

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI  
ŌTAUTAHI ROHE**

[2020] NZERA 36  
3052138

BETWEEN            BGT  
                                 Applicant

AND                    NHY  
                                 Respondent

Member of Authority:    Michael Loftus

Representatives:        Amy Keir, counsel for the Respondent  
                                 Directors of NHY for the Respondent

Investigation Meeting:    28 and 29 January 2020 at Christchurch

Date of Determination:    29 January 2020

---

**CONSENT DETERMINATION OF THE AUTHORITY**

---

[1]    During the investigation meeting the parties adjourned to discuss their differences. These were resolved and the parties ask I record their settlement as a consent determination.

[2]    I accept and as a result record the following terms as orders of the Authority:

- a. NHY acknowledges BGT has established she was unjustifiably dismissed; and
- b. NHY is to pay BGT a compensatory sum of \$14,000 (fourteen thousand dollars) pursuant to s 123(1)(c)(i) of the Employment Relations Act 2000; and
- c. NHY is to pay a contribution toward BGT's costs of \$8,000 (Eight thousand dollars) plus GST; and
- d. These terms shall remain confidential to the parties.

[3] The compensatory payment in [2](b) above shall be made by direct credit to an account nominated by BGT in instalments as follows:

- a. A payment of \$4,000 (four thousand dollars) shall be made by the close of business on Friday 7 February 2020; and
- b. The remainder shall be paid via ten weekly instalments of \$1,000 (one thousand dollars) each with the first payment being made on Wednesday 26 February 2020 and the last on Wednesday 29 April 2020.

[4] The contribution toward costs in [2](c) above shall be paid no later than 21 February 2020 provided a GST invoice is first rendered .

[5] The parties also agree that should a payment be missed BGT will be entitled to commence enforcement proceedings for the entire award.

[6] The parties also asked their identities and the fact of their involvement in this matter be suppressed. The rationale warranted acceptance. I therefore order a prohibition on publishing anything which identifies the parties, their witnesses and which links them to the settlement.<sup>1</sup>

[7] The parties are to be commended for settling this matter on their own terms.

Michael Loftus  
Member of the Employment Relations Authority

---

<sup>1</sup> Clause 10 of schedule 2 of the Employment Relations Act 2000