

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

**I TE RATONGA AHUMANA TAIMAHI
TE WHANGANUI-Ā-TARA ROHE**

[2021] NZERA 182
3110332

BETWEEN PHZ
Applicant

AND MGW
Respondent

Member of Authority: Michael Loftus

Representatives: Alex Kersjes, advocate for the Applicant
Michael McAleer, advocate for the Respondent

Investigation Meeting: 4 May 2021 at Napier

Record of Determination: 4 May 2021

CONSENT DETERMINATION OF THE AUTHORITY

[1] During the investigation meeting the parties adjourned to discuss their differences. These were resolved and the parties ask I record their settlement as a consent determination.

[2] I accept and as a result make the following orders:

- a. The parties agree the applicants employment ended by way of resignation with effect 18 November 2019; and
- b. The respondent shall pay the applicant a compensatory sum of \$6,500 (six thousand, five hundred dollars) pursuant to s 123(1)(c)(i) of the Employment Relations Act 2000 with payment to be made no later than 11 May 2021; and
- c. The respondent shall pay \$4,600 (four thousand, six hundred dollars) including GST as a contribution toward the applicant's costs with payment to be made within seven days of receipt of an invoice from the applicants representative; and

- d. The respondent shall provide the applicant with a certificate of service on company letterhead which shall contain a record of the applicant's position, his duties, that he left of his own accord and that the respondent wishes him well for the future. This shall be provided no later than 18 October 2021; and
- e. Neither party will, in future, speak disparagingly of each other especially through social media.

[3] These terms shall remain confidential to the parties which means there shall be an order prohibiting the publication anything which identifies the parties, their witnesses and anything which links them to the settlement.¹

[4] The parties are to be commended for settling this matter on their own terms.

Michael Loftus
Member of the Employment Relations Authority

¹ Clause 10 of schedule 2 of the Employment Relations Act 2000