

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2025] NZERA 671
3391884

BETWEEN ALI GENCER
 Applicant

AND YA HAY LIMITED
 Respondent

Member of Authority: David G Beck

Representatives: Alex Kersjes, advocate for the Applicant
 Paul Brown, counsel for the Respondent

Investigation Meeting: On the papers

Date of Determination: 22 October 2025

CONSENT DETERMINATION OF THE AUTHORITY

Employment relationship problem

[1] Following a vacated Authority investigation of this matter that related to a compliance order application concerning two determinations,¹ made pursuant to s 137 Employment Relations Act 2000 (the Act) the parties were able to resolve the issues between them by a joint memorandum of 17 October 2025 seeking a compliance order by consent. The parties have requested the Authority issue a determination by consent recording the terms of their settlement agreement as follows:

¹ *Ali Gencer v Ya Hay Limited* [2024] NZERA 737 and *Ali Gencer v Ya Hay Limited* [2025] NZERA 39.

(a) To comply with the Authority determinations footnoted the Respondent will pay into the applicant's nominated bank account a sum of \$33,236.24 by no later than **4pm Friday 21 November 2025**.

(b) Legal costs to lie where they fall.

(c) The Applicant has confirmed that provided the above provisions are met the application for a compliance order will not proceed.

[2] These terms, by consent and by this determination, become the orders of the Authority in this matter.

David G Beck
Member of the Employment Relations Authority