



New Zealand Employment Relations Authority Decisions

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Kazemi v Rightway Limited (Auckland) [2017] NZERA 330; [2017] NZERA Auckland 330 (20 October 2017)

Last Updated: 8 February 2018

IN THE EMPLOYMENT RELATIONS AUTHORITY AUCKLAND

[2017] NZERA Auckland 330
3010991

BETWEEN ELENA KAZEMI Applicant

A N D RIGHTWAY LIMITED First Respondent

A N D EDWIN FREDERICK SHAND READ

Second Respondent

AND GREGORY MICHAEL SHEEHAN

Third Respondent

A N D DARRYL DEVENDRA JHINKU Fourth Respondent

Member of Authority: Rachel Larmer

Representatives: Tony Drake, Counsel for Applicant

Gillian Service and Chris Baldock, Counsel for First, Second and Third Respondents

No appearance by Fourth Respondent

Investigation Meeting: On the papers

Submissions Received: 06 October 2017 from Applicant

12 October 2017 from First, Second and Third

Respondents

Date of Determination: 20 October 2017

DETERMINATION OF THE EMPLOYMENT RELATIONS AUTHORITY

Employment relationship problem

[1] Ms Kazemi's removal application was unsuccessful.' She has challenged that determination under proceeding EMPC 290/2017. In accordance with [s.180](#) of the [Employment Relations Act 2000](#) the challenge does not operate as a stay unless the Court or Authority so orders.

[2] Mr Drake has applied for a stay of the Authority's proceedings pending the outcome of Ms Kazemi's challenge to the Authority's removal determination.

[3] The First, Second and Third Respondents are neutral regarding Ms Kazemi's stay application. The Fourth Respondent has

not expressed any views.

[4] I order a stay of these Authority proceedings pending the outcome of Ms Kazemi's challenge. The parties are expected to diligently prosecute Ms Kazemi's challenge proceedings before the Employment Court.

Rachel Larmer

Member of the Employment Relations Authority

1 [2017] NZERA Auckland 300.

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