

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2014] NZERA Auckland 301
5460468

BETWEEN

CHRISTINE FLAVELL
Applicant

A N D

IPL LASER SOLUTIONS
LIMITED
Respondent

Member of Authority: G J Wood

Representatives: C Flavell on her own behalf
D Watkins for the Respondent

Investigation Meeting: 11 July 2014 at Tauranga

Submissions Received: 11 July 2014

Date of Determination: 14 July 2014

DETERMINATION OF THE AUTHORITY

[1] Ms Flavell worked for the respondent, IPL Laser Solutions Limited (IPL), for seven weeks providing beauty treatments. She left because she had not been paid for the last two weeks of her employment and only part paid for the two weeks before that.

[2] She claims \$3,290.50 gross for unpaid wages, including travelling time, together with 8% holiday pay of \$453.20 gross. She also seeks interest on those sums, together with \$71.56 for the filing fee with the Authority.

[3] IPL's owner, Ms Donna Watkins, accepted at the investigation meeting that the sums claimed are owing. IPL's reason for not paying is that it is in a parlous financial situation. While it has substantial debts, this situation may be remedied should it be successful in persuading its insurance company that it is entitled to relief under IPL's policies with it.

[4] Accordingly, the monies remain owing and there is no reason why liability should not be confirmed. Issues of compliance may follow, however, as the parties have been informed.

Determination

[5] I therefore order the respondent, IPL Laser Solutions Limited, to pay to the applicant, Ms Christine Flavell, the following sums:

- \$3,290.50 gross in unpaid wages;
- \$453.20 gross in holiday pay;
- \$31.20 without deduction in interest; and
- \$71.56 reimbursement of the filing fee.

G J Wood
Member of the Employment Relations Authority