



# Employment Court of New Zealand

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## Tobin v Rapid Labels Limited [2016] NZEmpC 163 (8 December 2016)

Last Updated: 12 December 2016

### IN THE EMPLOYMENT COURT AUCKLAND

#### [\[2016\] NZEmpC 163](#)

EMPC 179/2016

IN THE MATTER OF a challenge to a determination of  
the  
Employment Relations Authority

BETWEEN DARREN JOHN TOBIN Plaintiff

AND RAPID LABELS LIMITED  
Defendant

Hearing: On the papers filed on 7 December  
2016

Appearances: B R Edwards, counsel for the plaintiff  
D Organ, advocate for the defendant

Judgment: 8 December 2016

### INTERLOCUTORY JUDGMENT BY CONSENT OF JUDGE CHRISTINA INGLIS

[1] The parties have attended a Judicial Settlement Conference. Resolution did not prove possible and the parties intend to proceed to a hearing. The parties have however reached agreement as to how costs in the Employment Relations Authority (the Authority) will be dealt with pending the outcome of the plaintiff's challenge.<sup>1</sup>

They have asked the Court to record their agreement in a consent judgment.

[2] The terms of the parties' agreement are as follows:

(a) The amount ordered by way of costs in the Authority of \$25,748 is to be paid by the plaintiff into the Employment Court's trust account by

22 December 2016;

<sup>1</sup> *Tobin v Rapid Labels Ltd* [2016] NZERA Auckland 209.

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(b) This amount will be held on an interest bearing account;

(c) The defendant will not seek to enforce the Authority's costs award pending the outcome of the plaintiff's challenge to the Authority's substantive determination;

(d) The amount paid into Court will only be paid out on order of a Judge of the Court.

Christina Inglis

Judge

Judgment signed at 11.45 am on 8 December 2016

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