

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

**I TE KŌTI TAKE MAHI O AOTEAROA  
TĀMAKI MAKĀURAU**

**[2023] NZEmpC 230  
EMPC 442/2023**

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	GLENFIELD COLLEGE BOARD OF TRUSTEES Plaintiff
AND	FIONA ANDERSON Defendant

Hearing:	On the papers
Appearances:	P Pa'u, advocate for plaintiff G Pollak, counsel for defendant
Judgment:	15 December 2023

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**CONSENT JUDGMENT OF CHIEF JUDGE CHRISTINA INGLIS  
(Application for stay of execution)**

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[1] The plaintiff has challenged both a substantive, and a costs, determination of the Employment Relations Authority.<sup>1</sup> The Authority found that the defendant had been unjustifiably dismissed and awarded remedies in her favour, and subsequently ordered the plaintiff to pay to the defendant a contribution to costs in the sum of \$9,000.00 and \$71.56 by way of disbursements.

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<sup>1</sup> *Anderson v Glenfield College Board of Trustees* [2023] NZERA 654 (Member Urlich); and *Anderson v Glenfield College Board of Trustees* [2023] NZERA 725 (Member Urlich).

[2] The parties have applied for a stay of execution on agreed terms, pending the outcome of the plaintiff's challenge. I am satisfied that it is appropriate to make the order sought.

[3] Accordingly, there is an order by consent staying execution of the Authority's determinations. The plaintiff is to promptly pay to the Registrar of the Court the agreed sum of \$87,489.56, which is to be held in an interest-bearing account. The monies are not to be paid out until further order of the Court.

[4] The plaintiff's challenge is to be pursued diligently.

[5] No issue as to costs arises in relation to this application.

Christina Inglis  
Chief Judge

Judgment signed at 11.50 am on 15 December 2023