

NOTE: Attention is drawn to the order prohibiting publication of certain information in this Determination contained in paragraph [4].

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

**I TE RATONGA AHUMANA TAIMAHI
TE WHANGANUI-Ā-TARA ROHE**

[2023] NZERA 231
3203439

BETWEEN	BROOKE CUTTING Applicant
AND	HEIDI MARIE NIXON First Respondent
AND	RICHARD ANTHONY NIXON Second Respondent

Member of Authority:	Geoff O’Sullivan
Representatives:	Nicolaas Platje, counsel for the Applicant Heidi Nixon, for the First and Second Respondents
Investigation Meeting:	On the papers
Date of Determination:	8 May 2023

CONSENT DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

[1] The parties have informed the Authority they have reached a settlement of all issues between them. The terms and conditions of their agreed settlement are recorded in a confidential settlement agreement made between the parties. I congratulate the parties on their achievement. By consent, the terms of the settlement signed by the parties become consent orders of the Authority. These consent orders are final, binding, and enforceable.

[2] The parties, however, have asked that the Authority issue a consent determination containing certain terms. Having considered the matter, I agree it is appropriate that the Authority do so.

Orders

[3] Heidi Marie Nixon and Richard Anthony Nixon are to pay Brooke Cutting the following:

- (a) \$16,765.62 (net) on account of wages and holiday pay arrears.
- (b) The sum of \$6,691.09 in respect of KiwiSaver arrears.
- (c) \$71.56 being the cost of the filing fee paid to the Authority so that she could process her claim.
- (d) Mr and Mrs Nixon shall repay the above sums in accordance with the terms of their agreement with Brooke Cutting.

[4] For the purpose of preserving the confidentiality of the terms of settlement, I make a further order pursuant to clause 10 of Schedule 2 of the Employment Relations Act 2000 prohibiting the publication of the terms of the settlement reached by the parties.

Geoff O'Sullivan
Member of the Employment Relations Authority