

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

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI  
TĀMAKI MAKĀURAU ROHE**

[2019] NZERA 45  
3037572

BETWEEN	QVL AND TEN OTHERS Applicants
AND	MKO First Respondent
AND	RIN Second Respondent

Member of Authority: Nicola Craig

Representatives: First Applicant for the Applicants  
Somee Chung, Counsel for Respondents

Date of Determination: 31 January 2019

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**CONSENT DETERMINATION OF THE AUTHORITY**

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**Employment relationship problem**

[1] The Applicants initially filed their claim against the First Respondent which is the company that was their employer. The Applicant's representative and the First Respondent reached a proposed settlement, which included the Second Respondent, who is the director of the First Respondent, being joined to this proceeding and guaranteeing obligations of the First Respondent under the proposed settlement.

[2] All the Applicants have now indicated to the Authority directly that they accept the terms of the proposed settlement. The Authority had received the terms of

settlement which settles all the employment relationship issues which were filed under file number 3037572.

[3] The terms and conditions of the parties' settlement are recorded in a confidential Record of Settlement agreement ('the Settlement') which was signed on behalf of both parties.

[4] The parties have asked the Authority to issue:

- a. a consent determination joining the Second Respondent, with his consent to this proceeding and recording the terms of the Settlement; and
- b. a non-publication order to preserve the confidentiality of the parties and the Settlement.

[5] By consent RIN is joined to this proceeding as Second Respondent. Further, the terms of the Settlement signed by the parties become consent orders of the Authority. These consent orders are final, binding and enforceable.

[6] For the purposes of preserving confidentiality I order, pursuant clause 10 of the Schedule Two of the Employment Relations Act 2000, that the identities of the parties and the agreed terms of the Settlement shall not be published.

[7] The original terms of the Settlement agreed by the parties are not attached to this determination but will instead be held on the Authority's file. The agreed terms of the Settlement may not be accessed without the Authority's authorisation. Each party has been provided with a copy of the Settlement for their reference.

**Nicola Craig**  
**Member of the Employment Relations Authority**