

**Your attention is drawn to the
non-publication order at point A**

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2015] NZERA Auckland 343
5536812

BETWEEN

FRANS SCHAEFFERS
Applicant

A N D

SHARP CORPORATION OF
NZ LIMITED
Respondent

Member of Authority: Rachel Larmer

Representatives: Mr Russell Du Fall Counsel for Applicant
Dean Kilpatrick Counsel for the Respondent

Investigation Meeting: On the papers

Date of Determination: 04 November 2015

**SECOND NON-PUBLICATION ORDER OF THE EMPLOYMENT
RELATIONS AUTHORITY**

- A. A second non-publication order applies to the confidential financial information regarding sales and other sensitive commercial business information contained in the:**
- a. joint bundle of documents filed with the Authority on 02 November 2015; and**
 - b. witness statements filed by the parties; and**
 - c. evidence given by witnesses during the Authority's substantive investigation meeting; and**
 - d. submissions filed by the parties; and**
 - e. communications the parties have had with the Authority regarding relevant information.**

Employment relationship problem

[1] Mr Schaeffers has filed personal grievances and other claims relating to the employment relationship problems with his former employer Sharp Corporation NZ Limited (Sharp).

[2] Further to the Authority's directions Sharp has filed a joint bundle of documents for use at the substantive investigation meeting. The parties have also had communications between themselves and with the Authority regarding disclosure of relevant information.

[3] The Authority recognises that in order to defend Mr Schaeffer's claims Sharp has been required to file confidential and sensitive financial and commercial information including (but not limited to) such information regarding sales.

[4] Sharp seeks a non-publication order in respect of the sales and other commercially sensitive financial information. A first non-publication order was issued on 22 September 2015.

[5] I am satisfied it is in the interests of justice to issue a second non-publication order in respect of Sharp's confidential financial information regarding sales and other sensitive commercial business information contained in the:

- a. Joint bundle of documents filed with the Authority on 02 November 2015; and
- b. Witness statements filed by the parties; and
- c. Evidence given by witnesses during the Authority's substantive investigation meeting; and
- d. Submissions filed by the parties; and
- e. Communications the parties have had with the Authority regarding relevant information.

[6] Accordingly, pursuant to clause 10 Second Schedule Employment Relations Act 2000 the Authority orders that a second non-publication order applies to the confidential and commercially sensitive financial information regarding the sales figures and supporting documentation identified in paragraph [5] above.

Rachel Larmer
Member of the Employment Relations Authority