

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON**

[2018] NZERA Wellington 3  
3017796

BETWEEN            JKL  
                                 Applicant

AND                    OPQ LIMITED  
                                 Respondent

Member of Authority:    M B Loftus

Representatives:        Greg Cain and Sophie Pidgeon, Counsel for Applicant  
                                 Steph Dyhrberg and Alastair Clarke, Counsel for  
                                 Respondent

Investigation Meeting:    By telephone conference on 18 January 2018

Determination:            18 January 2018

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**DETERMINATION OF  
THE EMPLOYMENT RELATIONS AUTHORITY**

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[1]    On 9 October 2017 I issued interim orders in respect to various matters between the parties.<sup>1</sup>

[2]    In particular I ordered OPQ be restrained for continuing part of a disciplinary inquiry it was pursuing with regard to aspects of JKL's conduct.

[3]    There was also an order prohibiting publication of the pleadings, attached documents, information contained there-in and anything which may lead to the identification of the parties.

[4]    The orders, however, were temporary and only remained in effect until 26 January 2018.

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<sup>1</sup> [2017] NZERA Wellington 102

[5] Since then additional accusations have been made and while JKL accepts some may be addressed he is of the view others might influence the Serious Fraud Office whose investigation remains on-going.

[6] He asks the present restraint be both renewed and extended to cover some of the new accusations. OPQ wishes to continue with its process in respect to the new accusation.

[7] Having discussed the situation with the parties and notwithstanding the fact they do not agree, I conclude the present restraints and prohibitions should temporarily continue so as to allow a consideration of the parties submissions about their future status and whether or not they should be extended if retained further.

[8] It is therefore ordered that the restraints and prohibitions recorded in paragraphs 48 (a), (b) and (d) of *JKL v OPQ Limited* [2017] NZERA Wellington 102 remain in effect until 2 February 2018.

[9] Costs are reserved.

M B Loftus  
Member of the Employment Relations Authority