

Attention is drawn to the order prohibiting publication of certain information in this Determination

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI
TĀMAKI MAKĀURAU ROHE**

[2022] NZERA 241
3156982

BETWEEN BC
Applicant

AND RS LIMITED
Respondent

Member of Authority: Alastair Dumbleton

Representatives: Warwick Read and Rachel Rolston, advocates for the Applicant
Steve Punter and Ariana Rolleston, advocates for Respondent

Investigation Meeting: 1 June 2022

Determination: 8 June 2022

CONSENT DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

[1] BC's personal grievance raised with RS Ltd, was being examined in an investigation meeting of the Authority when the parties found themselves able to resolve the employment relationship problem consensually.

[2] They requested the Authority to record their terms of settlement as a consent order of the Authority given pursuant to clause 10 of Schedule 2 of the Employment Relations Act 2000.

[3] The terms of settlement, as read to me and approved by the advocates, are set out in the Appendix to this determination and are enforceable as orders of the Authority.

Non-publication

[4] The Authority is satisfied it is in the interests of justice for an order prohibiting publication to be made in relation to those terms of settlement, pursuant to clause 10 of Schedule 2.

[5] Also it is just that the same order be made in relation to the names of the parties and any of their witnesses. This is because the employment relationship and performance of it occurred within a reasonably close community, creating a greater risk for incorrect information to circulate to the potential prejudice of one or both of the parties. Sensitive personal factors were also part of the employment relationship problem and it is just that the privacy of individuals concerned be given some protection from exposure.

[6] The Authority views the resolution reached by the parties as the fairest and most effective outcome for them in the circumstances under investigation. Pandemic measures had a large influence in this case, in a way the parties had no control over.

Alastair Dumbleton
Member of the Employment Relations Authority