

[3] On 3 July 2013, the Labour Inspector applied to the Authority for a compliance order, claiming that Chargrill Burgers had not provided the above information. No statement in reply was filed by Chargrill Burgers.

[4] Mr Ryan, Counsel for Chargrill Burgers submitted that Chargrill Burgers had not complied with the Authority's determination but would be working with the Labour Inspector and did not oppose the application for compliance order.

[5] I am satisfied that Chargrill Burgers has not complied with the terms of the Authority's determination of 30 April. I therefore make an order that Chargrill Burgers comply with the Authority's determination of 30 April and provide the information set out in paragraph [2] to the Labour Inspector within 30 days of the date of this determination.

[6] For the information of Chargrill Burgers, failure to comply with an order such as this one made by the Authority under s137 of the Act, may provide a basis for an application to be made by the Labour Inspector to the Employment Court. Where the Court is satisfied that any person has failed to comply with a compliance order under s137, the Court may, under s140 of the Act, order remedies, including an order that the person in default be sentenced to imprisonment for a term not exceeding 3 months and/ or a fine not exceeding \$40,000.

Costs

[7] I order Chargrill Burgers to reimburse the Labour Inspector the \$71.56 filing fee. Payment of the filing fee reimbursement is to be made within 14 days of the date of this determination.

Anna Fitzgibbon
Member of the Employment Relations Authority