

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2014] NZERA Auckland 206
5449131

BETWEEN VICHITTER SINGH
 Applicant

A N D KIWI VOIP LIMITED
 Respondent

Member of Authority: T G Tetitaha

Representatives: Applicant in person
 N Lawson, Director of Respondent

Investigation meeting: 26 May 2014 by telephone

Date of Determination: 26 May 2014

ORAL DETERMINATION OF THE AUTHORITY

- A. An order that Kiwi VoIP Limited pay wage arrears totalling \$4,077.05 to Vichitter Singh by way of instalments of \$100 per week starting 23 June 2014.**

Employment relationship problem

[1] Vichitter Singh seeks payment from Kiwi VoIP Limited of unpaid wages comprising \$2,186.25 wage arrears and holiday pay of \$1,890.80. The total wage arrears are \$4,077.05.

[2] The Authority issued a Minute¹ directing the respondent to file copies of the wage and holiday records by 21 May 2014 at 3pm and setting down today's teleconference. A copy of the Minute was couriered to both parties.

[3] At the teleconference today, Nick Lawson, a director of the respondent informed me the business was no longer trading, was trying to sell its assets to pay

¹ Minute of the Authority dated 7 May 2014

debt and had lost the wage and time records for Mr Singh. The respondent accepted Mr Singh was owed wages, the Authority's calculations of the wages arrears set out in the Minute and undertook to pay as soon as the assets had been sold. In the circumstances, the respondent was willing to consent to the making of an order for payment of Mr Singh's wage arrears.

[4] Mr Singh told me he had tried to speak to the respondent previously about payment but was happy to have the wage arrears order of \$4,077.05 made today. After further discussion, the parties agreed the debt could be paid at the rate of \$100 per week after the 20th of next month.

[5] Accordingly, by consent there is an order that Kiwi VoIP Limited pay wage arrears totalling \$4,077.05 to Vichitter Singh by way of instalments of \$100 per week starting 23 June 2014.

[6] Given both parties were self-represented there is no order as to costs. The file shall be closed.

T G Tetitaha
Member of the Employment Relations Authority