynaston for the respondent
<b>MEMBER OF THE AUTHORITY</b>	Denis Asher
<b>INVESTIGATION MEETING</b>	Wellington, 24 May 2005
<b>DATE OF DETERMINATION</b>	24 May 2005

**CONSENT DETERMINATION OF AUTHORITY**

**Employment Relationship Problem**

1. Ms Nicola Cox said she was unjustifiably suspended and dismissed by the Company – statement of problem received on 7 March 2005.
2. The Company said that both actions were justified – statement in reply received on 23 March.

3. The parties underwent mediation but their employment relationship problem remained. The parties subsequently agreed to a one-day investigation in Wellington on 24 May.

### **Settlement Reached**

4. During today's investigation the parties arrived at a settlement that they asked be recorded by way of a consent determination. I agreed to that request. The authority has the original settlement on its file. The settlement is confidential except for the following: neither party admits to any liability or wrongdoing and the employer withdraws the dismissal. The remaining detail of the settlement is prohibited from publication: Clause 10(2) of Schedule 2 of the Act applied.
5. The parties are to be commended for this outcome.

**Denis Asher**

**Member of Employment Relations Authority**