

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON**

[2013] NZERA 75  
5396276

BETWEEN

STACEY TASKER  
Applicant

A N D

MOMENTUM BRANDS (NZ)  
LIMITED  
Respondent

Member of Authority: G J Wood

Representatives: Stuart Webster for Applicant  
Clive Smith for Respondent

Investigation Meeting: 4 April 2013 at Napier

Submissions Due: By 7 June 2013

Date of Determination: 3 July 2013

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**COSTS DETERMINATION OF THE AUTHORITY**

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[1] In my substantive determination I concluded that Mr Tasker was unjustifiably disadvantaged or dismissed by Momentum Brands because the procedure that Momentum Brands adopted was not what a fair and reasonable employer could have done.

[2] I did not however accept that Mr Tasker's redundancy did not occur through genuine reasons.

[3] On behalf of the successful applicant, Mr Webster sought costs according to the tariff of \$3,500. In response Momentum Brands offered \$1,750 in costs.

[4] There were no relevant *Calderbank* offers between the parties, as the amounts awarded to Mr Tasker by the Authority lay between the respective offers to settle made by Momentum Brands and Mr Tasker.

[5] While this case was concluded within 4.5 hours there was no luncheon break required, and the nature of the case was such that the preparation required in any event equivalent to that of a full day investigation meeting. It is therefore appropriate to award costs based on the tariff, as there are no significant circumstances to necessitate a different approach.

[6] I therefore order the respondent, Momentum Brands (NZ) Limited, to pay to the applicant, Mr Stacey Tasker, the sum of \$3,500 in costs.

G J Wood  
Member of the Employment Relations Authority