

ATTENTION IS DRAWN TO THE  
ORDER PROHIBITING PUBLICATION  
OF CERTAIN INFORMATION REFERRED  
TO IN THIS DETERMINATION

Determination Number; WA 170/05  
File Number: WEA 150/05

*Under the Employment Relations Act 2000*

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON BRANCH**

<b>BETWEEN</b>	Manuao Peni (applicant)
<b>AND</b>	Levin Meats Limited (respondent)
<b>REPRESENTATIVES</b>	Russell Ward for the applicant Graeme Gowland for the respondent
<b>MEMBER OF THE AUTHORITY</b>	Denis Asher
<b>INVESTIGATION MEETING</b>	Palmerston North, 26 October 2005
<b>DATE OF DETERMINATION</b>	28 October 2005

**CONSENT DETERMINATION OF AUTHORITY**

**Employment Relationship Problem**

1. Mr Manuao Peni said he was unjustifiably dismissed by the Company – statement of problem received on 26 April 2005. He sought unspecified damages and compensation for humiliation, etc.
2. The Company said Mr Peni was justifiably dismissed for serious misconduct – statement in reply received on 18 May.

3. The parties underwent mediation but their employment relationship problem remained. The parties subsequently agreed to a one-day investigation in Palmerston North on 26 October.

### **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. The parties asked that the detail of the settlement be prohibited from publication. I agreed to that request also: 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**