

*Under the Employment Relations Act 2000*

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND OFFICE**

**BETWEEN** Labour Inspector (Anton Taljaard)

**AND** R. J. Wireless Limited

**REPRESENTATIVES** Anton Taljaard in person  
Rodger Puttick for Respondent

**MEMBER OF AUTHORITY** Janet Scott

**INVESTIGATION MEETING** 28 August 2006

**DATE OF DETERMINATION** 12 September 2006

**DETERMINATION OF THE AUTHORITY**

**Employment Relationship Problem**

The Labour Inspector seeks to recover arrears of holiday pay owed to a former employee of the respondent – Mr Shivinesh Kant Lala.

The respondent does not dispute holiday pay is owed to the worker but challenged the amount owing. The respondent also seeks a direction from the Authority requiring the worker to return to the respondent a cellphone belonging to the respondent.

**Determination**

The parties have agreed that the holiday pay owed to the worker amounts to \$865.39 gross.

The respondent is directed to pay to the applicant immediately holiday pay owing in the sum of \$865.39 gross<sup>1</sup>.

The worker, Mr Lala, is directed to return to the respondent immediately the cellphone belonging to the respondent together with all its attachments eg charger, headphones etc.

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<sup>1</sup> Settled by a cheque handed to the LI on the day of the Investigation meeting.

## **Costs**

In the circumstances costs shall lie where they fall.

Janet Scott  
Member of Employment Relations Authority