

IN THE STATUTORY TRIBUNAL, FIJI ISLANDS
SITTING AS THE EMPLOYMENT RELATIONS TRIBUNAL

ERT Criminal Case No 25 of 2012

BETWEEN: LABOUR OFFICER
Complainant

AND: S KARAN CONSTRUCTION LIMITED
Employer

Counsel: Ms A. Raitivi, for the Complainant
 Mr Alvin Mani for the Employer

Date of Hearing: Friday 22 June 2012

Date of Judgment: Friday 22 June 2012

DECISION

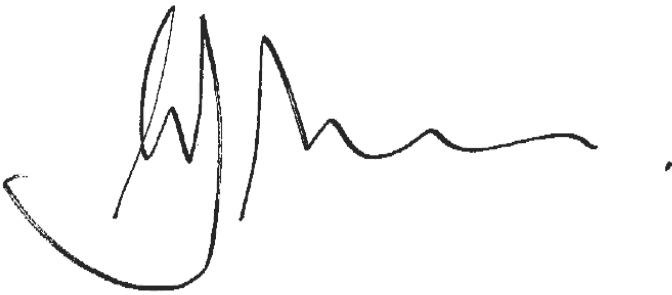
FAILURE TO PAY ARREARS OF WAGES ON DEMAND – Section 247(B) Employment Relations Promulgation 2007

1. The employer pleads guilty to the charge of failing to pay arrears of wages upon demand in writing contrary to Section 247(b) of the Employment Relations Promulgation 2007.

2. I note that the Company Director Mr Mani has agreed to pay such outstanding wages today and I take that matter into account when determining an appropriate penalty.

3. The failure by an employer to submit to the demands of the Labour Officer is a serious offence. Employers should note that they have a civic responsibility to ensure full co-operation with the department in the interests of workplace justice.
4. In accordance with Section 211(3) of the Promulgation and having regard to Section 247, I fine the employer S Karan Constructions Ltd the sum of \$2000.00 to be paid within 14 days.
5. Having regard to the application of Ms Raiviti, I further order that the Employer pay costs of \$1000.00 for the unnecessary expenses incurred by the Authority. Such costs to be paid within 14 days.

I order accordingly.

A handwritten signature in black ink, appearing to read 'A. See', with a large, sweeping flourish on the left side.

Mr Andrew J See
Resident Magistrate