

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

Determination Number: WA 32/06

File Number: WEA 462/04

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON OFFICE**

BETWEEN	Haavi Tararo (applicant)
AND	Toll NZ Consolidated Limited (respondent)
REPRESENTATIVES	Peter Cranney for the applicant Hamish Kynaston for the respondent
MEMBER OF THE AUTHORITY	Denis Asher
SETTLEMENT AGREEMENT RECEIVED	27 February 2005
DATE OF DETERMINATION	27 February 2006

DETERMINATION OF AUTHORITY

Employment Relationship Problem

1. In my determination dated 3 August 2005 (WA 128/05) I found in favour of Mr Tararo's claim that he was unjustifiably dismissed. Amongst other outcomes, I directed Mr Tararo's reinstatement. Leave was reserved to the parties to pursue in the Authority the quantum of wages to be reimbursed to the applicant, in the event that agreement was not forthcoming.

2. By letter dated 24 February 2006 the parties have enclosed a signed settlement agreement: they are requesting the Authority to issue a consent determination incorporating the terms of that agreement. I have no difficulty in accepting that request.
3. The terms of the settlement are confidential between the parties. It appears appropriate for me therefore to apply to the settlement agreement the provisions of Clause 10 (2) of Schedule 2 of the Act and prohibit publication of the same.
4. The parties are to be commended for settling what was, and has been, a particularly difficult employment relationship problem.

Denis Asher
Member of Employment Relations Authority