

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

[2014] NZERA Auckland 176  
5410668

BETWEEN

HADI REZWAN  
First Applicant

RAGHAVENDRA POOJARY  
Second Applicant

NITHYANANDA POOJRAY  
Third Applicant

A N D

SPS RESTAURANTS LIMITED  
Respondent

Member of Authority: James Crichton

Representatives: Applicants in person  
Umesh Patel, for Respondent

Investigation Meeting: 8 May 2014 at Auckland

Date of Determination: 8 May 2014

---

**DETERMINATION OF THE AUTHORITY**

---

**Employment relationship problem**

[1] The applicants allege that they are owed unpaid wages by the respondent (SPS). SPS acknowledge wages are owed but there is dispute about the amount owed.

[2] At the commencement of the investigation meeting, SPS indicated their willingness to pay to the applicants the sum of \$9,675 in full and final settlement of their obligation in respect to the applicants' wage claims.

[3] In return for making that payment, SPS sought an indemnity from the applicants but acknowledged that the applicants could proceed against other parties who the applicants say were their employer as well.

[4] I gave the applicants the opportunity of reflecting on SPS's proposal and in the result that proposal was accepted. Given that that proposal deals completely with the applicants' claim against SPS, the agreement reached by the parties at the investigation meeting becomes the decision of the Authority.

**Determination**

[5] I now direct that SPS is to pay to the applicants the sum of \$9,675 jointly and severally and that such payment is to be made in full by 31 July 2014 or sooner if that should prove possible.

[6] In particular, SPS, if funds allow, may make three more or less equal payments in the period from the date of this determination to 31 July 2014.

[7] Once the payment referred to has been satisfied in full, the applicants acknowledge that their claim against SPS is at an end although they reserve their position in respect to other employer parties.

[8] There is no issue of costs in this proceeding.

**James Crichton**  
**Member of the Employment Relations Authority**