

The Claims

[4] The applicant seeks an order for the payment of \$2,457.64. This comprises \$1,592.28 holiday pay in accordance with s 25 Holidays Act 2003 and \$865.36 public holiday pay in accordance with ss 50 and 56 Holidays Act 2003.

[5] The applicant seeks interest on the above amounts pursuant to s 84 (2) Holidays Act 2003.

[6] The applicant seeks penalties for non compliance pursuant to ss 75 (1) (b) and 75 (2) (c) Holidays Act 2003.

[7] The applicant seeks penalties for the failure to produce time and wages records pursuant to s 229 (3) Employment Relations Act 2000.

Orders

[8] The respondent is to pay the applicant the sum of \$2,457.64 being annual holiday pay and public holiday pay.

[9] The respondent is to pay interest on that sum at the rate of 10%, the interest to run from the date of termination (10 August 2007) until the above amount is paid in full.

[10] The respondent is to pay a penalty of \$2,500 pursuant to s 75 (2) (c) Holidays Act 2003.

[11] The respondent is to pay a penalty of \$2,500 pursuant to s 229 (3) Employment Relations Act 2000.

[12] The penalties are to be paid to the Crown.

Costs

[13] The applicant seeks the \$70 filing fee.

[14] The respondent is to pay the applicant the sum of \$70.

Dzintra King

Member of the Employment Relations Authority