

[4] Mr Wilson provided the Authority with an email address for service and sought an extension for lodging a statement in reply, however Mr Wilson has not lodged a statement in reply. I am satisfied that service has been affected in accordance with the regulations.¹

[5] On 15 December 2025 the Authority sent an email to the parties advising the extension request in respect of filing the statement in reply had been granted, and noting the employment relationship problem would be determined on the papers. I am satisfied that Mr Wilson has been given a full and fair opportunity to participate in the Authority's investigative process.

Issues

[6] The issues for investigation and determination are whether:

- (a) a compliance order should be made against Mr Wilson to comply with paragraph [36] of the determination issued on 2 September 2025;
- (b) an order for interest should be made on any sum for which compliance is ordered; and
- (c) is any party entitled to an award of costs.

Compliance order

[7] On 2 September 2025, the Authority issued a substantive determination in favour of Mr Rimson. The Authority ordered Mr Wilson to pay Mr Rimson:²

- (a) arrears of wages in the sum of \$370.40 (gross);
- (b) the sum of \$2,000 pursuant to s 123(1)(c)(i) of the Employment Relations Act 2000 (the Act); and
- (c) reimbursement of the filing fee of \$71.55.

[8] I accept Mr Rimson's unchallenged evidence that Mr Wilson has not complied with the orders set out in the determination of the Authority issued on 2 September 2025.

¹ Employment Relations Authority Regulations 2000, reg 16.

² *Fevin Rimson v Kiran Wilson* [2025] NZERA 545.

[9] For the purpose of preventing further non-compliance with the Authority's determination it is appropriate to exercise my discretion pursuant to s 137(2) of the Act and order compliance with the Authority's determination issued on 2 September 2025.

[10] Within 28 days of the date of this determination Mr Wilson is ordered to comply with the determination issued on 2 September 2025 and pay Mr Rimson the following sums:

- (a) arrears of wages in the sum of \$370.40 (gross);
- (b) the sum of \$2,000 pursuant to s 123(1)(c)(i) of the Employment Relations Act 2000; and
- (c) reimbursement of the filing fee of \$71.55.

Interest

[11] Where a person has been deprived the use of money it is appropriate to award interest. Mr Wilson is ordered to pay interest on the sums referred to in paragraphs [10](a) and [10](c) of this determination.

[12] Interest is to be calculated from the date of this determination until the sums ordered are paid in full. Interest is payable in accordance with Schedule 2 of the Interest on Money Claims Act 2016. A calculator to assist in the calculation of interest is available on the Ministry of Justice website.

Summary of orders

[13] The Authority orders:

- (a) Within 21 days of the date of this determination Mr Wilson is ordered to comply with the Authority determination *Fevin Rimson v Kiran Wilson* [2025] NZERA 545 and pay Mr Rimson the following sums:
 - i. arrears of wages in the sum of \$370.40 (gross);
 - ii. the sum of \$2,000 pursuant to s 123(1)(c)(i) of the Employment Relations Act 2000;
 - iii. reimbursement of the filing fee of \$71.55;
 - iv. reimbursement of the filing fee of \$71.55 for this application; and
 - v. interest on all of the sums referred to in paragraph [13](i), [13](iii) and [13](iv) from 20 January 2026 until paid in full.

Costs

[14] No orders are made in respect of costs for this application.

Simon Greening
Member of the Employment Relations Authority