



New Zealand Employment Relations Authority Decisions

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Hampton v McCormick (Christchurch) [2018] NZERA 1121; [2018] NZERA Christchurch 121 (27 August 2018)

Last Updated: 14 September 2018

IN THE EMPLOYMENT RELATIONS AUTHORITY CHRISTCHURCH

[2018] NZERA Christchurch 121
3030949

BETWEEN NADINE LOUISE HAMPTON Applicant

A N D LAUREN McCORMICK Respondent

Member of Authority: Helen Doyle

Representatives: Applicant self-represented

Respondent self-represented

Investigation Meeting: On the papers and a telephone conference on 8 August 2018

Date of Determination: 27 August 2018

DETERMINATION OF THE EMPLOYMENT RELATIONS AUTHORITY

A Lauren McCormick is to pay to Nadine Louise Hampton the sum of \$4595.73 being unpaid wages within 14 days from the date of this determination.

B Lauren McCormick is to pay to Nadine Louise Hampton the sum of \$71.56 being reimbursement of the filing fee.

Employment Relationship Problem

[1]

Nadine Hampton was employed by Lauren McCormick as a Nanny on a fulltime basis from 2 May 2016. The employment relationship ended on 15 December 2016 and Ms Hampton says that she is still owed \$4,595.73 in unpaid wages.

[2]

Ms Hampton seeks recovery of unpaid wages in the sum of \$4,595.73 in her statement of problem dated 6 June 2018.

Telephone conference with the Authority

[3]

The Authority did not receive a statement in reply from Ms McCormick but she did participate in a telephone conference with the Authority and Ms Hampton on

8 August 2018.

[4]

Ms McCormick does not dispute that the sum of \$4,595.73 is owing to

Ms Hampton. She said that the failure to make payment was because she had not received confirmation of Ms Hampton's bank account details. Ms Hampton did not accept that those details had not been provided earlier however provided the Authority with details of her bank account. These were attached to the notice of direction that

was prepared after the telephone conference and provided to Ms McCormick.

[5]

The Authority set out in its notice of direction Ms McCormick's advice that

she would make an urgent appointment with WINZ in order to be able to access entitlements which would enable her to make payment to Ms Hampton.

[6]

The notice of direction set out the payment is to be made no later than

22 August 2018 and that if payment had not been made by then a determination would be issued ordering payment which would be enforceable.

No payment received

[7]

Ms Hampton advised the Authority that no payment has been received by

22 August. Ms McCormick does not disagree that there has been no payment but says she has had difficulty obtaining an appointment with WINZ.

[8]

Ms Hampton has been asking for payment for a very long time for money that

is not disputed. I find it is appropriate to make an order for payment of unpaid wages and reimbursement of the filing fee of \$71.56.

Orders

[9]

I order Lauren McCormick to pay to Nadine Louise Hampton the sum of

\$4,595.73 being reimbursement of unpaid wages within 14 days from the date of this determination.

[10]

I order Lauren McCormick to pay to Nadine Louise Hampton the sum of

\$71.56 being reimbursement of the filing fee within 14 days from the date of this determination.

Helen Doyle

Member of the Employment Relations Authority

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