

**IN THE EMPLOYMENT COURT
CHRISTCHURCH**

**[2015] NZEmpC 14
EMPC 295/2014**

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

AND IN THE MATTER of a stay of proceedings

BETWEEN ALLIED SECURITY LIMITED
 Applicant

AND SHARON GUISE
 Respondent

Hearing: (on the papers filed 21 November 2014)

Appearances: S Langton, counsel for the applicant
 R Boulton, counsel for the respondent

Judgment: 10 February 2015

INTERLOCUTORY JUDGMENT OF JUDGE B A CORKILL

[1] The applicant has brought a de novo challenge to an Employment Relations Authority (the Authority) determination dated 13 November 2014,¹ where the Authority concluded the respondent was unjustifiably constructively dismissed. She was awarded \$4,911.76 lost wages, \$4,000 for humiliation, loss of dignity and injury to feelings, and \$594.75 as holiday pay.

[2] By application dated 19 November 2014, the applicant sought, in effect, a stay of execution of the monetary awards. By joint memorandum of counsel, the parties confirmed they had agreed that the order of stay should be granted subject to the amounts awarded being paid to the Ministry of Business Innovation and

¹ *Guise v Allied Security Ltd* [2014] NZERA Christchurch 159.

Employment's trust account on an interest-bearing deposit; and that the monies would not be paid out of that trust account other than by order of a Judge.

[3] In a minute of 1 December 2014, I indicated that it is normally the case that such an order directs a party to make payment to the Registrar of the Court.

[4] Subsequently the applicant paid the sum of \$9,506.91 to the Registrar of the Employment Court, who is now holding that sum in an interest-bearing account.

[5] I accordingly order a stay of execution of the orders made by the Authority at para [47] of its determination.

[6] I direct that such monies are not to be paid out other than by order of a Judge.

B A Corkill
Judge

Judgment signed at 3.15 pm on 10 February 2015