

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

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

[2013] NZERA Wellington 137
5433025

BETWEEN	1 Applicant
AND	X First Respondent
	Y Second Respondent

Member of Authority: P R Stapp

Representatives: Tanya Kennedy, Counsel for the Applicant
Michael Leggat, Counsel for the Respondents

Investigation Meeting: On the papers 1 November 2013 at Wellington

Determination: 1 November 2013

DETERMINATION OF THE AUTHORITY

Employment relationship problem

[1] The applicant [1] is, or has been, employed by the second respondent [Y]. The parties have agreed to the Authority issuing the following consent determination.

- i. That there is due to the applicant by the second respondent \$7,591.30 (gross) in arrears of salary for the period 16 July 2010 – 31 May 2012.
- ii. That the second respondent is to pay the applicant wage arrears of \$7,591.30 (gross).
- iii. That there is no order sought for interest on these arrears.

- iv. That no order is sought as to costs against the second respondent.

Orders of the Authority

[2] By consent, the Authority orders the Second Respondent [Y] to pay to the applicant [1] the sum of \$7,591.30 (gross) wage arrears for the period 16 July 2010 to 31 May 2012. I am satisfied the arrangement has been reached by agreement given the filing of the memorandum from the parties' representatives.

[3] By consent, the parties have requested the Authority make an order pursuant to Clause 10 Schedule 2 of the Employment Relations Act 2000, prohibiting the publication of the names of the applicant and the first and second respondents or any information likely to identify them in the proceeding until the order is varied or revoked by the Authority. For the avoidance of any doubt the order does not prevent any rights of enforcement of the determination available to the applicant. I am satisfied that an interim order should be made because the parties are endeavouring to settle privately and that arrangements to pay could be jeopardised if the names were to be made public at this stage. Also, any publicity on the names could jeopardise other negotiations involving other parties that are subject to existing interim non publication orders of the Authority.

[4] The matter in respect of the First Respondent [X] is adjourned *sine die* by consent, and leave is available for the parties to return to the Authority if necessary.

P R Stapp
Member of the Employment Relations Authority