

Attention is drawn to the order prohibiting publication of certain information as specified in this determination

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

[2016] NZERA Wellington 114
5637563

BETWEEN DR CHRISTINE FENTON
Applicant

A N D WESTERN INSTITUTE OF
TECHNOLOGY AT TARANAKI
Respondent

Member of Authority: Rachel Larmer

Representatives: Caroline McLorinan and Sean Maskill Counsel for
Applicant
Hamish Kynaston, Counsel for Respondent

Investigation Meeting: 12 and 13 September 2016
at New Plymouth

Date of Determination: 15 September 2016

**WRITTEN RECORD OF ORAL CONSENT DETERMINATION OF THE
EMPLOYMENT RELATIONS AUTHORITY**

Employment relationship problem

[1] At the conclusion of a two day Authority investigation meeting, the parties advised the Authority that they have agreed to resolve all matters pertaining to WEA 5637563.

[2] On that basis, Dr Fenton advised the Authority that she wishes to withdraw all of her claims against Western Institute of Technology at Taranaki (WITT).

[3] Both parties advised the Authority that they consider that all of the issues raised in or associated with WEA 5637563 have been concluded and they wish to formally bring these proceedings to an end.

[4] Accordingly, the Authority records that, by consent, the proceedings under WEA 5637563 are now dismissed.

[5] The parties acknowledge that the same non-publication orders made in WEA 5578529 apply to the claims and evidence of alleged disparagement in these proceedings under WEA 5637563.

[6] For the purposes of preserving confidentiality the interim non-publication orders made on 12 September 2016 (at the start of the investigation meeting involving these parties) and on 13 September 2016 (during the investigation meeting) now become final orders of the Authority pursuant clause 10 of the Second Schedule of the Employment Relations Act 2000.

[7] These final non-publication orders prohibit publication of the:

- a. content of the alleged disparaging comments;
- b. the evidence of alleged disparagement;
- c. the evidence identifying the Source of the alleged WITT media leaks.

Rachel Larmer
Member of the Employment Relations Authority