

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

AA 388A/07
AEA 731/05

BETWEEN GARY STONE
 Applicant

AND VILLAGES OF NEW ZEALAND
 (PAKURANGA) LIMITED
 First Respondent

Member of Authority: Vicki Campbell

Representatives: Paul Barrowclough for Applicant
 Alan Stuart for Respondent

Investigation Meeting 12 and 13 June and 12 July 2007 at Auckland

Submissions Received: 9 August 2007 from Applicant
 9 August 2007 from Respondent

Determination: 18 December 2007

SUPPLEMENTARY DETERMINATION OF THE AUTHORITY

[1] In a determination dated 11 December 2007 I ordered Villages of New Zealand (Pakuranga) Limited to pay to Mr Stone arrears of wages for outstanding commission payments in the amount of \$10,320.00 in respect of 6 licences to occupy which Mr Stone had concluded sales on.

[2] I also ordered Villages of New Zealand (Pakuranga) Limited to pay Mr Stone an amount of \$2,101.60 in respect of unlawful deductions made from his remuneration for net curtains.

[3] I did not consider the issue of interest in my determination. Mr Paul Barrowclough, on behalf of Mr Stone, on 12 December 2007, helpfully reminded me that Mr Stone sought interest on any sums awarded, in his statement of problem.

[4] As Mr Stone has not had the use of the funds owed to him by Villages of New Zealand (Pakuranga) Limited it is appropriate that he should have interest on the amounts ordered.

[5] Mr Stone seeks interest from 2003, however, he did not file his problem in the Employment Relations Authority for two years and has provided no explanation as to why it took him so long. In that case I am inclined to order interest only from the date on which Mr Stone filed his employment relationship problem in the Authority.

The Villages of New Zealand (Pakuranga) Limited is ordered to pay to Mr Stone interest on the amounts of \$10,320.00 and \$2,101.60 at the rate of 8.0 per cent per annum from 20 July 2005 until the date of payment and to do so within 14 days of the date of this determination.

Vicki Campbell
Member of Employment Relations Authority