

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2020] NZERA 274
3061273

BETWEEN BRIAR LECKIE
Applicant

AND ALLIANCE GROUP LIMITED
Respondent

Member of Authority: Philip Cheyne

Representatives: Mary-Jane Thomas, counsel for Applicant
Ken Smith, counsel for Respondent

Determination: 7 July 2020

DETERMINATION OF THE EMPLOYMENT RELATIONS AUTHORITY

- A. Alliance Group Limited is to pay Briar Leckie \$53,944.97 gross, pursuant to s 123(1)(b) of the Employment Relations Act 2000.**
- B. Alliance Group Limited is to pay Briar Leckie costs of \$3,822.00, reimburse her for Authority meetings fees charged and pay her a further \$71.56 for the Authority application fee.**

[1] In a determination dated 5 June 2020 I found that Ms Leckie had personal grievances against Alliance Group Limited. The claim for reimbursement of lost remuneration was reserved for further consideration. Costs were also reserved.

[2] These issues were canvassed during a conference with counsel today.

[3] There is agreement between counsel that taking the earlier findings together with the seasonal work dates, deducting Ms Leckie's other earnings and applying the deduction for contribution generates a gross figure of \$53,944.97 in lost remuneration. I fix that figure as the proven loss which Alliance is to pay Ms Leckie.

[4] Counsel for Ms Leckie advises that legal aid costs are \$3,822.00. Ms Leckie was invoiced other charges for work on these proceedings before legal aid was fixed. Counsel sought \$3,822.00 in costs. That figure is less than would apply on a daily tariff basis. Counsel for Alliance did not oppose an award of costs of \$3,822.00. I fix that amount as the figure of costs which Alliance should pay to Mr Leckie.

[5] Alliance should also reimburse Ms Leckie for the meeting and application fees charged by the Authority.

[6] I note that Alliance challenges the finding that the assessment of Ms Leckie's lost remuneration should cover from the date of dismissal until the date of the investigation meeting. The level of contribution is also challenged. The agreement expressed in [3] leading to this determination does not affect the parties' rights on the challenge.

Philip Cheyne
Member of the Employment Relations Authority