



New Zealand Employment Relations Authority Decisions

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Zielinski v Autoglas Stieger Limited (Auckland) [2011] NZERA 463; [2011] NZERA Auckland 305 (14 July 2011)

Last Updated: 5 August 2011

IN THE EMPLOYMENT RELATIONS AUTHORITY AUCKLAND

[2011] NZERA Auckland 305 5321857

BETWEEN

AND

JERZY ZIELINSKI Applicant

AUTOGLAS STIEGER

LIMITED

Respondent

Member of Authority: Representatives:

Investigation Meeting: Submissions Received

Rachel Larmer

Mark Nutsford, Advocate for Applicant Wayne Kerr, Counsel for Respondent

On the papers

22 June 2011 from Applicant

Determination:

14 July 2011

COSTS DETERMINATION OF THE AUTHORITY

[1] Mr Zielinski's personal grievance claim for unjustified dismissal was successful.

[2] In its substantive determination dated 8 June 2011^[1], the Authority encouraged the parties to resolve costs themselves, but failing that a timetable was set for costs to be addressed by way of an exchange of memoranda.

[3] The applicant applied for an award of costs, but the respondent did not file any submissions in accordance with the timetable set out in the Authority's substantive determination. No request for an extension to that timetable was made. I have therefore dealt with costs based on the information before me.

[4] I am satisfied Mr Zielinski incurred legal costs of \$7,815.31 because invoices for this amount have been provided to the Authority in support of the costs claimed.

[5] I consider it is appropriate for the Authority to adopt its usual daily tariff based approach to costs. This matter involved a straightforward one day investigation meeting so I have adopted a notional daily tariff of \$3,000 as a starting point. I do not consider there are any factors which warrant an adjustment to that daily rate.

[6] Accordingly, Autoglas Stieger Limited is ordered to pay Mr Zielinski \$3,000 towards his actual costs plus \$71.56 to reimburse him for his filing fee.

[\[1\]](#) *Zielinski v. Autoglas Stieger Ltd* [2011] NZERA 241
