

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI  
ŌTAUTAHI ROHE**

[2023] NZERA 170  
3208879

BETWEEN ISAAC ALLEN WILKINSON  
Applicant

A N D THE BEEKEEPERS HONEY  
LIMITED  
Respondent

Member of Authority: Philip Cheyne  
Representatives: Applicant in person  
No appearance for the Respondent  
Investigation Meeting: 11 April 2023  
Date of Determination: 11 April 2023

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**ORAL DETERMINATION OF THE AUTHORITY**

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**Employment Relationship Problem**

[1] Isaac Wilkinson was employed by The Beekeepers Honey Limited from 5 September 2022. The employment ended on Wednesday 2 November 2022.

[2] By his statement of problem, Mr Wilkinson says that he is owed arrears of wages of \$1,538.00 (net).

[3] The Beekeepers Honey Limited did not lodge a statement in reply.

**The Authority's Investigation**

[4] I am satisfied from the file that the statement of problem, directions of the Authority and notice of investigation meeting were properly served on The Beekeepers Honey Limited (the company).

[5] The company did not participate in the Authority's investigation.

[6] I did not direct mediation. The company had not engaged with Mr Wilkinson's request for mediation, before he lodged this application. That and the company's lack of response to the Authority, caused me to form the view that mediation would not contribute constructively to resolving the matter.

[7] Mr Wilkinson attended, gave evidence and answered my questions.

### **Arrears of wages**

[8] The company was required by the employment agreement to pay Mr Wilkinson weekly into his nominated bank account. The pay period ended on a Sunday.

[9] Mr Wilkinson produced the pay advice slips he received from the company during his employment.

[10] I accept Mr Wilkinson's evidence that he had not been paid the amounts shown in the pay advice slips for the weeks ending 30 October 2022 and 6 November 2022.

[11] His evidence is supported by a report of the company's payments into his bank account. Those payments became irregular but can be reconciled with the weekly pay advice slips, except for 30 October 2022 and 6 November 2022. Those payments were not made.

[12] Mr Wilkinson attempted to get his wages through contact with the company, without success.

[13] The arrears total \$1,538.00 (net).

[14] The pay advice slips also show PAYE and Kiwisaver deductions. The company must remit those deductions to IRD, but there is no evidence to establish whether that has happened.

[15] I will order the company to pay the gross amount (\$1,980.97), but that can be satisfied by paying Mr Wilkinson \$1,538.00 (net), and remitting the PAYE and KiwiSaver deductions directly to IRD.

[16] Mr Wilkinson is entitled to costs to cover his lodgement fee.

[17] Mr Wilkinson is claiming a further \$50.00 to cover the cost of petrol he says he used in trying to contact the manager. However, the Authority's power to award costs does not cover such personal expenditure.

[18] I am able to order the company to pay interest of the arrears. All wages should have been paid by Wednesday 9 November 2022. Mr Wilkinson is entitled to interest from then until the date for payment set below. The civil debt interest calculator available at [www.justice.govt.nz](http://www.justice.govt.nz) generates interest of \$37.46. The company must pay that amount to Mr Wilkinson at the same time as the arrears.

[19] The problem is resolved by the following orders:

- A The Beekeepers Honey Limited is to pay Isaac Allen Wilkinson arrears of wages of \$1,980.97 (gross), no later than Tuesday 9 May 2023.**
- B The Beekeepers Honey Limited is to pay Isaac Allen Wilkinson interest of \$37.46, no later than Tuesday 9 May 2023.**
- C The Beekeepers Honey Limited is to pay Isaac Allen Wilkinson costs of \$71.55, no later than Tuesday 9 May 2023.**

Philip Cheyne  
Member of the Employment Relations Authority