

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2019] NZERA 284
3021117

BETWEEN VICKI HIGGS
Applicant

AND CANTERBURY
RELOCATIONS LIMITED
First Respondent

AND TRU GROUP LIMITED
Second Respondent

Member of Authority: Andrew Dallas

Representatives: Linda Ryder, counsel for Applicant
Stuart Stock, counsel for Respondent

Determination: 14 May 2019

CONSENT DETERMINATION OF THE AUTHORITY

Employment relationship problem

[1] In *Higgs v Canterbury Relocations Limited and Tru Group Limited*¹ the Authority made various findings and awarded various remedies including:

- (i) For Canterbury Relocations Limited (Canterbury) to pay Ms Higgs \$15,000 as general damages for emotional distress for failing to provide her with a healthy and safe working environment; and
- (ii) For Tru Group Limited (Tru) to pay Ms Higgs \$25,000 for hurt, humiliation and injury to feelings.

[2] The parties have now agreed on a quantum of remedies for wages, holiday pay and KiwiSaver arrears, interest and costs. It was further agreed this agreement would be recorded in a consent determination.

¹ [2019] NZERA 191

[3] By consent and by this determination, the parties agree:

Wages, Holiday Pay and KiwiSaver

- (i) Canterbury Relocations Limited is to pay Ms Higgs \$7,198.34 gross (inclusive of holiday pay and KiwiSaver); and
- (ii) Tru Group Limited is to pay Ms Higgs \$15,262.50 gross (inclusive of holiday pay and KiwiSaver)

Costs

- (iii) Canterbury is to pay Ms Higgs:
 - (a) \$14,398.85 including GST as contribution to costs of her representation;
 - (b) \$153.33 including GST as a contribution to the Authority's hearing fee; and
 - (c) \$23.85 including GST as a contribution to the Authority's lodgement fee.
- (iv) Tru is to pay Ms Higgs:
 - (a) \$28,797.71 including GST as contribution to costs of her representation;
 - (b) \$306.66 including GST as a contribution to the Authority's hearing fee; and
 - (c) \$47.71 including GST as a contribution to the Authority's lodgement fee.

[4] This determination is enforceable under s 137(1)(b) of the Act.

[5] The Authority Officer is directed to issue a Certificate of Determination setting out the above agreement and the other remedies awarded as set out in paragraph [1] above.

Costs

[6] This is no order for costs arising out of this determination.

Andrew Dallas
Member of the Employment Relations Authority