

This determination includes an order prohibiting publication of certain information.

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2023] NZERA 741
3203799

BETWEEN OIT
 Applicant

AND HKL
 Respondent

Member of Authority: Peter van Keulen

Representatives: Kevin McLaughlan, advocate for the Applicant
 Wendy Larsen, representative for the Respondent

Investigation Meeting: On the papers

Submissions Received: 4 December 2023 and 8 December 2023 from the
 Applicant
 8 December 2023 from the Respondent

Date of Determination: 13 December 2023

SECOND COSTS DETERMINATION OF THE AUTHORITY

Order for non-publication

[1] OIT has provided financial information to the Authority and HKL for the purposes of this variation application. That information need not be made public and therefore, pursuant to Clause 10 of schedule 2 of the Employment Relations Act 2000 I grant non-publication orders prohibiting the publication of any of OIT's financial information provided for the purposes of this application.

The first costs determination

[2] In a determination dated 11 October 2023, I determined that OIT was to pay HKL \$2,250 as a contribution to its costs.¹

[3] In my determination I indicated that the parties could come back to me if there was an issue with payment of costs and a suitable payment schedule could not be agreed.

Application for variation

[4] Both OIT and HKL seek to have a variation made to the costs order. OIT seeks to make payments at a rate of \$37.50 per week and HKL seeks to have their costs award paid at a rate of \$100 per week.

Analysis

[5] I have reviewed OIT's financial position as set out in the summary and bank records he provided. With this in mind and considering what is a reasonable time period for the costs award to be paid I have decided that payment can and therefore should be made at a rate of \$50 per week.

Order

[6] The costs order made on 11 October 2023 is varied so that OIT is to make payment of the costs awarded at the rate of \$50 per week commencing the week of 18 December 2023 and continuing until the amount of costs awarded is paid in full.

Peter van Keulen
Member of the Employment Relations Authority

¹ *OIT v HKL* [2023] NZERA 588.