

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

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

[2026] NZERA 347  
3385183

BETWEEN

MICHAEL KISSIN  
Applicant

AND

WITRICITY NEW ZEALAND  
LIMITED  
Respondent

Member of Authority: Simon Greening

Representatives: Applicant in person  
Joe Benz for the Respondent

Investigation Meeting: On the papers

Submissions and other  
information received: 25 May 2026

Determination: 4 June 2026

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**DETERMINATION OF THE AUTHORITY**

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**Employment Relationship Problem**

[1] WiTricity Corporation (WC) is a wireless charging technology company based in the United States of America.

[2] WiTricity New Zealand Limited (WNZL) was incorporated on 6 April 2021. WNZL was established, supported, and funded, by WC.

[3] Mr Edward Benz is a director of WNZL.

[4] Michael Kissin was employed by WNZL as the director of engineering. He commenced employment on or about 1 May 2021.

[5] In early 2025, Mr Kissin became aware that there had been a decrease in funding provided by WC to WNZL.

[6] On 28 April 2025, access to WNZL's computer systems was disabled for all employees.

[7] On 3 May 2025, Mr Kissin spoke with Mr Benz by phone. Mr Benz explained to Mr Kissin that the computer system lockout was an error, and he was hopeful that WNZL would soon secure long-term funding.

[8] Mr Kissin resigned on 10 May 2025. Mr Kissin provided four weeks' written notice to WNZL.

[9] On 15 May 2025, Mr Benz asked Mr Kissin to organise a meeting for all employees. During the meeting, Mr Benz told the employees to put any useful assets into storage.

[10] At this meeting, it was clear to Mr Kissin that WNZL was being wound up.

[11] Although Mr Kissin had been locked out of WNZL's computer systems, during the notice period he assisted WNZL by putting useful assets into storage.

[12] Mr Kissin's final day of employment was 6 June 2025.

[13] Mr Kissin says that WNZL owes him wages, and outstanding holiday pay.

### **The Authority's investigation**

[14] Mr Benz attended the case management conference (CMC) on behalf of WNZL. At the CMC, the Authority granted leave to WNZL to lodge a statement in reply. WNZL was directed to provide the Authority with wages and time records, and holiday and leave records, for Mr Kissin.

[15] At the CMC the parties were directed to provide affidavits and any additional documents that might be relevant in assisting the Authority in determining Mr Kissin's claims.

[16] Mr Kissin provided the Authority with an affidavit. WNZL did not lodge a statement in reply. WNZL did not provide the Authority with an affidavit, wages and time records, or holiday and leave records.

[17] I am satisfied that WNZL has been given a fair opportunity to participate meaningfully in the Authority's investigation.

[18] As permitted by s 174E of the Employment Relations Act 2000 (the Act) this determination has stated findings of fact and law, expressed conclusions on issues necessary to dispose of the matter and specified orders made. It has not recorded all evidence and submissions received.

### **The issues**

[19] The issues requiring investigation and determination are:

- (a) Does WNZL owe Mr Kissin wage arrears?
- (b) Does WNZL owe Mr Kissin annual holiday pay?

### **Does WNZL owe Mr Kissin wage arrears?**

[20] Mr Kissin seeks the following amounts in wage arrears from WNZL:

- (a) The sum of \$4,442 (gross), which is the sum equivalent to 1 weeks' salary.
- (b) The sum of \$17,769 (gross), which is the sum equivalent to Mr Kissin's four week notice period.

[21] Mr Kissin provided the Authority with payslips and additional information in support of his wage arrears claim.

[22] I am satisfied that WNZL owes Mr Kissin wage arrears in the sum of \$22,211.

[23] Within 28 days of the date of this determination, I order WNZL to pay Mr Kissin the sum of \$22,211 (gross).<sup>1</sup>

### **Does WNZL owe Mr Kissin annual holiday pay?**

[24] WNZL owes Mr Kissin his entitlement to annual holidays.

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<sup>1</sup> Employment Relations Act 2000, s 131.

[25] I am satisfied that WNZL owes Mr Kissin annual holiday pay, in the sum of \$27,209 (gross), which was the balance outstanding at the conclusion of Mr Kissin's employment with WNZL.

[26] Within 28 days of the date of this determination, I order WNZL to pay Mr Kissin the sum of \$27,209 (gross).

### **Summary and orders**

[27] Within 28 days of the date of this determination, WNZL is ordered:

(a) to pay Mr Kissin the sum of \$22,211 (gross); and

(b) to pay Mr Kissin the sum of \$27,209 (gross).

### **Costs**

[28] Costs will lie where they fall.

Simon Greening  
Member of the Employment Relations Authority