



## Employment Relations Tribunal

# Ex-Tempore Decision

**Title of Matter:** Labour Officer  
v  
Usaia Bulu t\`a Diefar Security Services

**Section:** *214(2) Employment Relations Act 2007*

**Subject:** Failing to pay wages, overtime and annual holiday pay

**Matter Number:** ERT Miscellaneous Case No 21 of 2018

**Appearances:** Mr. Kumar, on behalf of the Applicant  
No Appearance for the Employer

**Date of Hearing:** Thursday 23 July 2019

**Before:** Mr Andrew J See, Resident Magistrate

**Date of Decision:** 23 July 2019

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The Worker had been employed with the Defendant Employer in the relevant period and has not been paid the correct wage entitlements having regard to the Wages (Security Services) Regulations 2012 and 2015, where the relevant rates of pay should have been \$2.41 up to and including 30 June 2015 and thereafter \$2.51.

The Claim in the amount of \$1343.04 is due and owing to the Worker and an Order to give effect to that shall be now be issued.

### Cost

An application is made by the Labour Officer for costs in the amount of \$500.00. In light of the circumstances of this case, the amount is very moderate and should be granted.

In addition, the Labour Officer seeks that the Worker be reimbursed for travel and related costs incurred. The cost of \$200.00 as sought, shall be granted in accordance with Section 236 of the Employment Relations Act 2007.

[1] It is the decision of this Tribunal that:

- (i) The Defendant Employer to pay the Labour Officer on behalf of the Worker the Claim amount of \$1343.04 within 28 days.

- (ii) The Defendant Employer to pay cost of \$500.00 to the Labour Officer within 28 days.



**Andrew J See**  
**Resident Magistrate**