

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND OFFICE**

BETWEEN Telesia Blaker (Applicant)
AND Mainfreight Limited (Respondent)
REPRESENTATIVES Paul Pa'u for applicant
Lorne Campbell for respondent
MEMBER OF AUTHORITY Janet Scott
CONSIDERATION OF PAPERS 16 August 2005
DATE OF DETERMINATION 17 August 2005

CONSENT DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

The applicant sought to enforce the Determination of the Authority AA 27/05. The applicant accepted that the Authority would need to determine the issue of lost remuneration before it could finalise the new application.

The respondent opposed the order for compliance and sought a stay of the original Determination on the basis it has filed a challenge in the Court to the Authority's Determination in AA 27/05.

Determination by Consent of the Parties

The application for Compliance (AEA 288/05) is withdrawn by the applicant and the respondent is to immediately pay into an interest bearing account in the Employment Court the totality of the sums awarded to Ms Baker pursuant to the Determination of the Authority AEA 344/04 being:

Lost Remuneration	\$37,157.04
Compensation pursuant to s.123 (c) (i)	\$10,000.00
Total	\$47, 157.04

Costs

Costs are reserved. Costs will be determined together with costs arising from the Determination of the Authority in AEA 344/04.

The parties are to file and serve new submissions on costs by 31 August 2005.

Janet Scott
Member of Employment Relations Authority