

**IN THE EMPLOYMENT COURT OF NEW ZEALAND
AUCKLAND**

**I TE KŌTI TAKE MAHI O AOTEAROA
TĀMAKI MAKĀURAU**

**[2025] NZEmpC 204
EMPC 328/2025**

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

BETWEEN MELISSA JANE BOWEN
Plaintiff

AND BANK OF NEW ZEALAND
Defendant

EMPC 330/2025

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

AND IN THE MATTER OF an application for a partial stay of
proceedings

BETWEEN BANK OF NEW ZEALAND
Plaintiff

AND MELISSA JANE BOWEN
Defendant

Hearing: On the papers

Appearances: M O'Brien, counsel for M Bowen
P Skelton KC, R Rendle and J Greenheld, counsel for Bank of
New Zealand

Judgment: 12 September 2025

CONSENT JUDGMENT OF JUDGE J C HOLDEN

[1] On 11 August 2025, Bank of New Zealand filed an application for a partial stay of the determination of the Employment Relations Authority, pending the outcome of the parties' respective challenges.¹

[2] Counsel have now conferred, and the parties have reached agreement on a basis for a stay of the remedies award of the Authority.

[3] At the request of the parties, and without prejudice to their respective positions in these proceedings, the Court stays the remedies ordered by the Authority and makes the following orders by consent:

- (a) Within five working days of the date of this judgment, BNZ is to pay Ms Bowen:
 - (i) the compensation awarded under s 123(1)(c)(i) of the Employment Relations Act 2000 in full, being \$105,000;² and
 - (ii) the remedies not impacted by the stay application, being the sum of \$8,975 for medical costs³ and the special damages award of \$10,000.⁴
- (b) On 1 November 2025, BNZ is to pay Ms Bowen the sum of \$70,000, inclusive of any employer KiwiSaver contributions and less any deductions required by law, in relation to part of the loss of salary award.⁵

¹ *Bowen v Bank of New Zealand* [2025] NZERA 380.

² At [78](a).

³ At [78](b)(iv).

⁴ At [78](c).

⁵ At [78](b)(i).

- (c) Within five working days of the date of this judgment, BNZ is to pay into Court, to be held on interest bearing account, the balance of the remedies subject of the stay application, being the sum of \$312,065,⁶ to be held pending further direction of the Court following the determination of Ms Bowen's challenge and BNZ's cross-challenge.

J C Holden
Judge

Judgment signed at 2.40 pm on 12 September 2025

⁶ Comprising \$259,687, being the balance of the lost salary award ([78](b)(i)), \$48,000 for two bonuses ([78](b)(ii)), and \$4,378 for KiwiSaver contributions ([78](b)(iii)).