



New Zealand Employment Relations Authority Decisions

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Medway (Labour Inspector) v Robertson-Smith (Wellington) [2011] NZERA 956; [2011] NZERA Wellington 30 (2 March 2011)

Last Updated: 25 April 2017

IN THE EMPLOYMENT RELATIONS AUTHORITY WELLINGTON

[2011] NZERA Wellington 30
5330986

BETWEEN NICOLA MEDWAY (LABOUR INSPECTOR) Applicant

AND LORRAINE ROBERTSON- SMITH

Respondent

Member of Authority: G J Wood

Representatives: Nicola Medway on her own behalf

Lorraine Robertson-Smith on her own behalf Investigation Meeting: 2 March 2011 at Palmerston North Determination: 2 March 2011

ORAL DETERMINATION OF THE AUTHORITY

[1] The Labour Inspector has claimed a sum of \$596.83 gross, plus interest and costs and penalties for breaches of the Minimum Wage and Holidays Acts. These claims relate to the employment of a cook (Ms Ella Dye) at a café run by Ms Robertson-Smith.

[2] Subsequent to the filing of the claim, much of the sum owing has been repaid by Ms Robertson-Smith. It is agreed that \$249.68 net is still owing.

[3] In recognition of the payments made to date, the Labour Inspector has agreed to withdraw the claims for penalties and costs. The sole outstanding issue, therefore, is interest. I set interest at 5% for seven months, being a sum of \$7.28.

2

[4] I therefore order the respondent, Lorraine Robertson-Smith, to pay to Nicola

Medway (for the use of Ms Ella Dye) the sum of \$256.96 net.

G J Wood

Member of the Employment Relations Authority
