

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

**AA 116/08
5099303**

BETWEEN ROBERT ALLAN REAY
 Applicant

AND BURSUK LIMITED
 Respondent

Member of Authority: Leon Robinson

Representatives: No attendance by Applicant
 Kiril Kirilov for Respondent

Investigation Meeting: 28 March 2008

Determination: 28 March 2008

DETERMINATION OF THE AUTHORITY

The problem

[1] The applicant Mr Robert Allan Reay ("Mr Reay") by a statement of problem lodged in the Authority on 10 September 2007 claims his dismissal from his employment with the respondent Bursuk Limited ("Bursuk") is unjustifiable. Mr Reay applies to the Authority for an investigation into the problem and seeks reinstatement and reimbursement.

The investigation meeting

[2] Contrary to a direction of the Authority dated 24 September 2007 the parties did not attend mediation.

[3] On 14 February 2008, I scheduled the matter for investigation meeting today. A notice of investigation meeting was served on Mr Reay on 25 February 2008.

[4] Mr Reay did not attend at the appointed time for investigation meeting today.

Mr Kirilov attended for the respondent.

[5] I asked the support officer to contact Mr Reay by telephone. I am advised by the support officer that the person answering the telephone number Mr Reay provided to the Authority disconnected the call immediately. The support officer then left a message asking Mr Reay to call the Authority.

[6] The Notice of Investigation Meeting notes that where the applicant does not attend the matter may be dismissed and costs may be awarded against the applicant.

The determination

[7] I am not aware of any good reason why Mr Reay has failed to attend today. Accordingly, he offers no evidence, information or assistance to the Authority in support of his application for investigation of his employment relationship problem.

[8] **That being so, I find that Mr Reay was not unjustifiably dismissed and he does not have a personal grievance. There is no case for the orders sought by Mr Reay.**

[9] This investigation is now closed.

[10] As the respondent is not represented by professional advocate, there will be no order for costs.

Leon Robinson
Member of Employment Relations Authority