



Employment Court of New Zealand

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Tighe-Umbers v JetConnect Limited [2024] NZEmpC 137 (1 August 2024)

Last Updated: 5 August 2024

IN THE EMPLOYMENT COURT OF NEW ZEALAND AUCKLAND

I TE KŌTI TAKE MAHI O AOTEAROA TĀMAKI MAKĀURAU

[\[2024\] NZEmpC 137](#)

EMPC 264/2024

IN THE MATTER OF a challenge to a determination
of the Employment Relations
Authority
AND IN THE MATTER OF an application for stay of
execution
BETWEEN PHILIP TIGHE-UMBERS
Plaintiff
AND JETCONNECT LIMITED
Defendant

Hearing: On the papers

Appearances: R McCabe, counsel for plaintiff
M W O'Brien, counsel for
defendant

Judgment: 1 August 2024

CONSENT JUDGMENT OF JUDGE M S KING

[1] The plaintiff has challenged both a substantive and a costs determination of the Employment Relations Authority (the Authority).¹

[2] The Authority found that the plaintiff did not have a personal grievance of unjustified dismissal against the defendant. The Authority ordered the plaintiff to pay to the defendant a contribution to costs in the sum of \$4,500.

1. *Tighe-Umbers v Jetconnect Ltd* [\[2024\] NZERA 234 \(Member Gane\)](#) [Substantive]; and *Tighe-Umbers v Jetconnect Ltd* [\[2024\] NZERA 406](#) (costs) (Member Gane) [Costs].

PHILIP TIGHE-UMBERS v JETCONNECT LIMITED [\[2024\] NZEmpC 137](#) [1 August 2024]

[3] The plaintiff applied for an order staying the execution of the costs order made by the Authority. The defendant has agreed to the application for stay, conditional on the plaintiff making payment of the amount of costs ordered against him by the Authority into the Court by 13 August 2024.

[4] I am satisfied that it is appropriate to make the orders sought. There is accordingly an order by consent staying the execution of the Authority's costs determination on the following conditions:

- (a) The plaintiff is to pay to the Registrar of the Employment Court, no later than 13 August 2024, the agreed sum of \$4,500 which is to be held in an interest-bearing account.
- (b) If the plaintiff does not make payment of the agreed sum by the agreed date, the stay will lapse, and the amounts ordered against the plaintiff will become immediately enforceable.
- (c) The monies are not to be paid out by the Registrar until further order of the Court.

[5] No issue as to costs arises in relation to this application.

M S King Judge

Judgment signed at 2.30 pm on 1 August 2024

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