



Employment Court of New Zealand

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YJL v Talent Propeller Limited [2023] NZEmpC 228 (15 December 2023)

Last Updated: 20 December 2023

IN THE EMPLOYMENT COURT OF NEW ZEALAND AUCKLAND

I TE KŌTI TAKE MAHI O AOTEAROA TĀMAKI MAKĀURAU

[\[2023\] NZEmpC 228](#)

EMPC 368/2023

IN THE MATTER OF	a challenge to a determination of the Employment Relations Authority
AND IN THE MATTER OF	an application for a stay of execution
BETWEEN	YJL Plaintiff
AND	TALENT PROPELLER LIMITED Defendant

Hearing: On the papers

Appearances: A Fechny, advocate for plaintiff
R Upton, counsel for defendant

Judgment: 15 December 2023

CONSENT INTERLOCUTORY JUDGMENT OF JUDGE K G SMITH

(Application for stay of execution)

[1] In a determination of 18 September 2023, the Employment Relations Authority dealt with several employment relationship problems arising from YJL's employment and subsequent dismissal by Talent Propeller Ltd.¹

[2] At the conclusion of the investigation the Authority ordered Talent Propeller to pay YJL \$2,000 under [s 123\(1\)\(c\)\(i\)](#) of the [Employment Relations Act 2000](#).² YJL was ordered to pay Talent Propeller a penalty of \$5,000 for breaches of the

¹ *Talent Propeller Ltd v YJL* [\[2023\] NZERA 534 \(Member Urlich\)](#).

employment agreement. Both sums were payable within 21 days of the date of the determination.³

[3] YJL challenged the determination and has applied for a stay. Talent Propeller expressed concerns about that application and reserved its position about certain statements it contains, but took a pragmatic view and consented.

Outcome

[4] A stay is appropriate in the circumstances. By consent, I order that the Authority's determination is stayed until further order of the Court.

[5] Costs are reserved.

K G Smith Judge

Judgment signed at 9.45 am on 15 December 2023

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