

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

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2014] NZERA Auckland 459
5437223

BETWEEN

KAREN KAYE
Applicant

A N D

COUNTIES MANUKAU
DISTRICT HEALTH BOARD
Respondent

Member of Authority: James Crichton

Representatives: Applicant in Person
Richard Upton, Counsel for the Respondent

Investigation Meeting: On the papers

Date of Determination: 10 November 2014

CONSENT DETERMINATION OF THE AUTHORITY

- [1] There was previously an employment relationship between the parties.
- [2] The applicant alleges the respondent has unjustifiably dismissed her and has filed personal grievance proceedings about the same with the Authority.
- [3] Amongst other things, the applicant sought to have the Authority rule on the appropriateness (or otherwise) of the respondent informing the Social Workers' Registration Board ("the SWRB") about her dismissal.
- [4] Following a conference call with the Employment Relations Authority, the applicant recognises that the respondent was required by statute to notify the SWRB of its actions.

[5] Since that call, the applicant has made an offer of settlement to the respondent, which it has accepted. A settlement has therefore been reached. That settlement only involves the respondent providing non-financial remedies to the applicant – but it is nevertheless binding and enforceable.

[6] The Authority again clarifies that the settlement reached does not impact upon any steps that the SWRB may take in relation to the applicant's alleged actions. The applicant (and potentially the respondent) will still be required to cooperate with the SWRB's investigation.

[7] Outside of the above, all other details of the settlement are prohibited from publication pursuant to Schedule 2 para.10(2) of the Employment Relations Act 2000.

James Crichton
Member of the Employment Relations Authority