

[3] I am satisfied after consideration of the file that the respondent company has been served with the statement of problem, received written advice of the time and date for a telephone conference and has been served with notice of the investigation meeting.

[4] There was a telephone call from an Authority support officer to a director of the respondent company on or about 20 March 2007. The director, Ms Prendergast, advised that a statement in reply would be lodged within a few days. No statement in reply was lodged and there was no further response from the company in any form and no further contact by the respondent with the Authority.

[5] There was no attendance on behalf of the respondent at the investigation meeting and in the circumstances as described above I proceeded to hear from Mr Henning.

Determination

[6] If there is no objection to the demand notice, it is prima facie evidence before the Authority that the respondent company owes Paul Fairweather the sum of \$2,089.87 gross and \$136 net being wages and holiday pay under the Minimum Wage Act 1983 and the Holidays Act 2003.

[7] Mr Henning confirmed to me that the amounts set out in the demand notice have not been paid and remain outstanding.

[8] It is appropriate to make an order that More Cows Canterbury Limited comply with the demand notice.

[9] I order More Cows Canterbury Limited to either pay to the Department of Labour for credit of Paul Fairweather the sums of \$2,089.87 gross and \$136 net being wages and holiday pay under the Minimum Wage Act 1983 and the Holidays Act 2003 or to pay to Paul Fairweather the amounts as set out above less tax at the appropriate rate for Mr Fairweather.

[10] The payments are to be made in full by Wednesday, 4 July 2007.

[11] I also order More Cows Canterbury Limited to pay to the Department of Labour the sum of \$70 being reimbursement of the filing fee.

