

incorporate the terms of settlement they have agreed into consent orders of the Authority. The parties have agreed that confidentiality will not apply to these orders.

4. I have accepted the parties' request and accordingly make the following orders:
 - (a) Eagle Management Limited is to pay Ms Jia minimum wage arrears of \$7,041 (nett) (s. 11 of the Minimum Wage Act 1983);
 - (b) Eagle Management Limited is to pay Ms Jia annual holiday pay arrears of \$939.18 (nett) (s. 77 of the Holidays Act 2003).
 - (c) Eagle Management Limited is responsible for payment of any further PAYE tax or ACC levies that may be payable in respect of the sums in (a) and (b) above¹.
 - (d) The sums above are to be paid in full within 21 days of the date of these consent orders.
 - (e) Interest on the sums will not accrue unless there is a default in payment. In the event of default, interest will apply on all outstanding arrears at the rate of 5% per annum, backdated to the date of termination of Ms Jia's employment, being 31 January 2012.

Costs

6. The Labour Inspector has sought reimbursement of the Authority's filing fee. I order Eagle Management Limited to pay costs to the applicant in the sum of \$71.56.

Trish MacKinnon
Member of the Employment Relations Authority

¹ It is Eagle Management Limited's position that the amounts paid to Ms Jia were nett amounts and that PAYE and ACC levies have already been paid in respect of both the wages that Ms Jia received, and further wages that she was entitled to receive under the Minimum Wage Act 1983, but was not paid.