



A VL real life **claim example**

# Employment Disputes

## Child (lack of) Care

The Insured was a childcare centre operator. An employee was suspended from work following an incident where a child had fallen over in the sandpit causing facial injuries. The child became sleepy, disoriented and was displaying behaviour totally out of character after the accident. Rather than seeking further advice from a senior teacher, the employee simply put the child to bed. The Insured found the actions of the employee unacceptable and in clear breach of the centre's health and safety policy and procedures.

With disciplinary proceedings under way, the employee sought legal advice. A personal grievance claim was lodged. The matter was heard at mediation before a Labour Department mediator, which resulted in a settlement for compensation under section 123 (1)(c)(i) of the Employment Relations Act 2000. The Employers Liability policy indemnified the Insured for damages and legal costs in respect of this claim.

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