

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

[2013] NZERA Christchurch 256
5436466

BETWEEN TRISTRAM JAMES DICKIE
 Applicant

A N D MARK AND BRONWYN
 OLDS
 Respondents

Member of Authority: David Appleton

Representatives: Applicant in person
 Mr Mark Olds, for the Respondents

Investigation meeting: Decided on the papers

Submissions Received: 2 December 2013 by telephone

Date of Determination: 18 December 2013

DETERMINATION OF THE AUTHORITY

Employment relationship problem

[1] Mr Dickie claims that he worked for the respondents for a period of two weeks and has not received his pay for that period. He says that he is owed the sum of \$1,550.00 net.

[2] No statement in reply has been received from Mr and Mrs Olds although Mr Olds took part in a case management telephone conference on 2 December 2013. During this telephone conference Mr Olds did not dispute the amount claimed by Mr Dickie and advised that the respondents intended to pay Mr Dickie the sum owed on the next pay day, which was Wednesday 11 December 2013.

[3] The Authority confirmed this acknowledgement and promise to pay by way of its written notice of direction dated 2 December 2013 in which the Authority also

directed that Mr Dickie was to advise the Authority whether or not the payment was made and stated that, if necessary, the Authority would make a determination based on the information provided by the parties during the conference call.

[4] On Monday 16 December 2013 the Christchurch office of the Authority received a telephone call from Mr Dickie saying that he had not received his pay despite Mr Olds' promise to pay Mr Dickie on 11 December. Mr Dickie stated that he had provided his bank account number to Mr Olds to ensure that there would be no problems.

[5] In the light of the promise to pay Mr Dickie made by Mr Olds during the telephone conference on 2 December 2013 I am satisfied that Mr Dickie is owed the sum of \$1,550.00 net by Mr and Mrs Olds.

Order

[6] I order Mr and Mrs Olds, on a joint and several basis, to pay to Mr Dickie the net sum of \$1,550.00 in respect of arrears of wages owed to Mr Dickie.

[7] In addition, interest is to be paid by Mr and Mrs Olds on a joint and several basis on the sum of \$1,550 (or on any balance remaining after any part payment of such sum) calculated at 5% per annum from 11 December 2013 until the date of payment to Mr Dickie of the sum of \$1,550 net in full.

Costs

[8] I further order that Mr and Mrs Olds, on a joint and several basis, reimburse to Mr Dickie the sum of \$71.56 in relation to the Authority's lodgement fee that Mr Dickie has had to pay.

David Appleton
Member of the Employment Relations Authority