

**This determination contains  
orders prohibiting publication of  
certain information**

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI  
OTAUTAHI ROHE**

[2024] NZERA 316  
3271259

BETWEEN      BFG  
                         Applicant  
  
AND              AHI  
                         Respondent

Member of Authority:      Andrew Dallas  
  
Representatives:              Samantha Turner, counsel for the Applicant  
   Nick Logan and Alice Roberts, counsel for the Respondent  
  
Investigation Meeting      28 May 2024 in Christchurch  
  
Date of the Determination      29 May 2024

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**CONSENT DETERMINATION OF THE AUTHORITY**

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**Employment relationship problem**

[1] This employment relationship problem came before the Authority for adjudication. After discussion, the parties agreed to enter a mediatory process to explore options for resolution of all matters between them. As part of that process having worked through the potential risks for, and ramifications to, the parties of continuing with the litigation, a proposal for settlement was made by the Authority. The parties agreed to this proposal.

[2] A record of the terms of their resolution is set out in a Record of Settlement signed by the parties and a Mediator under s 149 of the Employment Relations Act 2000. At the request of the parties, a copy of this Record of Settlement will be held on the Authority file for enforcement purposes.

[3] The parties agreed all the terms on which they resolved the matter would remain confidential to them. For that purpose, under clause 10 of the second schedule of the Employment Relations Act, I prohibit publication the names of the parties, the material lodged and served by the parties as part of the Authority's process<sup>1</sup> and the Record of Settlement held on the Authority's file. Access to the Authority's file will only be granted to the parties to this consent determination and then only by further order of the Authority. The Record of Settlement is also confidential and binding on its own terms.<sup>2</sup>

[4] This determination is enforceable under s 137(1)(b) of the Employment Relations Act.

#### **Costs**

[5] There is no order for costs.

Andrew Dallas  
Chief of the Employment Relations Authority

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<sup>1</sup>See also s 121 of the Employment Relations Act which deems this material to be absolutely privileged.

<sup>2</sup>See, Employment Relations Act, s 149.