

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2017] NZERA Auckland 84
3000053

BETWEEN

CHRIS HASKELL
Applicant

A N D

BISHOP INDUSTRIES
(AUCKLAND) LIMITED
Respondent

Member of Authority: T G Tetitaha

Representatives: Applicant in person
No appearance by the Respondent

Investigation Meeting: 16 March 2017 by telephone

Submissions Received: 16 March 2017 from Applicant only

Date of Oral Determination: 16 March 2017

Date of Written Determination: 24 March 2017

DETERMINATION OF THE AUTHORITY

Employment relationship problem

[1] Chris Haskell was employed as a project manager by Bishop Industries (Auckland) Limited. He resigned on or about 9 December 2016. He has provided sworn evidence today showing that he is owed wage arrears. He also seeks payment of his KiwiSaver contribution to his nominated KiwiSaver provider. I am satisfied on the evidence before me that Mr Haskell is owed wages.

Non appearance of respondent

[2] I have the power to proceed in the absence of any party if no good cause has been shown for their failure to attend a hearing. No good cause has been shown for failure by Bishop Industries to attend today's hearing by telephone. Mr Haskell's

statement of problem was served upon the respondent on 22 November 2016. It failed to file any statement in reply.

[3] I issued a Minute on 23 February 2017 noting that I intended to determine this matter today by way of telephone conference given no statement in reply had been filed. The respondent was advised it needed to file information explaining why it had taken no steps to defend this matter. If nothing was filed the matter would be determined today without any further reference to it. A copy of my Minute was served upon the parties on or about 7 March 2017. No further information has been received from the respondent.

[4] The Authority officer this morning has attempted to contact the respondent by telephone for today's conference but has been unsuccessful.

[5] Given the above efforts to contact the respondent I am satisfied I may continue to hear and determine this matter today.

Orders

[6] Accordingly the following orders are now made:

- (a) Bishop Industries (Auckland) Limited is ordered to pay Chris Haskell wage arrears of nett salary owed of \$4,523.07 pursuant to s.131 of the Employment Relations Act 2000.
- (b) Bishop Industries (Auckland) Limited is also ordered to pay to Mr Haskell's nominated KiwiSaver provider the sum of \$223.68 being the employee's KiwiSaver contribution and \$149.87 being the employer's contribution.
- (c) I also order that Bishop Industries (Auckland) Limited pay \$71.56 to Chris Haskell as a contribution to his costs.

T G Tetitaha
Member of the Employment Relations Authority