

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

WA 115/08
5099980

BETWEEN GORDON HANSON
 Applicant

AND BRAVEHEART BUILDERS
 LIMITED
 Respondent

Member of Authority: P R Stapp

Attendance by Telephone: Mr Hanson (Applicant)
 Mrs Leslie Gibson for Respondent

Telephone Conference: 27 August 2008

Determination: 27 August 2008

DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

[1] Gordon Hanson has applied for a compliance order to get paid an agreed amount recorded in a record of mediation settlement. He has also requested that the statement of regret that Braveheart Builders Limited agreed to provide, and was also part of the terms agreed in the mediator's record of settlement.

[2] Mr Hansen has not been paid the agreed sum. Mrs Gibson says that the respondent can not afford to pay, but accepted that the sum of \$2,000 is owed. Mrs Gibson undertook to provide the statement of regret.

Issue

[3] To arrange for the payment to be made and the statement of regret to be provided.

Determination

[4] The parties signed off a record of mediation settlement witnessed by a mediator from the Department of Labour on 17 March 2008. The parties agree a sum of \$2,000 is owed. However, the respondent has some difficulty in paying a lump sum. An instalment plan was discussed and agreement was reached by consent on an arrangement to apply. I order;

- i. That Braveheart Builders Limited is to pay to Mr Gordon Hanson the sum of \$100 each week over twenty (20) weeks to pay off the \$2,000 in total that is owed.
- ii. That Braveheart Builders Limited is to pay off any remaining total before the end of the instalment period when funds become available.
- iii. That the first \$100 payment will be made by Braveheart Builders Limited on Thursday 4 September 2008 into Mr Hanson's bank account as arranged, and weekly \$100 payments are to be made into the same account thereafter.

[5] For completeness Mrs Gibson agreed to provide the statement of regret from Braveheart Builders Limited by 4 September 2008 that was agreed to be provided in the record of settlement.

P R Stapp
Member of the Employment Relations Authority