

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON**

[2013] NZERA Wellington 163  
5426478

BETWEEN

HAZEL MORTON  
Applicant

AND

HAIRSHOP LIMITED T/A  
HAIR CLUB  
Respondent

Member of Authority: P R Stapp

Representatives: Bede Laracy advocate for the Applicant  
No reply from the Respondent

Investigation Meeting: On the papers 20 December 2013

Determination: 20 December 2013

---

**DETERMINATION OF THE AUTHORITY**

---

**Employment Relationship Problem**

[1] In an earlier determination [2013] NZERA Wellington 156 leave was granted by the Authority for Ms Morton's representative to file a memorandum with details of the calculations of final holiday pay to be served on the respondent with a right to reply. The memorandum was dated 5 December 2013. After 14 days there was no reply from the respondent (Hair Club).

**Background and facts**

[2] Ms Morton's claim for holiday pay has been calculated on information provided to the Authority at the investigation meeting held on 4 December 2013. I hold that Ms Morton's gross wages during her employment at the Hair Club was \$16,695. Eight percent amounts to \$1,335.60 holiday pay that Ms Morton is entitled to be paid by Hairshop Limited. I have reached this decision on the basis:

- i That the gross sum is consistent with the evidence heard by the Authority at the investigation meeting held on 4 December 2013.
- ii That Hairshop Limited failed to reply to Mr Laracy's memorandum and I take this to mean it accepts the calculations and details as provided.
- iii That no wage time and holiday record was produced by Hairshop Limited.

**Determination**

[3] Hairshop Limited is to pay Hazel Morton \$1,335.60 holiday pay.

P R Stapp  
Member of the Employment Relations Authority