

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI
TĀMAKI MAKĀURAU ROHE**

[2025] NZERA 815
3298339

BETWEEN	JASPREET SINGH Applicant
AND	SHARAN SOLUTIONS LIMITED First Respondent
AND	MANSHARAN SINGH SOHI Second Respondent

Member of Authority:	Robin Arthur
Representatives:	John Wood and Susanne Lass, advocates for the Applicant Mansharan Singh Sohi for the Respondents
Submissions:	From the Applicant on 1 December 2025. None from the Respondents
Determination:	17 December 2025

COSTS DETERMINATION OF THE AUTHORITY

[1] By determination on 11 November 2025 Sharan Solutions Limited (SLL) was ordered to pay Jaspreet Singh arrears of wages and holiday pay totalling \$10,837.80, interest on that amount until it is paid, personal grievance remedies of \$15,552 for lost wages and \$15,000 as distress compensation.¹ SSL was also ordered to pay penalties of \$5,000 for breaches of employment standards. SSL's director Mansharan Singh Sohi was also found to be a person involved in the breaches of those standards. Jaspreet Singh was given leave to pursue Mr Sohi for payment of arrears and interest due to him if SSL was unable to pay those amounts.

¹ *Jaspreet Singh v Sharan Solutions Limited & Mansharan Singh Sohi* [2025] NZERA 724.

[2] The parties were encouraged to resolve any issue of costs between themselves but did not and Mr Singh lodged a memorandum seeking costs. SSL and Mr Sohi were advised of the opportunity to lodge a reply memorandum but did not do so.

[3] Mr Singh sought an increase in the usual amount awarded for costs because SSL and Mr Sohi had not accepted an offer he made to settle the matter before the Authority's investigation meeting for an amount which was less than he was eventually awarded.

Factors

[4] In determining costs the Authority applies well-established tenets to the particular circumstances of the case.² Those tenets recognise that a successful party should receive a contribution to its reasonably incurred costs and expenses; costs should generally be modest and may not be used to punish an unsuccessful party; the nature of the case may allow for an order that costs lie where they fall; and the Authority may use a notional 'daily rate' as a starting point to assess costs. The current daily rate is \$4,500 for the first day of any investigation meeting, with a further \$3,500 for each additional day.

[5] Undue rigidity in applying the daily rates is avoided by upward or downward adjustments appropriate to the particular case. Those adjustments may take account of settlement offers made by either party, the financial means of a liable party to pay costs, the preparation required in particularly complex matters and whether conduct of any party unnecessarily increased the costs they incurred.

Assessment

[6] The Authority's investigation meeting on this matter took two days. On the usual daily rates applied by the Authority, the starting point for assessment of costs was therefore \$8,000.

[7] Mr Singh sought an additional \$1,000 in costs because SSL and Mr Sohi had not accepted his settlement offer.

[8] The settlement offer was for \$28,000 as compensation and \$5,500 for costs.

² Employment Relations Act 2000, Schedule 2 clause 15(1) and www.era.govt.nz/determinations/awarding-costs-remedies.

[9] The remedies awarded by the Authority totalled more \$30,000 in compensation remedies as well as more than \$10,000 in arrears of wages and holiday pay with interest.

[10] The outcome for SSL and Mr Sohi would clearly have been better if they had accepted that settlement offer which, in light of the eventual outcome, was also clearly reasonable in the circumstances. Instead they put themselves and Mr Singh to the costs and expenses of going ahead with an investigation meeting.

[11] In that light Mr Singh was entitled to the modest uplift on the usual tariff which he sought.

Orders

[12] SSL and Mr Sohi must, on a joint and several basis, pay \$9,000 to Mr Singh as a contribution to his costs of representation in successfully pursuing his personal grievance and wages arrears claim in the Authority. They must also reimburse him for the expense of \$71.55 paid as a fee to lodge his application in the Authority.

[13] The costs and expenses must be paid within 28 days of the date of this determination.

Robin Arthur
Member of the Employment Relations Authority