

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

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

[2021] NZERA 378  
3120717

BETWEEN

GARY O'MALLEY  
Applicant

AND

PETER GOLLAN T/A PETER  
GOLLAN TRANSPORT  
Respondent

Member of Authority: Rachel Larmer

Representatives: Carleton Mateer, advocate for Applicant  
Respondent in person

Date of Determination: 27 August 2021

---

**CONSENT DETERMINATION OF THE AUTHORITY**

---

**Employment relationship problem**

[1] The parties have advised the Authority that they have now settled all of the employment relationship problems between them on agreed terms.

[2] The parties want their agreed settlement terms to be final binding and enforceable, so they have asked the Authority to record their agreement in a consent determination.

[3] The parties have agreed that the Respondent will make one payment to the Applicant for wage arrears of \$1,194 net directly into a bank account nominated by the Applicant, within seven days of the Respondent receiving the Applicant's nominated bank account.

[4] The Respondent will pay the usual appropriate tax on the wages arrears payment above and will be responsible for remitting the deducted tax to the Inland Revenue Department in the normal way.

[5] The Respondent shall provide the Applicant's representative with confirmation of payment, as soon as it has been made. Once that has occurred then the Applicant's claims will be withdrawn from the Authority and no new claims arising out of his employment with the Respondent may be made.

[6] This consent determination resolves all employment relationship problems between the parties. It is enforceable by a compliance order and a breach of this determination may also result in a penalty potentially being imposed on the party in breach.

**Rachel Larmer**  
**Member of the Employment Relations Authority**