

**NOTE: This determination
contains an order prohibiting
publication of certain
information**

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

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

[2024] NZERA 271
3252979

BETWEEN YXB
 Applicant

AND MUY
 Respondent

Member of Authority: Claire English

Representatives: Dave Cain, counsel for the Applicant
 HNQ for the Respondent

Investigation Meeting: 7 May 2024 in Napier

Determination: 7 May 2024

CONSENT DETERMINATION OF THE AUTHORITY

[1] The parties have reached a full and final settlement of all matters arising out of their employment relationship. They are to be congratulated for having resolved these matters on their own terms.

[2] At their request those terms are now, by consent and by this determination, also the orders of the Authority in this matter. A record of those terms, signed by parties, is held on the Authority file, including a record of the employer's remorse for the ending of the employment relationship.

[3] The parties have agreed that, apart from the details recorded in this determination, the terms of their resolution would remain confidential to them. For that purpose, under clause 10 of the second schedule of the Employment Relations Act 2000, and except where necessary for enforcement purposes, I prohibit publication of

all or any part of those terms. In order for this confidentiality provision to have proper effect, I also prohibit the publication of the names of the parties, witnesses at the investigation meeting, and the representative of the respondent.

[4] Accordingly, I make the following orders:

- a. The respondent will pay to the applicant the sum of \$4,500 without deduction, as compensation in accordance with section 123(1)(c)(i) of the Employment Relations Act 2000. This will be paid in two instalments. The first instalment of \$3,500 without deduction shall be paid by or before 10 May 2024. The second instalment of \$1,000 without deduction shall be paid by or before 7 June 2024.
- b. The respondent will pay a contribution to the applicant's costs of \$6,000 plus GST. This will be paid in 12 equal instalments of \$500 plus GST each. The first instalment of \$500 plus GST will be paid on or before 4 July 2024. The remaining 11 instalments of \$500 plus GST each will be paid on or before the 4th of each month following, with the final payment being due on 4 June 2025. Invoices will be provided as required.
- c. The respondent will provide the applicant with a written certificate of service. This will record the applicant's role, duties, the start date and end date of the applicant's employment, and will record for all future purposes that the applicant's employment came to an end by way of resignation. This will be provided by email to the applicant's representative within 1 week, that is by close of business on Tuesday 14 May 2024.
- d. The parties agree that they will not speak ill of each other.

Claire English
Member of the Employment Relations Authority