

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI  
TĀMAKI MAKAURAU ROHE**

[2025] NZERA 831  
3366483

BETWEEN                      BORIS KIM  
   Applicant  
  
AND                                SHORCOM LIMITED  
   Respondent

Member of Authority:        Rachel Larmer  
  
Representatives:              Applicant in person  
   Anthony Corin for the Respondent  
  
Investigation:                 On the papers  
  
Information provided:        16 and 17 December 2025 from the Respondent  
  
Date of determination:        18 December 2025

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**DETERMINATION OF THE AUTHORITY**

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**Employment relationship problem**

[1]     The applicant, Mr Boris Kim, claimed he is owed wage arrears by his former employer, Shorcom Limited (Shorcom). Mr Anthony Corin is Shorcom's sole director. He agreed that Shorcom owed Mr Kim wage arrears.

**The Authority's investigation**

[2]     During a case management conference held on 4 December 2025, Mr Corin said he would obtain the necessary payroll data from Shorcom's external payroll provider, so that Mr Kim's wage arrears claim could be determined 'on the papers'.

[3]     The Authority set out in its Directions of the Authority (DoA) dated 4 December 2025 the specific information it required. However, the payroll information provided

by Shorcom raised further questions, which Mr Corin responded to, but which Mr Kim did not address.

[4] The Authority's determination has therefore been based on the currently available information, which Mr Kim has not disputed.

### **Material facts**

[5] Shorcom employed Mr Kim as a Project Manager from 7 February 2024 to 20 December 2024. His annual leave anniversary date is therefore 7 February. Mr Kim received \$960.00 paid annual holiday in advance of his annual leave entitlement accruing to him on 7 February 2025.

[6] Because Mr Kim's employment ended before he had worked for 12 months, s 23 of the Holidays Act 2003 (the HA03) applied to his annual holiday pay calculations. This required him to be paid 8% of his total gross earnings, less any annual holiday pay he had been paid in advance.

[7] Mr Kim was employed to work 20 hours per week for \$60.00 per hour, so he should have been paid \$1,200.00 gross weekly. Mr Kim was entitled to four weeks' contractual notice or pay in lieu of notice.

[8] Shorcom said Mr Kim's employment ended on 20 December 2024, and he was not required to work out any of his notice period, meaning he should have been (but was not) paid four weeks' pay in lieu of notice in his final pay. Shorcom accepted Mr Kim is still owed unpaid pay in lieu of notice.

[9] Mr Kim said that throughout his employment there were delays in having his wages paid to him, and at times he was not paid any wages even though he had performed the required work.

[10] Shorcom said Mr Kim was not paid for three weeks' work he did over the period 8 to 20 December 2024. He was also not paid his four weeks' pay in lieu of notice or his annual holiday pay and wage arrears in his final pay, which should have been paid to him on 22 December 2024.

[11] Mr Kim said that Mr Corin had assured him that his wage arrears would be paid once Shorcom's financial situation improved. However, that has still not occurred notwithstanding the employment relationship ended two days short of a year ago.

[12] Shorcom currently owes considerable arrears to the Inland Revenue Department (IRD). The parties told the Authority that they anticipated there was a risk the IRD could apply to liquidate Shorcom in the immediate future, which is why they wanted Mr Kim's wage arrears claim determined as soon as possible.

**What wage arrears does Shorcom owe Mr Kim?**

[13] Shorcom admitted that due to financial difficulties it was experiencing it owed Mr Kim wage arrears of \$12,220.80 gross, consisting of:

- (a) \$3,600.00 gross wage arrears for hours he had worked from 8 to 20 December 2024 (being 3 weeks x \$1,200.00 per week).
- (b) \$4,800.00 unpaid notice, being 4 weeks' contractual notice x \$1,200.00 per week.
- (c) \$3,820.80 gross annual holiday pay entitlements, being his total gross earnings of \$59,760.00 x 8% = \$4,780.80, less the \$960.00 advance paid annual holiday he had received while employed.

**What interest should be awarded?**

[14] Shorcom has had the use of Mr Kim's money for two days short of a year. It is appropriate to award him interest to reflect that Shorcom's actions have deprived Mr Kim of wages that should have been paid to him in December last year.

[15] Interest is to be calculated using the Civil Debt Interest Calculator on the Ministry of Justice website. Interest is to run from 8 December 2024, being the date his wages were not paid to him when they became due (even though he had worked as required), until the date of this determination (being 18 December 2025).

[16] Shorcom is ordered to pay Mr Kim interest of \$594.64 on his total wage arrears of \$12,220.80 for the period 8 December 2024 to 18 December 2025.

[17] Interest continues to run on the total amount Shorcom owed Mr Kim of \$12,815.44 (being wage arrears of \$12,220.80 plus \$594.64 interest up to the date of this determination) until that amount has been paid in full to Mr Kim.

[18] Future interest will continue to accrue on \$12,815.44 or any outstanding amount Shorcom owed Mr Kim from 19 December 2025 (being the day after this determination was issued to the parties) onwards until he has been paid in full.

## **Costs**

[19] Mr Kim was self-represented so legal costs are not recoverable. Mr Kim is however entitled to be reimbursed \$71.55 by Shorcom for his filing fee.

## **Orders**

[20] Within 28 days of the date of this determination, Shorcom is ordered to pay Mr Kim \$12,886.79 consisting of:

- (a) \$12,220.80 wage arrears;
- (b) \$594.44 interest up to the date of this determination;
- (c) \$71.55 to reimburse his filing fee.

[21] Ongoing interest continues to accrue on the amount of \$12,815.44 (being wage arrears plus interest to the date of this determination), which is to run from 19 December 2025 (being the day after this determination was issued to the parties) until Mr Kim has been paid the money he is owed by Shorcom in full.

[22] Ongoing interest is to be calculated on the amount of \$12,815.44 using the Civil Debt Interest Calculator on the Ministry of Justice website.

Rachel Larmer  
Member of the Employment Relations Authority