

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI
TĀMAKI MAKĀURAU ROHE**

[2026] NZERA 190
3437984

BETWEEN MAHMOUD ELETR
Applicants
AND ANTHONY CORIN
Respondent

Member of Authority: Rachel Larmer
Representatives: Applicant in person
Mr Corin in person
Date of Investigation: 30 March 2026 at Auckland
Date of Oral Determination: 30 March 2026
Written Record of Oral Determination: 30 March 2026

ORAL DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

The parties

[1] This matter involved determination of Mr Eletr’s compliance order application against the respondent, Mr Anthony Corin, who is the sole director of Shorcom Limited (in Liquidation) (“Shorcom”).

Material background

[2] The Authority issued a substantive ‘on the papers’ determination dated 28 November 2025 for the wage arrears component of the claims Mr Eletr had made

against his former employer, Shorcom.¹ Mr Eletr's remaining claims were set down for an in-person investigation meeting on 17 February 2026.

[3] However, Mr Eletr's additional claims against Shorcom were not able to be determined because it went into liquidation on 11 February 2026. The Liquidator did not consent to Mr Eletr's proceedings against Shorcom continuing.

17 February 2026 investigation meeting

[4] The investigation meeting set down on 17 February 2026 proceeded to investigate and determine Mr Eletr's application for leave to pursue Mr Corin personally to recover any wage arrears and other money that Shorcom had defaulted on paying Mr Eletr, on the grounds Mr Corin was 'a personal involved in breaches of employment standards', as defined by ss 5 and 142W of the Employment Relations Act 2000 (the Act).

[5] Mr Eletr's application for leave to pursue Mr Corin personally for the wage arrears and other money Shorcom had defaulted on paying him succeeded, see *Eletr v Shorcom Ltd (In Liquidation) and Corin* dated 18 February 2026.²

[6] Mr Corin was ordered to pay Mr Eletr \$21,456.84 by 18 March 2026 plus ongoing interest on any amount that remained outstanding from that date onwards.³

[7] Nothing has been paid and no arrangements have been made by Mr Corin to pay Mr Eletr. Mr Corin told the Authority he expects he will become bankrupt in the next month or so and that he is currently in discussions with the Official Assignee about that.

The Authority's investigation

[8] An in-person investigation meeting for Mr Eletr's compliance order application was held on 30 March 2026.

[9] Mr Eletr confirmed under affirmation that he had not been paid any of the money he was awarded by the Authority and that Mr Corin has not made any arrangements for him to be paid. Mr Corin agreed under affirmation that Mr Eletr's evidence about that was correct.

¹ *Eletr v Shorcom Limited* [2025] NZERA 771.

² *Eletr v Shorcom Ltd (In Liquidation) and Corin* [2026] NZERA 83.

³ *Eletr*, above n3.

[10] Mr Corin did not lodge a statement in reply and he did not lodge any evidence. However, the Authority heard from Mr Corin because he attended the investigation meeting in person and gave evidence under affirmation.

The issues to be determined

[11] The following issues are to be determined:

- (a) Has Mr Corin complied with the Authority's determination in *Eletr v Shorcom Ltd (In Liquidation) and Corin* dated 18 February 2026?
- (b) If no, should a compliance order be issued?
- (c) What interest should Mr Eletr be awarded?
- (d) What if any costs and disbursements should be awarded?

Has Mr Corin complied with the Authority's determination dated 18 February 2026?

[12] In *Eletr v Shorcom (In Liquidation) and Corin* the Authority ordered Mr Corin, within 28 days of the date of the 18 February 2026 determination, to pay Mr Eletr \$21,456.84 consisting of:⁴

- (a) \$18,232.22 wage arrears plus interest up to 28 November 2025 that Shorcom had defaulted on paying him.
- (b) \$153.07 interest on the outstanding amount of \$14,145.26 for the period 29 November 2025 to 18 February 2026 that Shorcom had defaulted on paying him.
- (c) \$1,000.00 of the penalty that had been imposed on Mr Corin under s 134(2) of the Employment Relations Act 2000 (the Act).
- (d) \$2,000.00 towards Mr Eletr's legal costs.
- (e) \$71.55 to reimburse Mr Eletr's filing fee for that matter.

[13] Mr Corin was also ordered to pay interest on any amount of the \$18,385.29 (being \$18,232.22 awarded in the 28 November 2025 determination⁵ plus \$153.07 interest awarded in the 18 February 2026 determination⁶) that remained outstanding

⁴ *Eletr*, above n1.

⁵ *Eletr*, above n1.

