



Employment Court of New Zealand

You are here: [NZLII](#) >> [Databases](#) >> [Employment Court of New Zealand](#) >> [2021](#) >> [2021] NZEmpC 194

[Database Search](#) | [Name Search](#) | [Recent Decisions](#) | [Noteup](#) | [LawCite](#) | [Download](#) | [Help](#)

Henry v South Waikato Achievement Trust [2021] NZEmpC 194 (8 November 2021)

Last Updated: 11 November 2021

IN THE EMPLOYMENT COURT OF NEW ZEALAND AUCKLAND

I TE KŌTI TAKE MAHI O AOTEAROA TĀMAKI MAKĀURAU

[\[2021\] NZEmpC 194](#)

EMPC 301/2021

IN THE MATTER OF	a challenge to a determination of the Employment Relations Authority
AND IN THE MATTER OF	an application for stay of execution
BETWEEN	VIRGINIA HENRY Plaintiff
AND	SOUTH WAIKATO ACHIEVEMENT TRUST Defendant

Hearing: On the papers
Appearances: EB Burke, counsel for plaintiff
J Laphorne, counsel for defendant
Judgment: 8 November 2021

CONSENT JUDGMENT OF JUDGE K G SMITH

(Application for stay of execution)

[1] On 2 August 2021 the Employment Relations Authority determined that South Waikato Achievement Trust acted justifiably in dismissing Virginia Henry.¹

[2] Subsequently, on 6 September 2021, the Authority ordered Ms Henry to pay a contribution towards the costs incurred by the Trust of \$14,000.² Payment was required within 28 days of the date of the determination.³

¹ *Henry v South Waikato Achievement Trust* [\[2021\] NZERA 340](#) (Member Arthur).

² *Henry v South Waikato Achievement Trust* [\[2021\] NZERA 387](#) (Member Arthur).

³ At [31].

VIRGINIA HENRY v SOUTH WAIKATO ACHIEVEMENT TRUST [\[2021\] NZEmpC 194](#) [8 November 2021]

[3] Ms Henry has challenged both determinations and applied for a stay of execution of the Authority's costs determination.

[4] A joint memorandum was filed seeking the stay by consent. I am satisfied that the application for a stay can be granted and, by consent, ordered accordingly. Execution of the Authority's costs determination is stayed pending further order of the Court.

[5] Costs are reserved.

K G Smith Judge

Judgment signed at 2.45 pm on 8 November 2021

NZLII: [Copyright Policy](#) | [Disclaimers](#) | [Privacy Policy](#) | [Feedback](#)

URL: <http://www.nzlii.org/nz/cases/NZEmpC/2021/194.html>