



Employment Court of New Zealand

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Workforce Development Limited v Hill [2014] NZEmpC 223 (2 December 2014)

Last Updated: 15 December 2014

IN THE EMPLOYMENT COURT WELLINGTON

[\[2014\] NZEmpC 223](#)

WRC 17/13

IN THE MATTER OF a challenge to a determination of
 the
 Employment Relations Authority

AND IN THE MATTER of an application for stay of
 proceedings

BETWEEN WORKFORCE DEVELOPMENT
 LIMITED
 Plaintiff

AND LYNDA JEAN HILL Defendant

WRC 19/13

IN THE MATTER OF a challenge to a determination of the
Employment Relations Authority

BETWEEN LYNDA JEAN HILL Plaintiff

AND WORKFORCE DEVELOPMENT LIMITED

Defendant

Hearing: By memoranda dated 25 November 2014 and
 telephone
 conference on 26 November 2014

Appearances: S Webster, counsel for plaintiff
 P O'Sullivan, advocate for defendant

Judgment: 2 December 2014

CONSENT JUDGMENT OF JUDGE CHRISTINA INGLIS

[1] A substantive judgment was issued on the plaintiff's challenge to a
determination of the Employment Relations Authority (the Authority) on 19

WORKFORCE DEVELOPMENT LIMITED v LYNDA JEAN HILL NZEmpC WELLINGTON [2014] NZEmpC [2 December 2014]

September 2014. I upheld the plaintiff's challenge. The defendant has now filed an application for leave to appeal to the Court of Appeal.

[2] While there are a number of applications before the Court which are in dispute,² the plaintiff's application for release of funds can be dealt with on an agreed basis. The application arises in the context of an earlier order made by the Authority that the plaintiff was to pay the sum of \$19,128 into Court, to be held in an interest bearing account, subject to an order of the Court.³

[3] Mr O'Sullivan, advocate for the defendant, has confirmed that the defendant consents to the plaintiff's application for release of these funds. The following order is accordingly made. The sums held by the Registrar of the Employment Court pursuant to the Authority's determination dated 26 July 2013 are to be released to the plaintiff by payment into the plaintiff's nominated bank account.

Christina Inglis

Judge

Judgment signed at 10.15 am on 2 December 2014

¹ *Workforce Development Ltd v Hill* [2014] NZEmpC 174.

² Being the plaintiff's application for costs and for joinder; and the defendant's application for a stay of proceedings.

³ *Workforce Development Ltd v Hill* [2013] NZERA Wellington 93.

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