⁶ *Eletr*, above n2.

from 19 February 2026 onwards until that amount, plus all interest on it, had been paid to Mr Eletr in full.

[14] Within 28 days of the date of the 18 February 2026 determination, Mr Corin was also ordered to pay directly to the Crown bank account the \$500.00 balance of the penalty imposed on him under s 134(2) of the Act.

[15] Mr Corin has not complied with the Authority's determination dated 18 February 2026.⁷

Should a compliance order be issued?

Amended Statement of Problem

[16] As was discussed during the investigation meeting that was held on 17 February 2026, Mr Eletr had already lodged a compliance order application with the Authority that had not been withdrawn.

[17] Mr Eletr was therefore not required to lodge a new application or to pay another filing fee. Instead he lodged an amended statement of problem (ASoP) that made it clear he was no longer pursuing compliance against Shorcom but was seeking a compliance order be made against Mr Corin, that he comply with the Authority's determination dated 18 February 2026.

Outcome

[18] The Authority's determination dated 18 February 2026 has not been complied with, so the required breach has been established.

[19] Mr Corin is not yet bankrupt. The Authority therefore considered it appropriate to complete its involvement with these parties, to give them closure, by issuing the requested compliance order. Mr Eletr would likely not receive any of the money that Mr Corin has to pay him unless a compliance order was made to compel that to occur.

[20] It was therefore necessary and appropriate for a compliance order to be issued. No conditions were suggested to the Authority, so none were made. Accordingly,

⁷ *Eletr*, above n2.

within 28 days of the date of this determination, Mr Corin is ordered to comply with the Authority's determination dated 18 February 2026, by paying:

- (a) Mr Eletr the outstanding \$21,456.84 he is owed.
- (b) The Crown bank account the outstanding \$500.00 penalty that was imposed on him.

What interest should Mr Eletr be awarded?

[21] Paragraph [56] of the Authority's determination dated 18 February 2026 awarded Mr Eletr ongoing interest on any outstanding amount Mr Corin had not paid him (Mr Eletr) from 19 February 2026 onwards.⁸

[22] Mr Corin has effectively had the use of money that he should have paid to Mr Eletr. It is therefore appropriate to quantify Mr Eletr's interest claim up to the date of this determination. Accordingly Mr Corin is ordered to pay Mr Eletr interest of \$83.20 for the period 19 February to 30 March 2026.

[23] Interest continues to run on any amount outstanding that Mr Eletr has been awarded in this determination but which remains unpaid from 31 March 2026 onwards. Interest will continue to accrue until Mr Eletr has been paid all of the money, including interest and disbursements, that Mr Corin has been ordered to pay him.

What costs and disbursements should be awarded?

[24] Mr Eletr was self-represented so he is not entitled to an award of costs in his favour, as no costs were actually incurred. He is however entitled to recover his filing fee of \$71.55 from Mr Corin.

[25] Within 28 days of the date of this determination, Mr Corin is ordered to pay Mr Eletr \$71.55 to reimburse his filing fee.

Other

[26] If Mr Corin fails to pay Mr Eletr the amounts he had been ordered to pay him in this determination, then Mr Eletr may apply under s 138(6) of the Act to the Court to exercise the powers it has under s 140(6) of the Act.

⁸ *Eletr*, above n2.

[27] The Court's powers under s 140(6) of the Act include the discretion to address a party's non-compliance with the Authority's compliance order by:

- (a) Dismissing or staying proceedings in which the person in default is a plaintiff in Court proceedings.
- (b) Striking out the defendant's defence, if the party in default is a defendant in Court proceedings.
- (c) Order the person in default to be imprisoned for a term not exceeding three months.
- (d) Impose a fine of up to \$40,000.00 on the person in default.
- (e) Order that the property of the person in default be sequestered.

Orders

[28] Without 28 days of the date of this determination, Mr Corin is ordered to:

- (a) Comply with paragraphs [55]-[57] of the Authority's determination in *Eletr v Shorcom Ltd (in Liquidation) and Corin* dated 18 February 2026.
- (b) This compliance order requires Mr Corin, by 27 April 2026 to pay:
 - (i) Mr Eletr \$21,456.84; and
 - (ii) The Crown bank account \$500,00.
- (c) Pay Mr Eletr:
 - (i) \$83.20 interest for the period 19 February to 30 March 2026.
 - (ii) \$71.55 to reimburse his filing fee.
- (d) Pay interest, to be calculated using the Civil Debt Interest Calculator on the Ministry of Justice website, on any amount Mr Eletr has been awarded in this determination that remains outstanding from 31 March 2026 until he has been fully paid everything he is owed, including all interest and disbursements.