

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON OFFICE**

BETWEEN Natasha Dowman (Applicant)
AND Barnardos New Zealand Charitable Trust (Respondent)
REPRESENTATIVES Mark Nutsford for the Applicant (Not Present)
Bridget Fleming for the Respondent
MEMBER OF AUTHORITY P R Stapp
INVESTIGATION MEETING Wellington, 26 April 2005
DATE OF DETERMINATION 26 April 2005

CONSENT DETERMINATION OF THE AUTHORITY

Employment relationship problem

[1] Prior to the Authority's investigation meeting Natasha Dowman agreed to withdraw from the proceedings on the basis of Barnardos agreeing not to pursue costs and that no other compensation will be sought or expected from either party. In addition both parties agreed this would be on a full and final basis.

[2] Ms. Dowman has not been available since she has moved to the United Kingdom and has not appeared at the Authority's investigation meeting. Her representative told me in writing that he had verbal instructions from the applicant of her decision to withdraw on the basis that there would be no issue on costs and that this would represent a full and final settlement of the matter. Further he says his instructions override any other instructions by any person acting with a Power of Attorney for the applicant.

[3] The applicant's representative has confirmed the above in writing and that he is acting with authority for and on behalf of the applicant. I accept it. I am satisfied that the applicant has decided to withdraw before any costs for preparation were incurred, and by consent there is no issue of costs between the parties and that no other compensation will be sought or expected from either party on

the basis of this being full and final. I accept that this resolves the employment relationship problem.

[4] By consent Ms Dowman's employment relationship problem has been withdrawn and there is no issue on costs between these parties.

P R Stapp
Member of the Authority