

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

CA 42/09
5149883

BETWEEN DARREL NEIL HANNON
 Applicant

AND ARCHITECTURE DM
 LIMITED DM
 Respondent

Member of Authority: Philip Cheyne

Representatives: No appearance by the Applicant
 David McLeod, Advocate for the Respondent

Investigation Meeting: 8 April 2009 at Christchurch

Determination: 8 April 2009

DETERMINATION OF THE AUTHORITY

[1] Mr Hannon worked for Architecture DM Limited. The company came to experience solvency difficulties and that resulted in Mr Hannon (and others) not being paid all wages due. Mr Hannon lodged this application to recover the arrears.

[2] The company says that it is doing all that it can to meet its obligations to Mr Hannon, other staff and creditors but that its cashflow does not allow it to pay Mr Hannon at present.

[3] An investigation meeting was scheduled for today. I am satisfied that Mr Hannon knew of the meeting arrangements because he participated in the phone conference when they were made and he was served with the notice of meeting. Despite this, Mr Hannon has not appeared this morning nor could he be contacted.

[4] Mr McLeod for the company travelled from Nelson to be here this morning. After waiting 15 minutes to see if there would be some contact from Mr Hannon I decided to dismiss this application and advised Mr McLeod accordingly.

[5] While preparing this determination I was told by the support officer that Mr Hannon had rung and was away from Christchurch for work. He knew that this meeting had been scheduled but did nothing to alert the Authority or the respondent to his non-availability. His conduct is discourteous to the Authority and the respondent and has caused Mr McLeod inconvenience.

[6] The application is dismissed due to Mr Hannon's failure without good reason to appear.

Philip Cheyne
Member of the Employment Relations Authority