

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

AA 110/08
5106544

BETWEEN	MICHAEL KEMPTHORNE First Applicant
AND	JOSH LOOMANS Second Applicant
AND	SEVENSEAS MARINE LIMITED Respondent

Member of Authority: Vicki Campbell

Representatives: Michael Kempthorne for Applicant
Paul Vickers for Respondent

Investigation Meeting On consideration of the papers received on 13 and 25
March 2008

Determination: 27 March 2008

DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

[1] Mr Kempthorne and Mr Loomans both claim arrears of wages amounting to four weeks pay.

[2] In its statement in reply the Respondent acknowledges that neither man was paid the last four weeks of their employment. The Authority is advised that the company has stopped trading. I have today checked the Companies Office register and not that the company continues to be registered and has not been put into liquidation or receivership.

[3] From the documentation presented to the Authority I have concluded that both men worked on average 92 hours per fortnight and were paid at the rate of \$19.00 per hour.

[4] The total wages due to each applicant is \$3,496 gross.

Sevenseas Marine Limited is ordered to pay Mr Kempthorne and Mr Loomans each the sum of \$3,496 gross unpaid wages.

Costs

[5] Although neither applicant was legally represented the applicants are entitled to recover the cost of filing their application with the Authority.

Sevenseas Marine Limited is ordered to pay the applicants the sum of \$70 being the reimbursement of their filing fee.

Vicki Campbell
Member of Employment Relations Authority