



# New Zealand Employment Relations Authority Decisions

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## **Xu v Ocean Terminal Limited (Auckland) [2018] NZERA 148; [2018] NZERA Auckland 148 (7 May 2018)**

Last Updated: 18 May 2018

**Attention is drawn to the order prohibiting publication of certain information in this determination**

**IN THE EMPLOYMENT RELATIONS AUTHORITY AUCKLAND**

[2018] NZERA Auckland 148  
3024034

BETWEEN WEN XU Applicant

AND OCEAN TERMINAL LIMITED

Respondent

Member of Authority: Anna Fitzgibbon

Representatives: Applicant in person

Jun Li, Director of the Respondent

Determination: 07 May 2018

**CONSENT DETERMINATION OF THE AUTHORITY**

[1] During the Authority's investigation into this matter, the parties informed the Authority that they had reached a settlement of all issues between them.

[2] The terms and conditions of their agreed settlement are recorded in a confidential settlement agreement signed by both parties on 4 May 2018 ("the Settlement").

[3] The parties have asked the Authority to issue:

- a. a consent determination recording the terms of the Settlement;
- b. a non-publication order to preserve the confidentiality of the Settlement.

[4] By consent, the terms recorded in the Settlement now become the orders of the Authority. As orders of the Authority, the terms of the Settlement are therefore final, binding and enforceable.

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[5] The parties have agreed that the terms of the Settlement are to remain confidential. For the purposes of preserving confidentiality I make a further order pursuant clause 10 of the Second Schedule of the [Employment Relations Act 2000](#) prohibiting the publication of the agreed terms of the Settlement.

[6] The original terms of the Settlement agreed by the parties are therefore not attached to this determination but will instead be held on the Authority's file. Each party has been provided with a copy of the Settlement for their reference.

**Anna Fitzgibbon**

