

**Attention is drawn to the order prohibiting publication of certain information in this determination**

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
CHRISTCHURCH OFFICE**

[2014] NZERA Christchurch 110  
5456225

BETWEEN

MARUIA SPRINGS  
THERMAL RESORT  
LIMITED  
Applicant

AND

INGRID KIM, LABOUR  
INSPECTOR  
Respondent

Member of Authority: David Appleton

Representatives: Mike Kyne, Advocate for Applicant  
Andrew Gane, Counsel for Respondent

Determination: 25 July 2014

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**CONSENT DETERMINATION OF THE AUTHORITY**

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[1] The Authority directed the parties to mediation. The parties have advised that, as a result of that mediation, they have resolved their employment relationship problem and have asked that signed confidential terms of settlement become the determination of the Authority.

[2] Maruia Springs Thermal Resort Limited (MSTR) acknowledges that non-paid familiarisation periods amount to an unpaid trial work period, in breach of the requirements of the Minimum Wages Act 1983 and have agreed to pay wages to those affected.

[3] MSTR will withdraw the objection to the Labour Inspector's Improvement Notice.

- [4] The Labour Inspector will issue a new Improvement Notice to MSTR.
- [5] MSTR will comply with the re-issued Improvement Notice including the steps which the parties agreed on 22 July 2014 but which remain confidential to the parties.
- [6] Nothing in this determination will affect the rights of any employees or former employers of MSTR.
- [7] Costs are not at issue.
- [8] For the purposes of preserving the confidentiality of those terms which are to remain confidential to the parties, I make a further order by consent, pursuant to clause 10 (2) of the Second Schedule of the Employment Relations Act 2000, prohibiting publication of the steps referred to in paragraph [5] of this determination.

David Appleton  
Member of the Employment Relations Authority