

Employment relationship problem

[1] In a substantive determination issued on 5 September 2013¹ Zeald succeeded in respect of all of the claims it made against Mr Bernard. The Authority encouraged the parties to resolve costs by agreement and that has now occurred. The parties seek a consent determination from the Authority recording the agreement they have reached in respect of costs and disbursements.

[2] By consent and by this determination the Authority orders that the terms agreed by the parties as set out in the joint memorandum filed on 17 September 2013 now become the orders of the Authority.

[3] Accordingly, by consent and by order of the Authority, Mr Bernard is ordered to pay Zeald \$13,270.91 towards its actual costs and disbursements. This amount has been calculated as follows:

- (a) \$8,750 towards Zeald's actual legal costs;
- (b) \$4,209.50 to reimburse Zeald's private investigator's fees;
- (c) \$71.56 to reimburse Zeald's filing fee;
- (d) \$82.95 to reimburse Zeald's courier fees;
- (e) \$115.80 to reimburse Zeald's document delivery fees;
- (f) \$41.10 to reimburse Zeald's printing fees.

Rachel Larmer
Member of the Employment Relations Authority

¹ [2013] NZERA Auckland 402.