

BETWEEN

SEAN BAINBRIDGE  
Applicant

A N D

NEW ZEALAND TACTICAL  
SECURITY LIMITED  
Respondent

Member of Authority: Nicola Craig

Representatives: The Applicant in person  
No appearance for the Respondent

Investigation Meeting: 10 November 2015 at Auckland

Date of Determination: 10 November 2015

Written Record Issued: 16 November 2015

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**ORAL DETERMINATION OF THE  
EMPLOYMENT RELATIONS AUTHORITY**

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**Non-appearance by the respondent**

[1] The respondent, New Zealand Tactical Security Limited failed to file a statement in reply and failed to attend the investigation meeting. I am satisfied that New Zealand Tactical Security Limited was properly served with the statement of problem and notice of the investigation meeting.

[2] In those circumstances I proceeded to investigate the matter in the absence of New Zealand Tactical Security Limited.

**Employment Relationship Problem**

[3] Mr Bainbridge claims that he is owed wages and holiday pay for time when he worked for the respondent as a security guard/supervisor.

## **Investigation Meeting**

[4] At the investigation meeting I heard evidence from Mr Bainbridge and he also produced a number of documents to me. Under s.174E of the Employment Relations Act 2000 (the Act) I will not be referring to all the evidence which I heard. I will be making findings in order to dispose of this matter as efficiently as possible.

## **Wage Arrears and Holiday Pay**

[5] Mr Bainbridge commenced employment with New Zealand Tactical Security Limited in January 2015 and started working (after training) in late January. He worked as a security guard at various sites, including Eden Park and Ports of Auckland. Mr Bainbridge produced a payslip from New Zealand Tactical Security Limited for the period ending 22 March 2015, which was noted to include 12.5 hours work from 31 January 2015.

[6] Under that payslip Mr Bainbridge was owed \$2,615 gross in wages. Mr Bainbridge gave evidence that he was not paid for those wages at the time, but that after he visited the respondent's premises in Kumeu in late April 2015 he was paid \$360.00 towards that amount.

[7] I find that Mr Bainbridge is owed the sum of \$2,255 gross as arrears of wages from the 22 March 2015 payslip.

[8] Mr Bainbridge also claims wages for 13 hours of work on 24 March 2015 which he performed at Eden Park. He produced a timesheet showing the record of that work, which he sent to the respondent, but has not been paid for. I find that Mr Bainbridge is owed \$260 gross for that work.

[9] Mr Bainbridge also has holiday pay outstanding. His payslip of 22 March 2015 shows that he was owed 15.17 hours holiday pay, which at \$20 per hour is \$303.40 gross.

[10] Mr Bainbridge is also entitled to holiday pay on the \$260 gross payment for his work on 24 March 2015 which amounts to \$20.80.

## **Orders**

[11] Within 14 days of the date of this determination New Zealand Tactical Security Limited is ordered to pay to Mr Bainbridge:

- (a) \$2,515.00 gross wage arrears;
- (b) \$324.20 unpaid holiday pay; and
- (c) \$71.56 to reimburse Mr Bainbridge's filing fee.

Nicola Craig  
Member of the Employment Relations Authority