



New Zealand Employment Relations Authority Decisions

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Perry v Newton and anor WA125/10 (Wellington) [2010] NZERA 645 (15 July 2010)

Last Updated: 5 November 2010

IN THE EMPLOYMENT RELATIONS AUTHORITY WELLINGTON

WA 125/10 5277814

BETWEEN

AND

LEE PERRY Applicant

JON NEWTON First Respondent

AND

NEWTON ELECTRICAL (HB)

LIMITED

Second Respondent

Member of Authority: Representatives:

Investigation Meeting: Determination:

G J Wood

Michael McAleer, for the Applicant John Newton, for the Respondents

15 July 2010 at Napier

15 July 2010

CONSENT COMPLIANCE ORDER OF THE AUTHORITY

[1] Pursuant to a confidential settlement achieved by way of a consent determination dated 2 March 2010, both respondents agreed to pay the applicant certain sums, on a joint and several liability basis. Unfortunately, because of difficult financial circumstances, the respondents have been unable to meet all of the payments required.

[2] The parties attended an investigation meeting today, whereby it was agreed that the respondents would be bound, on a joint and several liability basis, to pay to the applicant the net sum of \$2,470 by 31 August 2010.

[3] I therefore order Jon Newton and Newton Electrical (HB) Limited to pay to the applicant, Lee Perry, on a joint and several liability basis, the sum of \$2,470 net on or before 31 August 2010.

[4] Finally, I observe, for the benefit of the respondents, that failure to pay this money on time may lead to a compliance order being sought in the Employment Court, whereby the Court has the jurisdiction, in the absence of full payment, to fine and/or sequester the property of both respondents, as well as order the imprisonment of Mr Newton. I am confident that this matter will, however, be resolved on time.

G J Wood

