



# Employment Court of New Zealand

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## Allied Security Limited v Guise [2015] NZEmpC 14 (10 February 2015)

Last Updated: 14 February 2015

### IN THE EMPLOYMENT COURT CHRISTCHURCH

#### [\[2015\] NZEmpC 14](#)

EMPC 295/2014

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

AND IN THE MATTER   of a stay of proceedings

BETWEEN                ALLIED SECURITY LIMITED  
                                 Applicant

AND                        SHARON GUISE Respondent

Hearing:                (on the papers filed 21 November  
                                 2014)

Appearances:        S Langton, counsel for the applicant  
                                 R Boulton, counsel for the  
                                 respondent

Judgment:             10 February 2015

### INTERLOCUTORY JUDGMENT OF JUDGE B A CORKILL

[1] The applicant has brought a de novo challenge to an Employment Relations Authority (the Authority) determination dated 13 November 2014,<sup>1</sup> where the Authority concluded the respondent was unjustifiably constructively dismissed. She was awarded \$4,911.76 lost wages, \$4,000 for humiliation, loss of dignity and injury to feelings, and \$594.75 as holiday pay.

[2] By application dated 19 November 2014, the applicant sought, in effect, a stay of execution of the monetary awards. By joint memorandum of counsel, the parties confirmed they had agreed that the order of stay should be granted subject to the amounts awarded being paid to the Ministry of Business Innovation and

<sup>1</sup> *Guise v Allied Security Ltd* [2014] NZERA Christchurch 159.

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Employment's trust account on an interest-bearing deposit; and that the monies would not be paid out of that trust account other than by order of a Judge.

[3] In a minute of 1 December 2014, I indicated that it is normally the case that such an order directs a party to make payment to the Registrar of the Court.

[4] Subsequently the applicant paid the sum of \$9,506.91 to the Registrar of the Employment Court, who is now holding that sum in an interest-bearing account.

[5] I accordingly order a stay of execution of the orders made by the Authority at para [47] of its determination.

[6] I direct that such monies are not to be paid out other than by order of a Judge.

B A Corkill

Judge

Judgment signed at 3.15 pm on 10 February 2015

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