

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2019] NZERA 576
3048912

BETWEEN JANINE TURKINGTON
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 16 April 2019, the Authority made findings and issued orders in respect of Janine Turkington'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 Turkington sought an order for costs of \$4,500 plus an uplift of \$2,000.

[4] Ms Turkington said she should be awarded more than the daily tariff due to the way Chambers Limited and Ms Chambers conducted the litigation. Ms Turkington complained about the large number of documents lodged, many of which she said were irrelevant, erroneous claims and assertions made and advanced in the Authority and elsewhere including to third parties, which needed to be answered, collateral activities outside of the Authority and its jurisdiction and delays, obfuscation and unreasonable non-response in relation to the Authority's processes.

[5] In response, Ms Chambers raised a number of matters, many of which were unrelated to Ms Turkington's proceedings. Despite this, it could be discerned that Ms Chambers believed that neither she nor Chambers Limited should be required to contribute to Ms Turkington's costs of representation because each had done nothing wrong.

Result

[6] Taking into account all the material put before the Authority by the parties, and having regard to all the relevant circumstances of this matter, I have decided that costs should be awarded to Ms Turkington and a modest uplift in the daily tariff to \$5,500 is warranted. Chambers Limited and Ms Chambers are severally and jointly liable to pay this amount to Ms Turkington within 28 days of the date of this determination. It is also appropriate that Ms Turkington 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