

**IN THE EMPLOYMENT COURT OF NEW ZEALAND
WELLINGTON**

**I TE KŌTI TAKE MAHI O AOTEAROA
TE WHANGANUI-A-TARA**

**[2019] NZEmpC 38
EMPC 76/2019**

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 proceedings

BETWEEN EPB LIMITED
 Plaintiff

AND OST
 Defendant

Hearing: On the papers

Appearances: B Sheehan, counsel for the plaintiff
 P McKenzie-Bridle, counsel for the defendant

Judgment: 3 April 2019

CONSENT JUDGMENT OF JUDGE B A CORKILL

[1] The plaintiff has brought a challenge to a determination of the Employment Relations Authority (the Authority), dated 7 March 2019.¹

[2] At the same time, an application for stay of the proceedings in the Authority, including the enforcement of its orders, was filed. The parties have reached an agreement as to the terms of stay.

[3] In light of that agreement, I order that the plaintiff is to pay to the Registrar of the Employment Court the following sums:

¹ *OST v EPB Ltd* [2019] NZERA Wellington 133.

(i) \$19,439.26 (the amount determined by the Authority as owing to the defendant).

(ii) \$6,000 (the amount ordered by the Authority in payment of costs).

[4] I record that it is a term of the parties' agreement that the plaintiff prosecutes its challenge diligently and in good faith.

[5] The payment is to be held by the Registrar until further order of the Court.

B A Corkill
Judge

Judgment signed at 3.30 pm on 3 April 2019