

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

AA 131B/07  
5032250

BETWEEN                      PETER FRANCIS TAYLOR  
   Applicant  
  
AND                                REVIEW PUBLISHING CO  
   LIMITED  
   Respondent

Member of Authority:        Marija Urlich  
  
Representatives:              Mark Nutsford, for Applicant  
   Paul Tremewan, for Respondent  
  
Investigation Meeting:        27 August 2007  
  
Submissions and further      10 September, 16, 26 and 29 November, 3 December  
information received        2007  
  
Determination:                4 December 2007

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**SUPPLEMENTARY DETERMINATION OF THE AUTHORITY**

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[1] This employment relationship problem was determined earlier this year (AA131/07) in favour of Mr Taylor and an award of remedies was made in his favour including an order for reimbursement of lost wages.

[2] Those lost wages were not paid due to a dispute between the parties as to calculation. To resolve this issue the following steps have been taken by the Authority:

- (i) the parties attended an investigation meeting on 27 August 2007;
- (ii) a minute was issued that same day directing steps to be taken by the parties to provide relevant information for the resolution of this issue;
- (iii) a further minute was issued on 16 November 2007 setting a timetable for the provision of relevant information.

[3] Having received the parties' submissions and supplementary material I am now able to move to determine this issue. I have considered the information provided, including the respondent's claim that it has paid the outstanding monies, that no evidence of this payment has been provided, that since the investigation meeting the respondent has not challenged Mr Taylor's calculation of the sums claimed and, significantly, the new information provided on 29 November 2007 that the respondent company ceased trading *a year ago*, and make the following orders:

- (i) Review Publishing Co Limited is ordered to reimburse Peter Taylor lost wages of \$6161.12; and
- (ii) Pursuant to Schedule 2 clause 11 of the Employment Relations Act 2000 interest is to be calculated on that sum at the rate of 9% per annum from date of this determination until date of payment.

[4] I have read and considered the parties' submissions as to costs. Guided by the applicable principles<sup>1</sup> and taking into particular account the submissions filed subsequent to the investigation meeting and the attendant costs involved, I find a costs award is warranted and set that award at \$250.

Marija Urlich

Member of the Employment Relations Authority

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<sup>1</sup> *PBO Ltd v Da Cruz* [2005] 1 ERNZ 808