



[3] Despite receiving no statement in reply from Hi-Calibre, the authority support officer was able to make contact with Hi-Calibre's Managing Director, Mr Craig Ross who agreed to take part in a conference call on 18 August 2009.

[4] The conference call took place as scheduled. In attendance were Mr White, Mr Ross, the Authority support officer and myself. In the course of this conference call Mr Ross accepted without hesitation or argument that Mr White was owed the money he was seeking from Hi-Calibre. Mr Ross said that he hoped to be in a position to pay Mr White in the near future and agreed that he would immediately, and no later than 5 pm on 26 August 2009, file a statement in reply accepting the company's liability. It was also agreed that on receipt of the statement in reply, and formal acceptance by Hi-Calibre that they owed the amounts claimed to Mr White, the Authority would issue a determination by consent.

[5] Despite a reminder e-mailed to Mr Ross on 27 August no statement in reply has been received from Hi-Calibre. Mr White has confirmed that he has heard nothing from Mr Ross and has received none of the monies he is owed.

### **Determination**

[6] Mr Ross, as Managing Director of Hi-Calibre acknowledged that his company owes Mr White the amounts set out in the statement of problem. Despite not receiving a statement in reply from Mr Ross I have no doubt that Mr White is owed the money he seeks.

[7] **Hi-Calibre Composites NZ Ltd is ordered to pay Mr Sean White the sum of \$7745, net of tax being outstanding salary and holiday pay owing to him.**

[8] Mr White has also been deprived of the use of the above money for some months and certainly since the date of his resignation in June 2009. He is entitled to receive interest on the outstanding amount. Hi-Calibre is to pay Mr White interest on the outstanding amount at the rate of 4.5% per annum from 1 July 2009 until the amount is paid in full.

**Costs**

[9] Mr White was not legally represented in bringing his claim to the Authority. However he is entitled to be reimbursed for his filing fee. Hi-Calibre is to pay Mr White the sum of \$70 being reimbursement of the Authority filing fee.

James Wilson

Member of the Employment Relations Authority