



# Employment Court of New Zealand

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## Yangs House Limited v Crossen [2020] NZEmpC 189 (11 November 2020)

Last Updated: 18 November 2020

IN THE EMPLOYMENT COURT OF NEW ZEALAND CHRISTCHURCH

I TE KŌTI TAKE MAHI O AOTEAROA ŌTAUTAHI

[\[2020\] NZEmpC 189](#)

EMPC 330/2020

IN THE MATTER OF	a challenge to a determination of the Employment Relations Authority
AND IN THE MATTER	of an application for stay of proceedings
BETWEEN	YANGS HOUSE LIMITED First Plaintiff
AND	LIU YANG Second Plaintiff
AND	CHRISTINE CROSSEN Defendant

Hearing: On the papers  
Appearances: P Brown, advocate of plaintiffs  
J Hobcraft, advocate for  
defendant  
Judgment: 11 November 2020

### CONSENT JUDGMENT OF JUDGE K G SMITH

(Application for stay of proceedings)

[1] In a determination of 30 July 2020, the Employment Relations Authority held that Christine Crossen could not pursue claims against Yangs House Ltd, and Liu Yang, because she was precluded from doing so by an agreement under [s 149](#) of the [Employment Relations Act 2000](#).<sup>1</sup> Ms Crossen has challenged that determination.

[2] On 1 October 2020 the Authority ordered Ms Crossen to pay costs of \$2,500 arising from its earlier investigation.<sup>2</sup> That determination was challenged by Yangs House and Liu Yang. They also applied for a stay of the costs determination pending resolution of the substantive challenge by Ms Crossen.

[3] By joint memorandum, the parties agreed that the costs determination should be stayed pending resolution of the substantive proceeding and sought an order to that effect. In the circumstances I am satisfied that it is appropriate for that order to be made.

[4] I order by consent that execution of the Authority's costs determination is stayed pending further order of the Court.

[5] There is no order for costs.

K G Smith Judge

Judgment signed at 9 am on 11 November 2020

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