

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2019] NZERA 575
3048893

BETWEEN	LOUISE MELBOURNE Applicant
AND	CHAMBERS PUBLIC RELATIONS LIMITED First Respondent
AND	TRACEY CHAMBERS Second Respondent

Member of Authority: Andrew Dallas

Representatives: Jo Appleyard, counsel for the Applicant
Tracey Chambers for the Respondents

Investigation Meeting: On the papers

Determination: 10 October 2019

COSTS DETERMINATION OF THE AUTHORITY

[1] By determination issued on 15 April 2019, the Authority made findings and issued orders in respect of Louise Melbourne's employment relationship problem with Chambers Public Relations Limited (Chambers Limited) and Tracey Chambers.

[2] As with the usual course, the determination reserved costs but encouraged the parties to resolve that issue themselves. It advised the parties that if asked to determine costs, the Authority's assessment would commence with the applicable daily tariff of \$4500.

[3] In a memorandum on costs subsequently lodged Ms Melbourne sought an order for costs of \$4,500 plus an uplift of \$1,000.

[4] Ms Melbourne said she should be awarded more than the daily tariff due to the way Chambers Limited and Ms Chambers conducted the litigation. She pointed to matters of concern associated with instructions to Chambers Limited and Ms Chambers' former solicitors, delays complying with, and failure to adhere to, the Authority's timetable and the unreasonable refusal of two "without prejudice" offers to settle; issued on 22 February 2019 and 3 May 2019 respectively.

[5] Ms Chambers, presumably on behalf of Chambers Limited and herself, but, at least, herself, said costs should not be awarded but did not otherwise directly address the submissions advanced by Ms Melbourne.

Result

[6] Having regard to all the circumstances of this matter, I have decided an uplift in the daily tariff to \$5,500 is appropriate. Chambers Limited and Ms Chambers are severally and jointly liable to pay this amount to Ms Melbourne within 28 days of the date of this determination. It is also appropriate that Ms Melbourne be reimbursed the Authority's lodgement fee of \$71.56. This must also be paid to her within 28 days.

Andrew Dallas
Member of the Employment Relations Authority