

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

[2011] NZERA Christchurch 65
5272789

BETWEEN DELMA ISOBELLA SANDS
Applicant

A N D WAVERLY SERVICES LTD
T/A CHALLENGE
GLENGARRY
Respondent

Member of Authority: Helen Doyle

Representatives: Miriam Sinclair, Counsel for applicant
Stephen Thomas, Advocate for Respondent

Telephone conference: 4 May 2011

Date of Determination: 17 May 2011

**DETERMINATION OF THE AUTHORITY ON QUANTUM OF LOST
WAGES**

[1] Member Paul Montgomery issued his substantive determination in this matter on 8 April 2010 CA 85/10. The applicant was successful and awards were made to her in the determination for lost wages, compensation and costs.

[2] The matter has now come back to the Authority because applicant wishes to be provided with a certificate of determination. This will require the lost wages in para. 25 of the substantive determination to be quantified.

[2] Paragraph 25 of the determination provides as follows:

As I have found the employment relationship was highly unlikely to continue for more than a month following the expiry of the notice period, the Authority is restricted to awarding her four weeks' wages net of taxation. The respondent is to pay this sum to the applicant under s 123 (1) (b) of the Employment Relations Act 2000.

[3] The Authority held a telephone conference to ascertain if the parties could agree as to the net weekly wage. There appeared to be some difference between them as to the amount however after a number of emails following the telephone conference both parties now accept that the net weekly wage paid to the applicant was \$448.04.

[4] The quantum of the award in para.25 of determination CA 85/10 for lost wages under s. 123 (1) (b) of the Employment Relations Act 2000 is \$1792.16 net.

Helen Doyle
Member of the Employment Relations Authority