

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON**

**I TE RATONGA AHUMANA TAIMAHI  
TE WHANGANUI-A-TARA ROHE**

[2026] NZERA 88  
3370403

BETWEEN	DANIEL HARDEN Applicant
AND	GLOBAL REACH PARTNERS LIMITED Respondent

Member of Authority:	Claire English
Representatives:	Matt McGoldrick, counsel for the Applicant Daniel Erickson and Tom Jarman, counsel for the Respondent
Submissions received:	25 November 2025 from Applicant 11 December 2025 from Respondent
Determination:	19 February 2026

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**COSTS DETERMINATION OF THE AUTHORITY**

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[1] On 29 October 2025, the Authority issued a preliminary determination in this matter, identifying the respondent as the applicant's employer.

[2] In that determination, the parties were encouraged to resolve any issue of costs between them, and the Authority made reference to its usual practice of applying the daily tariff to determine costs. The parties have not been able to resolve costs between themselves, and have filed memoranda accordingly.

[3] The respondent has applied for a costs award in its favour, submitting that: the starting point is the daily tariff of \$4,500 for a one-day investigation meeting, and that it seeks an uplift of 20% or a further \$900, on the grounds that the applicant's conduct caused it to incur unnecessary costs.

[4] That conduct is said to be that that applicant failed to provide any specific evidence in support of his assertions, failed to provide any explanation as to what legal entity he was referring to, and that there was no need to consider whether the applicant was “jointly employed” by the respondent and another entity as the respondent did not dispute that it was the applicant’s employer at all relevant times.

[5] It is submitted on behalf of the applicant that he has challenged the Authority’s determination to the Court, and costs in the Authority should be deferred until either the Court’s challenge has been decided or until the applicant’s substantive claim has been determined.

[6] I have considered this, and note that it is well established that a challenge does not operate as a stay. It is common practice for matters in the Authority, including costs, to be resolved as far as possible so that on challenge, all matters in dispute may be brought before the Court. Overall, I consider this to be the situation here. It would be more appropriate for the entire preliminary matter, including costs, to be determined in full in the Authority and, if desired, the entire matter then brought before the Court on challenge, so the Court can resolve the matter as one.

[7] Accordingly, my view is that I should determine costs on the preliminary matter now, and I proceed to do so.

[8] In applicant’s submissions on the matter of costs, it is submitted that the daily tariff of \$4,500 ought to apply with no uplift. It is submitted that, contrary to the submissions for the respondent, the preliminary matter was a necessary preliminary issued to be determined (including for enforcement purposes), and was made in good faith.

[9] I note that, in support of these submissions generally, the applicant has provided a copy of his statement of claim in the court which provides more details about his claim than was previously provided to the Authority. I do not consider it appropriate for me to express any comment on these matters, and will refer only to the Authority proceedings.

[10] The starting point is that costs are to follow the event, and that the Authority will generally apply its daily tariff unless there is good reason otherwise.

[11] In the Authority, the applicant put a preliminary issue into question. It needed to be determined for the matter to move towards a determination of the applicant's substantive claims.

[12] In the event, the applicant was not successful in the Authority. The respondent is therefore entitled to a contribution to its costs.

[13] Both parties submit that the correct starting point is the tariff for a one-day investigation meeting. I accept these submissions. In doing so, I note that the respondent was required to respond to the applicant's claims, and there was some degree of both complexity and change in how the applicant approached the preliminary issue in the Authority with the applicant at one point naming several different respondents as potential employers.

[14] Accordingly, the starting point is an award of costs in favour of the respondent in the sum of \$4,500.

[15] I have considered the submission of the respondent that an uplift equivalent to 20% would be appropriate. I do not accept this submission. The matter was determined "on the papers" and I am not persuaded that the applicant's conduct was such that it unreasonably prolonged the matter beyond what might fairly be recognised by an award equivalent to a full day's tariff. While I accept the submission that the respondent incurred legal costs in excess of this, a costs award is only a contribution to costs in any event. On balance, the starting point remains appropriate, and orders are made accordingly.

## **Orders**

[16] Daniel Harden is ordered to pay to Global Reach Partners Limited within 28 days of the date of this determination the sum of \$4,500 (inclusive) as a contribution to costs.

Claire English  
Member of the Employment Relations Authority