

Note: An order prohibiting publication of some information applies to this determination.

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2016] NZERA Auckland 257
5634308

BETWEEN	SERVILLES LIMITED Applicant
AND	STEPHEN COCKLE First Respondent
AND	ANDREA COCKLE Second Respondent
AND	FERN TURNER Third Respondent

Member of Authority:	Robin Arthur
Representatives:	Philip Skelton QC and Wallace Revell, Counsel for the Applicant Tamina Cunningham-Adams, Counsel for the Respondents
Determination:	28 July 2016

CONSENT DETERMINATION OF THE AUTHORITY

[1] The parties attended mediation about an employment relationship problem on 19 July at the direction of the Authority. With the assistance of a Ministry of Business mediation they reached agreement to resolve the matter and asked the Authority to issue the terms of their agreement as orders of the Authority.

[2] By consent and by this determination the terms agreed by the parties are now the orders of the Authority. To protect the confidentiality of mediation and an agreed term as to confidentiality, an order made under clause 10(2) of Schedule 2 of the Employment Relations Act 2000 (the Act) prohibits publication of the content of the orders except that any party is entitled to disclose that:

- (a) Fern Turner accepted she had breached her restraints of trade, acknowledged she must honour her restraints, as a consequence has been required to cease working for ASC Salon, and must not service any clients who have been clients of Servilles Limited; and

- (b) Stephen Cockle and Andrea Cockle acknowledged they had breached the restraint of trade provisions in their employment agreements, and agreed to make a cash payment to Servilles Limited in settlement of the claims against them.

Robin Arthur
Member of the Employment Relations Authority