

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2019] NZERA 36
3034871

BETWEEN DARREN OLIVER
Applicant

AND SCOTT HAULAGE 2010
LIMITED
Respondent

Member of Authority: Andrew Dallas

Representatives: Steven Zindel, counsel for Applicant
No appearance for the Respondent

Determination: 29 January 2019

COSTS DETERMINATION OF THE AUTHORITY

Introduction

[1] By determination issued on 11 December 2018¹, the Authority ordered compliance with its earlier determinations.

[2] The determination reserved costs but encouraged the parties to resolve that issue themselves. It included an indication 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 Oliver, through a representative, sought an order for a costs award of \$4,500, being the Authority's tariff for a one day investigation meeting. No submissions were received from Scott Haulage 2010 Limited (Scott).

¹ [2018] NZERA Christchurch 183

[4] These proceedings have a long history and Mr Oliver has clearly invested a lot of time and money. Seemingly Scott is yet to comply with the Authority's determination of 11 December 2018.

Result

[5] Having regard to all the circumstances of this matter and given the lack of comment from Scott on Mr Oliver's claim for costs, I have decided the sum of \$4500 must be paid to him within 14 days of the date of this determination. It is also appropriate that Mr Oliver 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