

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND OFFICE**

BETWEEN Labour Inspector (Mark Anthony Horn) (Applicant)
AND Valiant Holdings Limited trading as Papamoa Bakery (Respondent)
REPRESENTATIVES Mark Horn, for the Applicant
No Representation for the Respondent
MEMBER OF AUTHORITY Ken Anderson
DATE OF DETERMINATION 21 January 2005

DETERMINATION OF THE AUTHORITY

Application for Compliance Order

- [1] By way of a determination (AA 253/04) issued 12 August 2004, the Authority ordered the Respondent to pay holiday pay and wages owing to Ms Aria Wahanui being the sum of \$1,228.30, plus interest at 6% per annum from 16 September 2002 until date of payment. The Respondent was also ordered to pay a penalty to the Crown of \$1,000.00 for a failure to provide wage and time records, plus \$70.00 costs.
- [2] The Respondent has not paid any of the above monies and the Applicant now seeks a compliance order, pursuant to s137 of the Employment Relations Act 2000, and an award of costs.
- [3] The Authority has been unable to contact the Respondent to ascertain why payment has not been made. However, on the evidence available, I am satisfied that the sums owing have not been paid and there is no good reason why the Respondent should not make such payment.

Determination

- [4] Valiant Holdings Limited is ordered to comply with the determination of the Authority issued 12 August 2004 and pay to the Applicant the sums ordered in that determination. Valiant Holdings Limited must comply with this order not later than 18 February 2005.

COSTS

- [5] Valiant Holdings Limited is ordered to pay to the Applicant the sum of \$70.00 being the application fee for the compliance order as paid to the Authority.

Ken Anderson
Member
Employment Relations Authority