

**ATTENTION IS DRAWN TO THE ORDER
PROHIBITING PUBLICATION OF
CERTAIN INFORMATION IN THIS
DETERMINATION**

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

[2015] NZERA Wellington 14
5535604

BETWEEN WANDA JEFFERS
Applicant

AND DYNAMIC MEATS (2014) LIMITED
Respondent

Member of Authority: P R Stapp

Representatives: Amanda Currie for Applicant
Mark O'Regan for Respondent

Investigation Meeting: On the papers, and by Telephone on 3 and 10 February
2015

Determination: 10 February 2015

CONSENT DETERMINATION OF THE AUTHORITY

[1] During the Authority's telephone conference on 3 February 2015 the parties outlined their positions in regard to the enforcement of a record of settlement. The parties agreed to pursue a number of proposed undertakings this was done by 10 February 2015.

[2] The parties have agreed to vary a record of settlement reached previously in private and subject to confidentiality. A copy of a settlement agreement that has been signed has been provided to the Authority for the record. The papers are retained on the Authority's file. By consent, the terms set out in the papers exchanged between the parties are also the orders of the Authority in this matter.

[3] The applicant's representative has raised an issue about payment of costs. This is an entirely separate matter to all the other matters because it is in the statement of problem and has not been part of any undertakings discussed between the parties. Costs as an item was raised at the last moment during the telephone conference on 10 February 2015 by the applicant's representative. I have reserved the matter because it was raised after all the other undertakings had been put in place and raised at the telephone conference held on 10 February 2015. Since it is a late matter and Mr O'Regan reasonably could not have expected it to be raised as the parties were focussed on the undertakings, and he is entitled to get advice, I have reserved the matter of costs. If it is pursued then it can be dealt with on the papers. I expect memoranda to be exchanged, if necessary.

[4] For the purpose of preserving the confidentiality on the terms and consistent with the parties' earlier settlement record, I make a further order, pursuant to Clause 10 of Schedule 2 to the Act, prohibiting the publication of all the contents of the terms of settlement.

[5] As such it is not necessary for me to repeat the issues and the facts involved. The investigation is therefore closed, except for the reserved matter of costs.

[6] Costs are reserved.

P R Stapp
Member of the Employment Relations Authority