

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2021] NZERA 307
3122093

BETWEEN	BRENNAN PITTS Applicant
AND	PRO LINE INTERIORS LIMITED Respondent

Member of Authority:	David G Beck
Representatives:	Paul Mathews, advocate for the Applicant No appearance for the Respondent,
Investigation Meeting:	14 May 2021 Christchurch
Submissions Received:	14 May from the Applicant None from the Respondent
Date of Determination:	19 July 2021

DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

[1] In a determination issued on 12 October 2020 the Authority found an established personal grievance and ordered Pro Line Interiors Limited to pay Brennan Pitts:

- (i) Holiday pay arrears of \$1,954.72.
- (ii) Legal costs of \$2,250.
- (iii) Reimbursement of the Authority filing fee of \$71.56

[2] The above compensatory awards have not been fully met by Pro Line Interiors Limited with the costs/filing fee still outstanding in the amount of \$2,321.56. To remedy the situation Brennan Pitts sought a compliance order pursuant to section 137(1)(b) Employment Relations Act 2000 (“the Act”).

The Authority’s investigation

[3] Pro Line Interiors Limited responded to Mr Pitts’ statement of problem but did not appear at the investigation meeting. I am satisfied that the proceedings and meeting notification were served on the company.

[4] Pursuant to s 174E of the Employment Relations Act 2000 (“the Act”), I make findings of fact and law and outline conclusions to resolve the disputed issue and make orders but I do not record all evidence.

[5] Mr Pitt’s advocate detailed unsuccessful attempts to resolve the matter with Daniel Ford, the sole director of Pro Line Limited that led to the holiday pay arrears amount outstanding being paid but not the outstanding costs and filing fee.

Finding

[6] I find that Pro Line Interiors Limited have not paid the costs and filing fee awarded by the Authority and that Daniel Ford for the company has not advanced sufficient reasons for not meeting this obligation. The compliance order sought by Brennan Pitts is appropriate and I grant it on the following terms

Order

[7] **By order of the Authority under s 137 Employment Relations Act 2000 Pro Line Interiors Limited is to pay to Brennan Pitts no later than 14 days from the date of this determination:**

(i) Costs of \$2,321.56 from the original proceedings and \$500 for these proceedings.

(ii) A filing fee of \$71.56.

Costs

[8] Costs are at the discretion of the Authority and here Brennen Pitts was successful in his action for a compliance order and has sought a costs contribution in these proceedings that I have fixed at \$500.

David Beck
Member of the Employment Relations Authority