

NOTE: This determination contains an order in paragraph [7] prohibiting publication of certain information

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

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

[2024] NZERA 367
3269899

BETWEEN VINOD CHAND
Applicant

AND TE WHATU ORA - HEALTH
NEW ZEALAND
Respondent

Member of Authority: Rachel Larmer

Representatives: Simon Mitchell KC, counsel for the Applicant
Anthony Russell, counsel for the Respondent

Investigation meeting: 20 June 2024 in Auckland

Date of Oral Determination: 20 June 2024

Written Record of Oral Determination: 20 June 2024

ORAL CONSENT DETERMINATION OF THE AUTHORITY

Non-publication order

[1] Paragraph [7] of this determination contains a non-publication order.

Employment relationship problem

[2] The Authority held an investigation meeting in Auckland on 20 June 2024.

[3] At the investigation meeting today the parties advised the Authority that they had reached a settlement of all issues between them relating to their employment relationship, the ending of it and all associated employment related issues. They asked the Authority to issue a consent determination.

[4] The terms and conditions of the parties' settlement are recorded in a confidential Settlement Agreement that was signed by the parties today ("the Settlement").

Orders

[5] By consent, the terms recorded in the Settlement now become orders of the Authority. As orders of the Authority, the terms of the Settlement are therefore final, binding and enforceable.

[6] Failure to comply with the terms of Settlement and/or this consent determination may be addressed by way of a compliance order application, but no other action may be taken regarding the employment relationship.

Non-publication order

[7] The parties have agreed that the terms of the Settlement are to remain confidential. For the purposes of preserving that confidentiality, the Authority has made an order pursuant clause 10 of the Second Schedule of the Employment Relations Act 2000 prohibiting the publication of the terms of Settlement.

[8] The original signed Settlement is therefore not attached to this determination, but will instead be held in the Authority's case management system.

Rachel Larmer
Member of the Employment Relations Authority