

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2014] NZERA Auckland 484
5526566

BETWEEN

ANDREA LOUISE
ANDERSON
Applicant

A N D

AMPHIBIANS SWIMMING
ACADEMY LIMITED
Respondent

Member of Authority: Rachel Larmer
Representatives: Applicant in person
No appearance for Respondent
Investigation Meeting: 26 November 2014 at Auckland
Date of Determination: 26 November 2014

DETERMINATION OF THE AUTHORITY

- A. Within 28 days of the date of this determination Amphibians Swimming Academy Limited (Amphibians) is ordered to pay Ms Anderson \$3,752.35 plus \$71.56 to reimburse her filing fee.**

No Statement in Reply

[1] Amphibians was served at its registered address for service with Ms Anderson's Statement of Problem on 03 November 2014. It has not filed a Statement of Reply nor sought leave to file a Statement in Reply out of time.

No appearance

[2] Amphibians was served at its registered address for service with the Authority's Notice of Hearing but it did not appear at the investigation meeting today. It has not had any communication with the Authority.

Employment relationship problem

[3] Ms Anderson worked as a part time Administrator at Amphibians from 22 May 2013 to 14 May 2014.

[4] Ms Anderson was to be paid weekly by direct deposit into her bank account. She was paid \$19 per hour. Ms Anderson told the Authority that throughout her employment her wages were frequently paid late, short paid or not paid at all.

[5] Ms Anderson claims wage arrears of \$3,752.35. She has been asking Debi Terry who is the Director of Amphibians since earlier this year to give Ms Anderson details of what PAYE and KiwiSaver deductions have been made on her behalf but no response has been received. Ms Anderson's requests to Ms Terry for her wage and time records have also not been complied with.

[6] Ms Anderson provided the Authority with numerous emails between her and Ms Terry which established that Ms Anderson had been raising her concerns about wage arrears for many months.

[7] I accept Ms Anderson's uncontested evidence about the amount she is owed accordingly Amphibians is ordered within 28 days of the date of this determination to pay Ms Anderson wage arrears of \$3,752.35.

Costs

[8] Ms Anderson was not legally represented so there is no issue as to costs. Amphibians is ordered to pay Ms Anderson \$71.56 to reimburse her filing fee.

Rachel Larmer
Member of the Employment Relations Authority