

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2013] NZERA Auckland 575
5435060

BETWEEN A
 Applicant

A N D B LIMITED
 Respondent

Member of Authority: T G Tetitaha

Representatives: R McCabe, Counsel for Applicant
 A Caisley, Counsel for Respondent

Investigation Meeting: By telephone

Submissions Received: from Applicant 13 December 2013
 from Respondent 13 December 2013

Date of Determination: 13 December 2013

INTERIM DETERMINATION OF THE AUTHORITY

Orders

- A. An order is made prohibiting publication of any information or details which may lead to the identification of the parties. This order is to lapse at 3:00pm, 20 January 2014.**

Employment relationship problem

[1] This matter came before the Authority for teleconference today following transfer from the Christchurch office. The application was filed on 28 November 2013 in the wrong offices. By minute dated 3 December 2013 the Authority member transferred the matter from Christchurch to Auckland being the place nearest to where the cause of action arose.

[2] At a teleconference today directions were made for the progress of this matter. As part of those directions the applicant sought a non-publication order until substantive hearing.

[3] The grounds for the non-publication order were the effect upon the applicant's family and concerns about how they may handle the media exposure. After some discussion with the parties, the Authority determined an interim order was appropriate to allow the applicant an opportunity to inform his family and to exercise his rights of appeal if a further non-publication order was sought.

[4] Accordingly, the Authority makes the following directions and order:

- a) An order is made prohibiting publication of any information or details which may lead to the identification of the parties. This order is to lapse at 3:00pm, 20 January 2014.
- b) This matter is to be set down for substantive four day hearing on 1 – 4 April 2014 in Auckland;
- c) Respondent is to file its evidence in reply by 7 February 2014, 3:00pm. The applicant is to file his evidence in reply by 21 February 2014, 3:00pm.
- d) A bundle of documents filed by the applicant by 28 February 2014, 3:00pm.
- e) Submissions are to be filed by the parties by 24 March 2014, 3:00pm. An opportunity for further submissions to be filed shall be filed at the conclusion of the evidence.

T G Tetitaha
Member of the Employment Relations Authority