

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

[2015] NZERA Christchurch 76
5550492

BETWEEN EVA BELLEY, LABOUR
INSPECTOR
Applicant

AND ASCOT TRAVEL LIMITED
Respondent

Member of Authority: Christine Hickey

Representatives: Greg La Hood, Counsel for the Applicant
Andrew Riches, Counsel for the Respondent

Determination: 8 June 2015

CONSENT DETERMINATION OF THE AUTHORITY

[1] In the course of negotiations the parties have reached agreement that the respondent will pay a penalty after the Labour Inspector's investigation found that the respondent did not keep wages and time or holiday and leave records.

[2] The parties have asked the Authority to record their settlement as a consent determination. Accordingly, this consent determination contains the orders of the Authority.

[3] The respondent has committed breaches of the following legislation in respect of two employees for the entire period of their employment:

- Section 130 of the Employment Relations Act 2000 and
- Section 81 of the Holidays Act 2003.

[4] Under s.75 of the Holidays Act 1993 every employer who fails to comply with the section is liable to a penalty imposed by the Employment Relations Authority. Such an action can only be brought by a Labour Inspector, under s.76 of the Holidays Act.

[5] Ascot Travel Limited is liable to pay a penalty of \$1,000 to the Authority for the Crown Bank Account for its breach of s.81 of the Holidays Act 2003. The penalty must be paid within 14 days of the date of this determination.

Christine Hickey
Member of the Employment Relations Authority