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**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

[2012] NZERA Auckland 140  
5357241

BETWEEN

FRANCIS SCHRIFFER  
Applicant

A N D

FIRST SECURITY GUARD  
SERVICES LIMITED  
Respondent

Member of Authority: James Crichton

Representatives: Grant MacDonald, Advocate for Applicant  
Jo Douglas, Counsel for Respondent

Investigation Meeting: 7 and 8 February 2012 at Whangarei

Date of Determination: 20 April 2012

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**DETERMINATION OF THE AUTHORITY**

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**Employment relationship problem**

[1] The applicant (Mr Schriiffer) alleges that he was unjustifiably dismissed from his employment by the respondent (First Security) and also contends that First Security did not act in good faith towards him. Those claims are resisted by First Security which contends that Mr Schriiffer was dismissed for serious misconduct following a full and fair investigation and that, as a consequence, his dismissal was justified. Breaches of good faith are also denied.

[2] Mr Schriiffer was employed by First Security as a security officer in February 2010. First Security provides security services to the Courts and to other clients. Mr Schriiffer was one of a number of security officers employed by First Security in the Northland region.

[3] On 16 December 2010, there was an incident at the Kaikohe District Court involving Mr Schriiffer. Security officers were loading prisoners onto a truck to return