

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON**

[2016] NZERA Wellington 86  
5571845

BETWEEN                    A LABOUR INSPECTOR of the  
                                  MINISTRY OF BUSINESS,  
                                  INNOVATION AND  
                                  EMPLOYMENT  
                                  Applicant

AND                            BERNIE BEVAN  
                                  Respondent

Member of Authority:     Michele Ryan

Representatives:         Aaron McIlroy, Counsel for the Applicant  
                                  Joseph Howell, on behalf of the Respondent

Determination:            22 July 2016

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**CONSENT DETERMINATION OF THE AUTHORITY**

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[1]     The applicant, a Labour Inspector of the Ministry of Business, Innovation and Employment, and the respondent, Mr Bernie Bevan, have agreed terms to resolve the employment relationship problem between them.<sup>1</sup>

[2]     By consent and by this determination, the terms of agreement between the applicant and the respondent are now made orders of the Authority, as follows:

- (a) pursuant to s 229(3) of the Employment Relations Act the respondent will pay a penalty of \$6,000. to the Labour Inspectorate of the Ministry of Business, Innovation and Employment;<sup>2</sup>
- (b) the respondent will reimburse the Labour Inspectorate of the Ministry of Business, Innovation and Employment \$71.56 (the cost of the filing fee);

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<sup>1</sup>       Recorded in a statement of problem dated 29 July 2015 and an amended statement of problem dated 11 April 2016

<sup>2</sup>       Acting on behalf of the Crown

(c) the penalty amount recorded at [2](a) will be paid within one month of the date of this determination;

(d) the parties' costs lie where they fall.

[3] This determination is enforceable under s 137(1)(b) of the Employment Relations Act.

Michele Ryan  
Member of the Employment Relations Authority