



# New Zealand Employment Relations Authority Decisions

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## Soffe v The Green Stuff Limited (Wellington) [2011] NZERA 502; [2011] NZERA Wellington 120 (21 July 2011)

Last Updated: 23 August 2011

IN THE EMPLOYMENT RELATIONS AUTHORITY WELLINGTON

[2011] NZERA Wellington 120

5327093

BETWEEN

AND

JEREMY IAN SOFFE Applicant

THE GREEN STUFF LIMITED  
Respondent

Member of Authority: Representatives:

G J Wood

Mandy Soffe for Applicant  
No attendance by or for the Respondent

Submissions received by: 21 July 2011

Determination:

21 July 2011

### DETERMINATION OF THE AUTHORITY

[1] From information supplied from the applicant (the respondent failing to provide any information to the Authority, other than accepting that wages and holiday pay for 2008 remained unpaid), I accept that the following facts are relevant.

[2] Mr Soffe worked for The Green Stuff Limited for approximately three years in both New Zealand and Australia. Just before Christmas 2008 he was advised by the principal of The Green Stuff Limited, Mr Lindsay Gardiner, that the Australian side of the business was to be closed and that he was not sure whether he would be able to pay Mr Soffe his holiday pay. Despite promises by Mr Gardiner to pay Mr Soffe, he is still owed one week's wages and holiday pay for 2008. Mr Soffe is, of course, entitled to be paid wages for notice and holiday pay.

[3] I therefore order the respondent, The Green Stuff Limited, to pay to the applicant, Mr Jeremy Ian Soffe, the sum of \$1289.20 gross in wages (being his average weekly rate between April and December 2008), \$3712.80 gross in unpaid holiday pay (given his earnings of \$68,454.00 in that period), plus the filing fee of

\$71.56.

**G J Wood**

**Member of the Employment Relations Authority**

