

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

[2012] NZERA Auckland 15  
5352334 & 5352944

BETWEEN THE NEW ZEALAND MEAT  
WORKERS AND RELATED  
TRADES UNION INC  
Applicant/Respondent

AND AFFCO NEW ZEALAND  
LIMITED  
Respondent/Applicant

Member of Authority: Alastair Dumbleton

Submissions Received: 21 November 2011, from NZ Meat Workers Union only

Determination: 17 January 2012

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**COSTS DETERMINATION OF THE AUTHORITY**

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[1] Applications that had been lodged separately by the New Zealand Meat Workers and Related Trades Union Inc (the Union) and AFFCO New Zealand Limited (AFFCO) were investigated and determined by the Authority in October and November 2011.

[2] In its determination at [2011] NZERA Auckland 480, the Authority held that an award of costs in favour of the Union was justified and allowed 14 days for an application to be made and a further 14 days for AFFCO to respond if it wished.

[3] An application was received, in time, from the Union. There has been no response from AFFCO.

[4] The investigation meeting dealt with three distinct employment relationship problems the parties had raised. In relation to two of those broadly speaking the Union was successful. In one of those matters it had been the applicant and in the other the respondent party.

[5] For the day long investigation meeting the Union seeks an award of costs at the rate of \$4,000 plus GST of \$600, along with disbursements for counsel's airfare from Auckland of \$369 and a filing fee of \$71.56. In total the amount is \$5,040.56.

[6] AFFCO has not attempted to persuade the Authority to fix costs in any way different to what I propose, which is to award \$3,750 (as usual leaving aside considerations of GST) and total disbursements for the airfare and filing fee of \$440.

[7] The amount of \$3,750 is a little above the high end of the daily tariff often applied by the Authority but is reasonable for an investigation of multiple employment relationship problems having medium factual and legal complexity.

[8] The order for costs is made by the Authority in the exercise of its discretion pursuant to clause 15 of Schedule 2 of the Employment Relations Act 2000.

A Dumbleton  
**Member of the Employment Relations Authority**