

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2012] NZERA Auckland 383
5390039

BETWEEN	LAURA JANE GRIFFIN First Applicant
AND	TARA HAMPSON Second Applicant
A N D	RAZOR'S EDGE LIMITED Respondent

Member of Authority: K J Anderson

Representatives: Laura Griffin and Tara Hampson, In Person
No appearance for the Respondent

Investigation: On consideration of the papers

Date of Determination: 26 October 2012

DETERMINATION OF THE AUTHORITY

The absence of the respondent

[1] A *Statement of Problem* for the applicants was received by the Authority on 26 July 2012. It was subsequently delivered by courier to the address of the registered office of the respondent company¹ on 27 July 2012 and there is a signature for receipt of the relevant papers; *G Martin*. The respondent, Razor's Edge Limited (REL), did not file a statement in reply. The Support Officer wrote to Mr Martin on 13 August 2012 reminding him of the obligation under the Employment Relations Act Regulations 2000 to file a statement in reply. This communication also failed to obtain a response from the respondent. A conference call was convened with the applicants on 19 October 2012 but the Authority was unable to locate Mr Martin to request his participation.

¹ According to the Companies Office register, the address is also that of the sole director of Razor's Edge Limited, Mr Gregory Robert Martin.

I am satisfied that all reasonable attempts have been made to ensure that REL is aware of the claims of the applicants and that Mr Gregory Martin, as the sole director of the company, has apparently, chosen not to be involved with the due processes of the Authority during its investigation of the merits of the applicant's claims; hence I proceed to determine this matter pursuant to clause 12 of Schedule 2 of the Employment Relations Act 2000.

The claims of the applicants

[2] The applicants applied for a job with REL via Student Job Search involving "... temporary work in the Liquor Industry." The applicants were employed by Mr Martin and the role was to liaise with sales representative in the liquor industry in regard to promotional work. The agreed rate of pay was \$16 per hour plus reimbursement of parking, petrol and mileage. The employment commenced on 17 April 2012 and was terminated on 22 May 2012.

[4] At the date of the termination of her employment, Ms Griffin was owed the net sum of \$782.24 for unpaid wages, parking reimbursement and for mileage, but she has received partial payment and is now owed \$390.40.

[5] At the date of the termination of her employment, Ms Hampson was owed and is still owed, the net sum of \$815.35

Determination

[6] On the evidence available and uncontested by REL, I find that Ms Griffin is entitled to be paid the net sum of \$390.40 and that Ms Hampson is entitled to be paid the net sum of \$815.35. Razor's Edge Limited is ordered to pay these respective sums to the applicants by not later than 28 days from the date of this determination. I also direct that pursuant to Reg 26 of the Employment Relations Authority Regulations 2000, Ms Griffin and Ms Hampson be provided with a certificate of determination, sealed with the seal of the Authority, recording that Razor's Edge Limited is ordered to pay to Ms Griffin the net sum of \$390.40, plus costs of \$71.56 and that Razor's Edge Limited is ordered to pay to Ms Hampson the net sum of \$815.35.

K J Anderson
Member of the Employment Relations Authority