

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON**

[2016] NZERA Wellington 122  
5607850

BETWEEN            A LABOUR INSPECTOR OF THE  
                              MINISTRY OF BUSINESS,  
                              INNOVATION AND  
                              EMPLOYMENT  
                              Applicant

AND                    KOSAL EANG AND  
                              RAVI CHAAY in partnership  
                              trading as Brown Owl Bakery  
                              Respondents

Member of Authority:    M B Loftus

Representatives:        Claire English, Counsel for Applicant  
                                  David McLeod, Advocate for Respondents

Investigation Meeting:    4 October 2016 at Napier

Determination:            4 October 2016

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**CONSENT DETERMINATION OF THE AUTHORITY**

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[1]    The applicant, a Labour Inspector, sought penalties against the respondents, Kosal Eang and Ravi Chaay, regarding multiple breaches of employment related statute.

[2]    During the investigation the parties discussed the issues and concluded an agreement. They ask their agreement be recorded as an order of the Authority. I accept the request and make the following orders.

[3]    The respondent, Kosal Eang, is to pay three penalties each in the amount of \$940.00 (nine hundred and forty dollars). The total payable is \$2,820.00 (two thousand, eight hundred and twenty dollars) with three penalties emanating from the fact there were breaches of the requirements of three statutes; the Employment Relations Act 2000, the Holidays Act 2003 and the Minimum Wage Act 1983.

[4] The respondent, Ravi Chaay, is also to pay three penalties each in the amount of \$940.00 (nine hundred and forty dollars). Again the total payable is \$2,820.00 (two thousand, eight hundred and twenty dollars) as again three statutes were breached.

[5] The penalties are to be paid to the Crown via the Authority within 14 days of the date of this determination.

[6] Kosal Eang and Ravi Chaay are to jointly pay a further \$71.56 (seventy one dollars and fifty six cents) as a contribution towards the Ministry of Business, Innovation and Employment costs. Payment is to be made to the Ministry.

M B Loftus  
Member of the Employment Relations Authority