

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

**I TE RATONGA AHUMANANA TAIMAHI  
TĀMAKI MAKAURAU ROHE**

[2021] NZERA 338  
3066572

BETWEEN	A LABOUR INSPECTOR OF THE MINISTRY OF BUSINESS, INNOVATION AND EMPLOYMENT Applicant
AND	SALONI ENTERPRISES LIMITED First Respondent
AND	SALONI HOLDINGS LIMITED Second Respondent
AND	B ENTERPRISES LIMITED Third Respondent
AND	BALWINDER SINGH Fourth Respondent
AND	JASWINDER KAUR Fifth Respondent

Member of Authority: Rachel Larmer

Representatives: Matthew Hill, counsel for Applicant  
Neomal Perera, counsel for Respondents

Date of Determination: 2 August 2021

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**CONSENT DETERMINATION OF THE AUTHORITY**

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**Employment relationship problem**

[1] The parties have advised the Authority that they have now settled the payment arrangements for the \$57,000 penalties that were imposed on the respondents by the

Authority in its determination dated 1 June 2021 and of the costs, that the parties were encouraged to resolve by agreement.<sup>1</sup>

[2] The parties have agreed that the Applicant will be paid \$2,321.56 costs to cover the entire proceedings in respect of this matter.

[3] The parties have agreed to the terms of a payment plan covering both costs and penalties. The details of that payment plan are set out in paragraph 5 of the joint memorandum of counsel that was filed on 28 July 2021. That provides for twelve payments to be made by the respondents, with the first payment to be made on 9 August 2021 and the last payment to be made on 8 July 2022.

[4] The repayment arrangements in the joint memorandum of counsel now become formal orders of the Authority. As such, any breaches of the payment plan are breaches of the Authority's orders, so can be addressed by way of compliance orders.

[5] If the respondents fail to make any of the payments listed in the agreed payment plan, the full remaining outstanding amounts will become payable immediately. Each respondent will be liable for the outstanding remaining total in the same proportion as determined by the Authority in its 1 June 2021 determination.

[6] The respondents will also be liable to a potential penalties claim, in addition to an application for compliance orders, for breaching the payment orders in this determination.

**Rachel Larmer**  
**Member of the Employment Relations Authority**

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<sup>1</sup> [2021] NZERA 236.