

[4] At approximately 10.45am Mr Pama telephoned the support officer and told her he thought the investigation meeting was scheduled to be held next week. I do not accept this is the case. The service agent has sworn an affidavit averring that on 13 May 2008 he served the statement of problem and notice of investigation meeting on Mr Pama at the registered offices of the respondent.

Non-compliance

[5] I am satisfied that Vitality Juice Bar Limited has not complied with the determination of 2 August 2008. I am satisfied that there is no satisfactory excuse or justification for Vitality Juice Bar Limited's continuing failure to comply.

[6] The Authority's orders may be the subject of further application by the Inspector for compliance in the Employment Court. The Court is empowered to impose penalties for continuing non-compliance which include imprisonment, a fine not exceeding \$40,000.00 or the sequestration of property.

Orders

[7] **Vitality Juice Bar Limited is ordered to comply with determination AA 231/07 of 2 August 2007 by 30 July 2008.**

[8] The Labour Inspectorate is entitled to be reimbursed the lodgement fee incurred for this application. **Vitality Juice Bar Limited is ordered to pay \$70.00 to the Labour Inspectorate.**

[9] The Labour Inspectorate is to serve a copy of this determination as soon as practicable on Vitality Juice Bar Limited by leaving a copy of the same at the registered office of Vitality Juice Bar Limited, that address being 3 Willcott Street, Mt Albert, Auckland,

Marija Urlich

Member of the Employment Relations Authority

