

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

[2011] NZERA Auckland 141  
5281181

BETWEEN ALICIA JANE CALLAGHAN  
Applicant

AND WHAREROA STATION  
Respondent

Member of Authority: Yvonne Oldfield

Representatives: Caryl Blomqvist for Applicant  
Robert Gordon for Respondent

Submissions received: 20 January 2011 from Applicant  
25 January 2011 from Respondent

Determination: 7 April 2011

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**COSTS DETERMINATION OF THE AUTHORITY**

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[1] Ms Callaghan's employment relationship problem was the subject of a determination dated 11 January 2011. It was found that she had made out a personal grievance and she was awarded remedies of compensation, lost wages, and holiday pay.

[2] Ms Callaghan's representative, Ms Blomqvist, has now claimed costs, expenses and disbursements totalling \$5,585.28. Mr Gordon has responded that the total time Ms Blomqvist spent on the case was excessive, leading to what he considers an excessive claim for costs given her hourly rate, which he considered relatively low.

[3] This is not a convincing argument since it is often the case that a lower hourly rate will be charged by a practitioner who (perhaps because the case is not in their usual area of specialisation) requires more time to prepare than might otherwise be expected.

[4] I do not consider the costs' claim to be out of the ordinary given the nature of the case. The matter required a one day investigation meeting with some follow up and supplementary information, afterwards, in relation to the holiday pay claim. Costs awards for one-day matters should be the guide as to what is appropriate. On that basis, in all the circumstances, I consider an award of \$3,000.00 is a reasonable contribution to costs, disbursements and expenses.

**[5] The respondent is therefore ordered to pay the sum of \$3,000.00 to Ms Callaghan as contribution to her costs, disbursements and expenses.**

Yvonne Oldfield

Member of the Employment Relations Authority