

**IN THE EMPLOYMENT COURT
WELLINGTON**

**[2014] NZEmpC 223
WRC 17/13**

IN THE MATTER OF a challenge to a determination of the
Employment Relations Authority

AND IN THE MATTER of an application for stay of proceedings

BETWEEN WORKFORCE DEVELOPMENT
LIMITED
Plaintiff

AND LYNDA JEAN HILL
Defendant

WRC 19/13

IN THE MATTER OF a challenge to a determination of the
Employment Relations Authority

BETWEEN LYNDA JEAN HILL
Plaintiff

AND WORKFORCE DEVELOPMENT
LIMITED
Defendant

Hearing: By memoranda dated 25 November 2014 and telephone
conference on 26 November 2014

Appearances: S Webster, counsel for plaintiff
P O'Sullivan, advocate for defendant

Judgment: 2 December 2014

CONSENT JUDGMENT OF JUDGE CHRISTINA INGLIS

[1] A substantive judgment was issued on the plaintiff's challenge to a determination of the Employment Relations Authority (the Authority) on 19

September 2014.¹ I upheld the plaintiff's challenge. The defendant has now filed an application for leave to appeal to the Court of Appeal.

[2] While there are a number of applications before the Court which are in dispute,² the plaintiff's application for release of funds can be dealt with on an agreed basis. The application arises in the context of an earlier order made by the Authority that the plaintiff was to pay the sum of \$19,128 into Court, to be held in an interest bearing account, subject to an order of the Court.³

[3] Mr O'Sullivan, advocate for the defendant, has confirmed that the defendant consents to the plaintiff's application for release of these funds. The following order is accordingly made. The sums held by the Registrar of the Employment Court pursuant to the Authority's determination dated 26 July 2013 are to be released to the plaintiff by payment into the plaintiff's nominated bank account.

Christina Inglis
Judge

Judgment signed at 10.15 am on 2 December 2014

¹ *Workforce Development Ltd v Hill* [2014] NZEmpC 174.

² Being the plaintiff's application for costs and for joinder; and the defendant's application for a stay of proceedings.

³ *Workforce Development Ltd v Hill* [2013] NZERA Wellington 93.