

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

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

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

2022 NZERA 442  
3157344

BETWEEN	DAVE MOALA Applicant
AND	CONTAINERCO (NZL) LIMITED Respondent

Member of Authority: Rachel Larmer

Representatives: Julie McCormack, for the Applicant  
James Warren and Pheobe Ellwood, counsel for the Respondent

Investigation Meeting: 6 September 2022 at Auckland

Date of Determination: 7 September 2022

---

**CONSENT DETERMINATION OF THE AUTHORITY**

---

**Non-publication order**

[1] Paragraph [5] of this determination contains a non-publication order.

**Employment relationship problem**

[2] During the course of the investigation meeting held on 6 September 2022, the parties advised the Authority that they had reached a settlement of all issues between them relating to their employment relationship.

[3] The terms and conditions of the parties' settlement are recorded in a confidential Settlement Agreement that was signed by both parties ("the Settlement").

[4] By consent, the terms recorded in the Settlement, that were agreed and signed by the parties, now become orders of the Authority. As orders of the Authority, the terms of the Settlement are therefore final, binding and enforceable.

[5] The parties have agreed that the terms of the Settlement are to remain confidential. For the purposes of preserving that confidentiality, the Authority makes a further order pursuant clause 10 of the Second Schedule of the Employment Relations Act 2000 prohibiting the publication of the Settlement.

[6] The original signed Settlement is therefore not attached to this determination, but will instead be held on the Authority's file and may not be accessed without the Authority's authorisation.

**Rachel Larmer**  
**Member of the Employment Relations Authority**