



New Zealand Employment Relations Authority Decisions

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Spitzbart v Solarix Networks Ltd (Auckland) [2016] NZERA 732 (17 February 2016)

Last Updated: 17 December 2021

IN THE EMPLOYMENT RELATIONS AUTHORITY AUCKLAND		
		[2016] NZERA Auckland 45 5541332
	BETWEEN	RICK SPITZBART Applicant
	A N D	SOLARIX NETWORKS LIMITED Respondent
Member of Authority:	TG Tetitaha	
Representatives:	G Bennett, Advocate for the Applicant R Harrison, Counsel for the Respondent	
Investigation Meeting:	On the papers	
Submissions:	22 January 2016 from Respondent	
Date of Determination:	17 February 2016	
COSTS DETERMINATION OF THE AUTHORITY		

A. Rick Spitzbart is ordered to pay Solarix Networks Limited \$7,000 towards its actual legal costs.

Employment relationship problem

[1] The Authority in its substantive determination dated 8 January 2016¹ dismissed the applications for personal grievance and penalties. Costs were reserved.

[2] The respondent seeks costs at the Authority's usual daily tariff for two days totalling \$7,000.

[3] The respondent's approach to costs is correct. The starting point for costs is for the Authority to adopt its usual notional daily tariff based approach to costs² which

¹ *Rick Spitzbart v Solarix Networks Limited* [2016] NZERA 9.

² *Mattingly v Strata Title Management Ltd* [2014] NZEMPC 15 at [16].

is \$3,500 per hearing day. This matter involved a two day investigation meeting. The starting point for assessing costs is therefore \$7,000.

[4] There are no factors warranting reduction or increase of the daily tariff.

[5] Rick Spitzbart is ordered to pay Solarix Networks Limited \$7,000 towards its actual legal costs.

TG Tetitaha

Member of the Employment Relations Authority

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