

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

**I TE KŌTI TAKE MAHI O AOTEAROA
TE WHANGANUI-A-TARA**

**[2025] NZEmpC 276
EMPC 500/2025**

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 JUNIOR TAUFUA
Plaintiff

AND THE CHIEF EXECUTIVE OF THE
DEPARTMENT OF CORRECTIONS
Defendant

Hearing: On the papers

Appearances: B Buckett and L Fisher, counsel for plaintiff
K Radich and Z Melville, counsel for defendant

Judgment: 18 December 2025

**CONSENT INTERLOCUTORY JUDGMENT OF JUDGE K G SMITH
(Application for stay of execution)**

[1] On 1 December 2025, the Employment Relations Authority ordered Junior Taufua to pay to the Chief Executive of the Department of Corrections \$11,500 as costs arising from an investigation meeting where his claim was unsuccessful.¹ Payment was to be made within 28 days of the date of the determination.

¹ *Taufua v The Chief Executive of the Department of Corrections* [2025] NZERA 775.

[2] That costs decision followed the Authority's determination dismissing Mr Taufua's personal grievance claims for unjustified dismissal, unjustified disadvantage and an allegation that there was a breach of good faith.²

[3] Mr Taufua has challenged both determinations. The parties have reached agreement about a stay of the Authority's costs determination pending the outcome of Mr Taufua's challenge and seek orders by consent.

[4] By consent the Authority's costs determination is stayed until further order of the Court subject to the following conditions:

- (a) The plaintiff is to pay \$11,500 to the Registrar of this Court who is to hold the funds on trust in an interest-bearing account until further order of the Court; and
- (b) Payment is to be made no later than **19 January 2026**.

[5] There is no order as to costs.

K G Smith
Judge

Judgment signed at 11.55 am on 18 December 2025

² *Taufua v The Chief Executive of the Department of Corrections* [2025] NZERA 607.