

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2019] NZERA 257
3012953

BETWEEN	GLEN COLLINS Applicant
AND	TAMMY ACTON-ADAMS First Respondent
AND	ANDREW MCKENZIE Second Respondent

Member of Authority:	Andrew Dallas
Representatives:	Peter Moore, advocate for the Applicant Tammy Acton-Adams for the Respondents
Submissions received	1 April 2019 for the Applicant None received from the Respondent
Determination:	2 May 2019

COSTS DETERMINATION OF THE AUTHORITY

Introduction

[1] By determination issued on 4 March 2019, the Authority made findings and issued orders in respect of Glen Collins' employment relationship problem with Tammy Acton-Adams and Andrew McKenzie.

[2] The determination reserved costs but, as is usual, encouraged the parties to resolve that issue themselves. It advised the parties that if asked to determine costs, the Authority's assessment would be the applicable daily tariff of \$4500.

[3] In a memorandum on costs subsequently lodged Mr Collins sought an order for costs of \$8,500. He said he had incurred total costs of just \$17,000. No submissions were received from Tammy Acton-Adams and Andrew McKenzie.

[4] Mr Collins raised various issues about the way Tammy Acton-Adams and Andrew McKenzie had conducted the case before the Authority. However, he also acknowledged they were self-represented. Mr Collins said he should also be awarded more than the daily tariff due to a Calderbank offer which offered to settle for effectively half of what he was awarded by the Authority.

Result

[5] Having regard to all the circumstances of this matter, including that the Authority had to reconvene the investigation meeting to fully understand one of Mr Collins' claims (in which he was ultimately unsuccessful) and despite the lack of comment from Tammy Acton-Adams and Andrew McKenzie on Mr Collin's claim for costs, I have decided the daily tariff to \$4,500 is appropriate. This must be paid to Mr Collins within 14 days of the date of this determination.

[6] It is also appropriate that Mr Collins be reimbursed the Authority's lodgement fee of \$71.56. This must also be paid to him within 14 days.

Andrew Dallas
Member of the Employment Relations Authority