[2012] NZERA Auckland 180
5373365

BETWEEN	STEPHEN BOSTIN Applicant
AND	MARK POTTER First Respondent
AND	GOLDFIELDS PRINT LIMITED (IN RECEIVERSHIP)

Member of Authority:	Dzintra King
Representatives:	Applicant In Person No appearance for Respondent
Investigation Meeting:	8 May 2012
Determination:	31 May 2012

DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

[1]   Mr Bostin seeks payment of wages. After his resignation on 22 February 2012 Mr Bostin said his employer, Goldfields Print Limited (now in receivership) agreed to pay the arrears owing, but would do so on a time payment basis. The details of the time payment schedule were not specified. On 6 March 2012 the company was put into receivership and has now ceased trading.

[2]   Goldfields agreed to reimburse Mr Bostin for purchases he had made and to pay commissions and holiday pay.

[3]   During the probationary period a salary of $45,000 was to be paid. This was to increase to $50,000 after that period ended. Mr Bostin said Mr Potter agreed to pay

the additional $5,000. This amount is owed for the period from October 2010 to February 2012.

[4]   Mr Bostin says he is owed:

- $247.57for stationery purchases;
- $759.50 for travel claims;
- Unpaid wages from October 2010 to February 2012 being 16 months' wages at $5,000 per annum totalling $6,666.00;
- $1,765.54 in commission payments;
- $3,461.00 being payment of the balance of his notice period;
- Holiday pay of $5,100.

[5]   Mr Bostin also raised the issue of non provision of a motor vehicle and payment for that. I do not have adequate information on which to make an assessment of the potential value of the vehicle and therefore decline to make an assessment.

[6]   Mr Bostin is owed the sum of $17,999.61.

[7]   This sum is to be paid to Mr Bostin by Goldfields Print Limited (in receivership).

[8]   Mr Bostin is also to be paid the filing fee of $71.56.

Dzintra King
Member of the Employment Relations Authority