

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2025] NZERA 823
3327780

BETWEEN	CONNOR TE KOORO First Applicant
AND	BLAKE MCCORKINDALE Second Applicant
AND	IZAEA HUBBARD Third Applicant
AND	ALLIANCE GROUP LIMITED Respondent

Member of Authority:	Andrew Dallas
Representatives:	Mary-Jane Thomas, counsel for Applicants Shaun Brookes, counsel for Respondent
Submissions:	18 November 2025 for the Respondent and 3 December 2025 for the Applicants
Determination:	17 December 2025

COSTS DETERMINATION OF THE AUTHORITY

[1] By determination issued on 22 October 2025¹, the Authority made findings about Connor Te Kooro, Blake McCorkindale and Izaea Hubbard's employment relationship problems with Alliance Group Limited (Alliance). The Authority reserved costs and encouraged the parties to resolve the issue between them.²

[2] The parties were unable to do so, and Alliance has now brought a costs application before the Authority for determination.

¹ *Te Kooro v Alliance Group Limited* [2025] NZERA 670

² Above n 1 at [77]

Alliance's claim for costs

[3] The investigation meeting was set down for three days but only lasted for two. The tariff for a two day investigation meeting is \$8,000 (\$4,500 for the first day, and \$3,500 foreach day thereafter).

[4] Alliance says it was the successful party and, as such, is entitled to costs. Alliance seeks \$12,000 costs which is based on three days of tariff (\$11,000), the third "day" of the tariff being a claim for timetabled submissions, plus an uplift of \$1,000 due to Mr Te Koro, Mr McCorkindale and Mr Hubbard's conduct at the investigation meeting, including withdrawing a claim for lost wages, and, it was said, *subsequently*. In addition, Alliance seeks \$3,500 against Dillion Cooper whose employment relationship problem did not proceed during the investigation meeting.

[5] After the investigation meeting, Alliance said Mr Hubbard sought to enliven his employment relationship problem and it was put to additional expense because of this. Alliance asserted that the Authority "did not re-open the investigation meeting or revive Mr Cooper's claim".

[6] Finally, Alliance said it was not aware of any factors that might justify a decrease in the daily tariff.

For Mr Te Koro, Mr McCorkindale, Mr Hubbard and Mr Cooper

[7] For Mr Te Koro, Mr McCorkindale and Mr Hubbard it was submitted that the withdrawal of the lost wages claim, which it was accepted could have been withdrawn earlier, did not significantly increase preparation time nor result in the investigation meeting being reduced from three to two days.

[8] It was further submitted multi-applicant matters reduced costs for both parties and three applicants, whose employment relationship problem arose out of the same factual matrix, made the investigation meeting of no greater complexity or increased the number of witnesses required

[9] It was conceded that Mr Cooper's late withdrawal "warrants an uplift" but the claim for \$3,500 is excessive.

Discussion

[10] Having considered all the relevant circumstance of this matters, I have decided to exercise my discretion and make an award of costs in favour of Alliance. However, in doing so, the following points needs to be made.

[11] First, in respect of Mr Cooper the position of the Authority is actually recorded in the substantive determination as follows:³

[5] ...[a]t the conclusion of the investigation meeting, the Authority reserved its determination pending the provision of written submissions. The parties are to lodge and serve their submissions as directed. If Mr Copper wishes to press any matters against his former employer, he will need to take advice as to how to proceed further.

[12] While the Authority declined to re-open the investigation meeting, it was for Mr Cooper to re-agitate his employment relationship problem against Alliance. He may yet do so.

[13] Second, as to the length of the investigation meeting, the Directions of the Authority issued to parties stated that matter would be set down for 1, 2 and, *if necessary*, 3 April 2025 (emphasis added). Moreover, the Directions also recorded the procedure for the investigation meeting including “submissions by the parties, *for which directions may issue at the end of the investigation meeting*”. (emphasis added). In other words, it was clearly set out for the parties that the investigation meeting would only go into a third day *if necessary* and that submission *may* follow the investigation meeting in writing. And it was not necessary and even the full participation of Mr Copper would not have made it necessary given the extent of his evidence and the overlapping nature of employment relationship with the other applicants.

[14] Third, it is not clear to me, beyond the stated conduct of Mr Cooper, what other factors *after* the investigation meeting would justify an uplift of \$1,000. In any event, I also agree with Mr Te Kooro, Mr McCorkindale and Mr Hubbard that the withdrawal of

³ Above n 1.

the lost wages claim would not have significantly increased either the preparation time or the investigation meeting.

Outcome

[15] I am satisfied, having considered all the circumstances of this matter “in the round”, that two days of the Authority’s tariff is sufficient: \$8,000 comprising \$4,5000 for the first day and \$3,500 for the second day. I am further satisfied that Mr Cooper should also make a contribution towards Alliance’s costs. That contribution is \$1,000.

[16] So then, within 28 days of the date of this determination, Mr Te Kooro, Mr Blake McCorkindale must pay each Alliance \$2,666.66 as a contribution to costs. Also, within 28 days, Mr Cooper must pay Alliance \$1,000. If Mr Te Kooro, Mr McCorkindale, Mr Hubbard and Mr Cooper have been indemnified against costs by their union, then the total costs amount must be paid by the union within the same timeframe.

Andrew Dallas
Chief of the Employment Relations Authority