

Attention is drawn to the
non-publication order
at paragraph [3]

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

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

[2022] NZERA 438
3182239

BETWEEN SWE
 Applicant

AND XSD
 Respondent

Member of Authority: Michael Loftus

Representatives: Greg Bennett, advocate for the Applicant
 Tracey Amos, advocate for the Respondent

Investigation Meeting: 6 September 2022 at Wellington

Record of Determination: 6 September 2022

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 the terms of their settlement as a consent determination.

[2] I accept and order:

- a. The respondent pay the applicant the sum of \$12,000 (twelve thousand dollars) without deduction as compensation pursuant to s 123(1)(c)(i) of the Employment Relations Act 2000 with payment to be made no later than 5.00pm on Thursday 8 September 2022; and

- b. Provided receipt of an invoice, the respondent pay the applicant's advocate the sum of \$8,000 (eight thousand dollars) plus GST as a contribution toward the applicant's costs with payment to be made no later than 5.00pm on Thursday 8 September 2022; and
- c. The employment will end today, Tuesday 6 September 2022, and the applicant's final pay up to and including today along with outstanding holiday pay will be processed today; and
- d. The applicant will clean and vacate the house occupied pursuant to a service tenancy no later than midday Friday 9 September 2022; and
- e. PPE issued to the applicant by the respondent will be left in the house upon vacation; and
- f. These terms are in full and final settlement of all matters, including potential privacy and tenancy disputes, that might emanate from the employment; and
- g. These terms remain confidential to the parties.

[3] The parties ask that their identities and the fact of their involvement remain confidential. The rationale warrants acceptance. I therefore order a prohibition on the publication of anything that identifies the parties and their witnesses.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