

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI  
TĀMAKI MAKĀURAU ROHE**

[2025] NZERA 676  
3248441

BETWEEN                      DAVID JAMES SKELTON  
Applicant

AND                              NEW ZEALAND STEEL  
LIMITED  
Respondent

Member of Authority:        Rachel Larmer

Representatives:             Lawrence Anderson, advocate for the Applicant  
Carter Pearce, counsel for the Respondent

Investigation:                On the papers

Submissions Received:      22 October 2025 from the Respondent  
22 October 2025 from the Applicant

Date of Determination:      23 October 2025

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**COSTS DETERMINATION OF THE AUTHORITY**

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**Employment Relationship Problem**

[1]     The Authority issued a substantive determination on 23 September 2025, in which the respondent, New Zealand Steel Limited (NZ Steel) successfully defended all of the claims made by the applicant, Mr David Skelton.<sup>1</sup>

[2]     NZ Steel as the successful party has applied for a costs order in its favour. It sought \$8,000.00, which was an application of the Authority's current notional daily tariff.

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<sup>1</sup> *Skelton v NZ Steel Ltd* [2025] NZERA 594.

[3] This matter involved a two-day investigation meeting.

[4] The notional starting tariff was \$4,500.00 for the first day and \$3,500.00 for the second day of the investigation meeting, meaning the notional starting tariff was \$8,000.00.

[5] Mr Skelton did not lodge any costs submissions.

### **The Authority's investigation**

[6] Costs were determined 'on the papers'.

[7] Mr Lawrence advised that he would not be lodging costs submissions.

[8] Neither party suggested the notional starting tariff of \$8000.00 should be adjusted and the Authority was not aware of any reasons for that to occur.

[9] This matter therefore involved a straightforward application of the Authority's usual daily tariff, without adjustments being made to it.

### **Order**

[10] Within 28 days of the date of this determination, Mr Skelton is ordered to pay NZ Steel \$8000.00 as a contribution towards its actual legal costs.

Rachel Larmer  
Member of the Employment Relations Authority