

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI  
ŌTAUTAHI ROHE**

[2023] NZERA 79  
3189959

BETWEEN            OLIVER LEE  
                                 Applicant

AND                    DAVID BLAKE  
                                 Respondent

Member of Authority:    Peter van Keulen

Representatives:        Philippa Tucker, counsel for the Applicant  
                                 Respondent in person

Date of Determination:    22 February 2023

---

**CONSENT DETERMINATION OF THE AUTHORITY**

---

**Employment relationship problem**

[1]    Oliver Lee has raised various claims against David Blake arising out of his employment relating to payment of wages, including benefit entitlements, and how he was treated by Mr Blake over these payments.

[2]    Mr Lee and Mr Blake attempted to resolve their employment relationship problem previously, reaching agreement on the amounts to be paid and a payment plan. However, this agreement was not completed due to financial constraints, prompting Mr Lee to lodge a statement of problem in the Authority so that he can obtain orders and then seek enforcement.

[3]    The primary issue that arose in the employment relationship problem currently set out in the statement of problem was the quantum of the amount owed by Mr Blake to Mr Lee.

[4] In the course of my investigation into the quantum payable the parties were able to reach an agreement on the amounts owed by Mr Blake, pursuant to the claims in the statement of problem. By consent I record the amounts payable by Mr Blake to Mr Lee as:

a. \$5,628.78 (net) for wage arrears.

b. \$8,500.00 pursuant to s 123(1)(c)(i) of the Employment Relations Act 2000.

[5] Both of these amounts are to be paid without deduction as Mr Blake has already accounted for PAYE and any other employee contributions to the IRD on the wage arrears and no tax is payable on the compensatory sum.

[6] The parties will attempt to agree a payment plan for the amounts owed but if they are unable to do so by close of business on 25 February 2023 Mr Lee may apply to the Authority for compliance or any Court for enforcement as appropriate.

[7] At this stage the amounts agreed to be payable are contemplated as being in settlement of all claims Mr Lee may have against Mr Blake arising out of his employment but if payment is not made pursuant to an agreed payment plan, then Mr Lee retains the right to pursue further claims in the Authority relating to his employment.

[8] Costs are reserved.

Peter van Keulen  
Member of the Employment Relations Authority