

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI  
TĀMAKI MAKAURAU ROHE**

[2020] NZERA 520  
3113473

BETWEEN CHIZUKO YOSHIDA  
Applicant

AND INTERNATIONAL  
CERTIFICATIONS LIMITED  
Respondent

Member of Authority: Robin Arthur

Representatives: Applicant in person  
Oliver Evans, director of Respondent

Investigation: On the papers

Determination: 17 December 2020

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**DETERMINATION OF THE AUTHORITY**

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- A. Within 28 days of the date of this determination International Certifications Limited (ICL) must pay Chizuko Yoshida the following sums:**
- (i) \$4,081.40 as wage arrears along with interest on that amount calculated from 18 July 2020 to the date of payment; and**
  - (ii) \$4,420.42 as wage arrears along with interest on that amount calculated from 19 August 2020 until the date of payment; and**
  - (iii) \$71.56 in reimbursement of the fee paid to lodge her application to the Authority.**
- B. The amounts due as interest must be calculated using the Civil Debt Interest Calculator.**

## **Employment Relationship Problem**

[1] Chizuko Yoshida sought orders for the payment of wages and holiday pay due but not paid to her when her employment as an accounts administrator with International Certifications Limited (ICL) ended by resignation on 3 August 2020.

[2] ICL was served with Ms Yoshida's statement of problem. ICL director Oliver Evans contacted the Authority by telephone on 26 August 2020 and told an Authority Officer ICL would lodge a statement in reply that week. ICL did not lodge a reply.

[3] In October the Authority sought further information from Ms Yoshida about the amount claimed for salary payments and holiday pay. Ms Yoshida provided this information on 26 October 2020. By Minute issued on 27 October the Authority offered ICL the opportunity to comment on the information Ms Yoshida provided. Authority records show the Minute was served by courier to ICL's registered office address and by email to the email address that Mr Evans had used in communication with Employment Mediation Services in July 2020.

[4] The 27 October Minute explained the Authority could proceed to issue enforceable orders after giving ICL the opportunity to comment on the information provided.<sup>1</sup> ICL has not responded to that opportunity or otherwise communicated with the Authority about Ms Yoshida's claim.

[5] On Ms Yoshida's unchallenged evidence the orders sought are granted. By order made under s 131 and s 161(1)(g) of the Employment Relations Act 2000 ICL must pay Ms Yoshida the amounts set out in paragraph A of this determination by no later than 28 days from the date of this determination. The interest due must be calculated using the Civil Debt Interest Calculator publicly available through the Ministry of Justice website.<sup>2</sup>

Robin Arthur  
Member of the Employment Relations Authority

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<sup>1</sup> Employment Relations Act 2000, s 173(2) and (3) and Schedule 2 clause 12.

<sup>2</sup> [www.justice.govt.nz/fines/civil-debt-interest-calculator](http://www.justice.govt.nz/fines/civil-debt-interest-calculator).