

**NOTE: This determination contains an order prohibiting publication of certain information at [2](iii) below.**

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI  
TĀMAKI MAKĀURAU ROHE**

[2025] NZERA 63  
3276819

BETWEEN	MXD Applicant
AND	ETD First Respondent
AND	OYZ Second Respondent

Member of Authority: Peter Fuiava

Representatives: Amy De-La Cruz, advocate for the Applicant  
Zhenzhen Chen, counsel for the Respondents

Investigation Meeting: 10 February 2025

Determination: 11 February 2025

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**CONSENT DETERMINATION OF THE AUTHORITY**

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[1] After I had asked my questions of the applicant, it became apparent that there was a possibility of an agreed settlement being reached. Further comment from the representatives was sought in chambers which resulted in the investigation being paused so that they could obtain further instructions. This resulted in further negotiations being had and I was invited to provide a provisional preliminary indication to this employment problem which was given. This in turn resulted in a mutually agreed settlement agreement being reached late in the first day of a scheduled three-day investigation meeting.

[2] The parties' terms of settlement are as follows:

- (i) The respondents to pay the applicant \$35,000 in compensation for hurt and humiliation under s 123(1)(c)(iii) of the Employment Relations Act 2000 in the next 14 days following the date of this consent determination or by Wednesday 25 February 2025. Payment to be made by electronic bank transfer to the applicant's bank account.
- (ii) The respondents to pay the applicant \$6,000 plus GST as a contribution towards her representative's actual and reasonable costs. Payment to be concurrent and no later than 14 days from the date of this determination.
- (iii) These terms of settlement and the matters discussed during negotiation shall remain confidential. Consequently, an order prohibiting publication of the parties' names, their witnesses, and anything linking either party to this settlement is granted.
- (iv) Neither party will disparage or speak ill of the other.

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

Peter Fuiava  
Member of the Employment Relations Authority