

**NOTE: This determination
contains an order prohibiting
publication of the names of the
parties and other certain
information**

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

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

[2021] NZERA 232
3082963

BETWEEN

NXJ
Applicant

AND

PWF
First Respondent

FYW
Second Respondent

Member of Authority: Marija Urlich

Representatives: Michael O'Brien, counsel for the Applicant
Tim Oldfield, counsel for the First Respondent
David Fleming, counsel for the Second Respondent

Determination: 28 May 2021

CONSENT DETERMINATION OF THE AUTHORITY

[1] The Authority is advised the applicant's claims against the first and second respondents are withdrawn and there is no issue as to costs.

[2] On a joint basis and by consent the parties seek permanent non-publication orders.

[3] I have considered the grounds advanced by the parties in support of the orders sought and consider it appropriate to grant them for the purposes of preserving confidentiality. Under clause 10 of the second schedule of the Employment Relations

Act 2000 the following permanent non publication orders are made, prohibiting the publication of:

- (a) the names of all parties in the proceeding lodged in the Authority under file number 3082693;
- (b) details of the second respondent's current position or previously held positions;
- (c) any other details that would identify the parties, including, but not limited to, the second respondent's age, ethnicity and gender;
- (d) details of the sexual harassment allegations; and
- (e) any information about the second respondent contained in the investigation report.

[4] These orders shall continue in effect in perpetuity.

Marija Urlich
Member of the Employment Relations Authority