

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

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

[2021] NZERA 255
3099493

BETWEEN IUY
Applicant

AND NBV
Respondent

Member of Authority: Michael Loftus

Representatives: Peter McKenzie-Bridle, counsel for the Applicant
Eugene Collins and Caitlin MacDonald, counsel for the
Respondent

Investigation Meeting: 15 June 2021 at Masterton

Date of Determination: 15 June 2021

CONSENT DETERMINATION OF THE AUTHORITY

[1] During the investigation meeting the parties adjourned to discuss their differences. These were resolved and the parties ask I record their settlement as a consent determination.

[2] I accept and as a result record the following terms as orders of the Authority:

- a. NBV is pay IUY the of \$5,000 (five thousand dollars) net, being unpaid wages; and
- b. NBV will forward to the Inland Revenue Department any PAYE and Kiwisaver contribution due on the amount in (a) above; and
- c. NBV is to pay IUY a compensatory sum of \$30,000 (thirty thousand dollars) pursuant to s 123(1)(c)(i) of the Employment Relations Act 2000; and
- d. NBV is to pay IUY a contribution toward IUY's costs of \$2,000 (two thousand dollars); and

- e. The proceedings are now discontinued; and
- f. Except as required by law, these terms shall remain confidential to the parties.

[3] It is agreed NBV shall pay the above sums no later than 15 July 2021 and NBV's sole Director provides a personal guarantee that he shall pay should NBV not do so.

[4] The parties also asked their identities and the fact of their involvement in this matter be suppressed. The rationale warranted acceptance. I therefore order a prohibition on publishing anything which identifies the parties, their witnesses and anything which links them to the settlement.¹

[5] The parties are to be commended for settling this matter on their own terms.

Michael Loftus
Member of the Employment Relations Authority

¹ Clause 10 of schedule 2 of the Employment Relations Act 2000