



New Zealand Employment Relations Authority Decisions

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Haustein v Affordable Scaffold Hire Ltd WA 30/06 (Wellington) [2006] NZERA 627 (21 February 2006)

Last Updated: 24 November 2021

Determination Number: WA 30/06 File Number: WEA 190/05

Under the [Employment Relations Act 2000](#)

BEFORE THE EMPLOYMENT RELATIONS AUTHORITY WELLINGTON OFFICE

BETWEEN Fred Haustein (Applicant)

AND Affordable Scaffold Hire Limited (Respondent)

REPRESENTATIVES Graeme Ogilvie for the Applicant

Wayne Livingstone for the Respondent

MEMBER OF AUTHORITY P R Stapp

INVESTIGATION MEETING Wellington, 21 February 2006

DATE OF DETERMINATION 21 February 2006

DETERMINATION OF THE AUTHORITY

Employment relationship problem

[1] The parties' employment relationship problem is about the payment of two weeks wages in lieu of notice, holiday pay and the circumstances of the termination of Mr Haustein's employment.

The Background to the matter

[2] The parties signed off an individual employment agreement. Mr Haustein was employed by Affordable Scaffold Hire Limited as a groundie spanner hand. His hourly rate of pay was \$12 per hour.

[3] Mr Haustein's employment ended when he handed in notice on 16 June 2004. Subsequently a claim was taken up on his behalf for the payment of holiday pay and two weeks wages in lieu of notice and a request made for the wage and time records to complete the calculations.

[4] The applicant did not turn up for the investigation meeting and there was no explanation for his non appearance. I decided to continue with the meeting since the applicant was represented and there was no

explanation for his non appearance. The issue became focussed on the holiday pay since Mr Haustein was not present to give any evidence about the circumstances of leaving his employment. During the investigation meeting the respondent agreed to pay the sums of \$15.84

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and \$259.68 holiday pay claimed on 27 September 2004, and the \$70 filing fee following a discussion on costs and an indication that I would award this sum in equity and good conscience.

The outcome of the investigation meeting

[5] Affordable Scaffold Hire Limited is to pay Mr Haustein the total amount of \$275.52 holiday pay (being the sum of \$15.84 plus \$259.68 claimed on 27 September 2004).

[6] Affordable Scaffold Hire Limited is to also pay the \$70 filing fee to Mr Haustein.

P R Stapp

Member of the Authority

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