

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

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON**

[2013] NZERA Wellington 133  
5433031

BETWEEN	1 Applicant
AND	X Respondent

Member of Authority:	P R Stapp
Representatives:	Tanya Kennedy, Counsel for the Applicant Michael Leggat, Counsel for the Respondent
Investigation Meeting:	On the papers 18 October 2013 at Wellington
Determination:	21 October 2013

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**CONSENT DETERMINATION OF THE AUTHORITY**

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**Employment relationship problem**

[1] The parties have agreed to the Authority issuing a consent determination on terms reached between them. The parties have requested an Order pursuant to clause 10 Schedule 2 of the Employment Relations Act prohibiting the publication of the names of the parties or any information likely to identify the parties in the proceeding until the Order is varied or revoked by the Authority. The employment relationship problem relates to the recovery of arrears of wages. The parties have requested that they be identified only as 1 and X in a determination.

[2] I am satisfied that the parties have reached a settlement on the basis of a joint memorandum for a consent determination filed in the Authority on 18 October 2013 by the parties' representatives. I am also satisfied that the request for prohibiting the publication of the names of the parties or any information likely to identify the parties

in the proceeding is in order. I am satisfied there are good reasons relating to the attempts and arrangements by X to make payment and not to compromise existing non-publication orders that are in force. This also a matter where the parties are genuinely trying to settle privately in order to keep their affairs confidential. I am also mindful that the Order requested is an interim order.

### **Determination of the Authority**

[3] By consent 1 is, or has been, employed by X.

[4] There is due to the applicant (1) by the respondent (X) \$330,437.53 (gross) in arrears of salary for the period 16 July 2010 to 31 May 2012.

[5] By consent the respondent is to pay the applicant \$330,437.53 (gross) arrears of salary. There is no order sought for interest on these arrears.

[6] By consent no order is sought as to costs.

[7] By consent I order under clause 10, Schedule 2 of the Employment Relations Act 2000 an order prohibiting the publication of the names of the parties or any information likely to identify the parties in the proceedings until the order is varied or revoked by the Authority. For the avoidance of any doubt, this order does not prevent any rights of enforcement of the determination available to the applicant.

[8] Leave is reserved for the parties to return to the Authority if necessary.

P R Stapp  
Member of the Employment Relations Authority