

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**

[2024] NZERA 114
3247759

BETWEEN ETHAN O'BRIEN
 Applicant

AND C3 LIMITED
 Respondent

Member of Authority: Rachel Larmer

Representatives: Simon Mitchell KC, counsel for the Applicant
 Patrick Anderson and Debbie Crawford, counsel for the
 Respondent

Investigation Meeting: 27 February 2024 in Auckland

Date of Determination: 27 February 2024

ORAL CONSENT DETERMINATION OF THE AUTHORITY

Non-publication order

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

Employment relationship problem

[2] When the parties attended the first day of the substantive investigation meeting today, they advised the Authority that they had reached a full and final settlement of all issues, in all jurisdictions, between them relating to their employment relationship.

[3] The terms and conditions of the parties' settlement were advised to the Authority by counsel during the investigation meeting. The Authority was asked to issue an oral consent determination in order to bring all proceedings involving these parties to a conclusion today.

[4] By consent, the terms counsel advised the Authority, which are recorded in the attached Agreed Terms of Settlement (the Settlement), 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. Accordingly, for the purposes of preserving that confidentiality, the Authority makes a further order pursuant to clause 10 of the Second Schedule of the Employment Relations Act 2000 prohibiting the publication of the Settlement.

[6] The terms of the agreed Settlement are therefore not attached to this determination, but will instead be held on the Authority's file and may only be accessed for enforcement purposes.

Rachel Larmer
Member of the Employment Relations Authority