

Attention is drawn to the order in paragraph [2] prohibiting publication of certain information in this matter

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI
TĀMAKI MAKĀURAU ROHE**

[2023] NZERA 132
3180079

BETWEEN	EFG Applicant
AND	IJK First Respondent
AND	ABC Second Respondent

Member of Authority:	Andrew Gane
Representatives:	Anthony Drake and Rosie Judd, counsel for the Applicant Respondents in person
Consent memorandum received:	27 February 2023
Determination:	15 March 2023

CONSENT DETERMINATION OF THE AUTHORITY

[1] A case management conference for this matter was held on 10 February 2023. At the conference the parties reached a settlement which they wish the Authority to record by a determination.

[2] The parties asked that their identities and the nature of their involvement remain confidential. I am satisfied it is appropriate to make an order under clause 10(1) of the Second Schedule of the Employment Relations Act 2000 (the Act) that any information identifying the parties is prohibited from publication until this order is revoked or

varied by further orders of the Authority. They will be identified only by randomised initials which have no correlation to their actual names.

[3] By consent and by this determination, the parties agree:

- a. IJK will make a payment of \$53,000 to EFG by way of compensation for IJK and ABC's breaches of the two settlement agreements concluded between the parties.
- b. IJK will make a payment of \$2,000 to EFG by way of a penalty under s 149(4) of the Employment Relations Act 2000 for breaches of the settlement agreements concluded between the parties.
- c. IJK will make a contribution of \$2500 towards EFG's costs.
- d. All of the payments listed in paragraphs 2(a)-(c) above will be paid to EFG's usual bank account by no later than 31 March 2023. ABC takes responsibility for making the payments in the event that IJK is unable to do so by 31 March 2023. EFG may revert to the Authority in the event the Respondents fail to make the payments by the due date.
- e. These terms are in full and final settlement of all matters, including potential privacy and contractual disputes, that might emanate from the employment; and
- f. These terms remain confidential to the parties.

[4] This determination is enforceable under s 137(1)(b) of the Act. The parties are to be commended for settling this matter on their own terms.

Andrew Gane
Member of the Employment Relations Authority