

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
CHRISTCHURCH**

[2013] NZERA Christchurch 209  
5426883

BETWEEN                      BRENT HUTSON  
   Applicant  
  
A N D                              DEBBIE ALLAN  
   Respondent

Member of Authority:      David Appleton  
  
Representatives:              Applicant and respondent in person  
  
Investigation meeting:      8 October 2013 at Christchurch  
  
Date of Determination:      8 October 2013

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**DETERMINATION OF THE AUTHORITY**

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**Employment relationship problem**

[1]      Mr Hutson, a painter and decorator, originally claimed arrears of wages from Mr Shaun Fox, who did not lodge a statement in reply, nor take part in the telephone case management conference. However, at the investigation meeting Mr Fox appeared with his partner, Ms Debbie Allan, who stated that she had been Mr Hutson's employer prior to him resigning. Mr Hutson did not disagree with this, and Ms Allan is therefore substituted as the respondent by consent.

[2]      After discussions during the investigation meeting, a compromise was agreed between the parties in accordance with which Ms Allan agreed to pay to Mr Hutson the gross (pre-tax) sum of \$1,364 in instalments of \$75 per calendar month in full and final settlement of Mr Hutson's arrears of wages claim. The first payment of \$75 is to be made by Ms Allan to Mr Hutson by no later than Friday 18 October 2013, and is to be followed by 16 further payments of \$75 per month, each of which is to be made by

no later than the third Friday of each month. The 18<sup>th</sup> payment is to be in the sum of \$89, which will bring the total sum paid to Mr Hutson to \$1,364.

[3] Mr Hutson is entitled to be reimbursed the Authority's filing fee of \$71.56, and I order that Ms Allan pay this sum to Mr Hutson as a 19<sup>th</sup> payment by no later than the third Friday in the month immediately following payment of the monthly payment of \$89 referred to above.

[4] There shall be no further order as to costs.

David Appleton  
Member of the Employment Relations Authority