

**IN THE EMPLOYMENT COURT  
AUCKLAND**

**[2013] NZEmpC 95  
ARC 43/12**

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

BETWEEN CATHERINE TAN  
Plaintiff

AND MORNINGSTAR INSTITUTE OF  
EDUCATION LIMITED T/A  
MORNINGSTAR PRESCHOOL  
Defendant

Hearing: Memoranda from plaintiff filed on 23 and 24 May 2013 and  
defendant filed on 28 May 2013

Appearances: Garry Pollak, counsel for plaintiff  
Paul Pa'u, advocate for defendant

Judgment: 29 May 2013

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**SUPPLEMENTARY JUDGMENT OF JUDGE B S TRAVIS**

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[1] Following the issue of my judgment on 16 May 2013<sup>1</sup> the parties have now agreed that the annual salary of \$57,200 gross referred to at [67] had increased at the time of the plaintiff's dismissal to \$60,320.

[2] In light of that agreement, the award for three months' lost remuneration is increased to \$15,080 under this head.

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<sup>1</sup> [2013] NZEmpC 82.

[3] The parties are also agreed that the monies paid into court by the plaintiff, together with any interest earned thereon, are to be paid to Mr Pollak as he requested.

BS Travis  
Judge

Judgment signed at 10am on Wednesday 29 May 2013