

**IN THE EMPLOYMENT COURT OF NEW ZEALAND
CHRISTCHURCH**

**I TE KŌTI TAKE MAHI O AOTEAROA
ŌTAUHAHI**

**[2020] NZEmpC 132
EMPC 244/2020**

IN THE MATTER OF	an application to extend time to file a challenge
BETWEEN	ALLIANCE GROUP LIMITED Applicant
AND	BRIAR LECKIE Respondent

Hearing: On the papers

Appearances: P Chemis, counsel for applicant
R Donnelly, counsel for respondent

Judgment: 25 August 2020

JUDGMENT OF JUDGE K G SMITH

[1] On 5 June 2020 the Employment Relations Authority issued a determination resolving an employment relationship problem between Briar Leckie and Alliance Group Ltd.¹ Ms Leckie was successful and the Authority ordered Alliance to pay compensation of \$15,000 pursuant to s 123(1)(c)(i) of the Employment Relations Act 2000 and to reimburse her for lost remuneration.

[2] The Authority found that Ms Leckie had lost remuneration from the date of the dismissal until the date of the investigation meeting and was entitled to be reimbursed for that loss.² At the time of the investigation meeting the Authority was not in a

¹ *Leckie v Alliance Group Ltd* [2020] NZERA 221 (Member Cheyne).

² At [70].

position to quantify the loss and, at the request of counsel, that issue was reserved for assessment at a later time.

[3] In a separate determination, dated 7 July 2020, the Authority quantified the amount of Ms Leckie's loss and fixed costs.³ Alliance challenged the June determination that established the method by which the amount to be paid to Ms Leckie was to be quantified but did not challenge the July determination that fixed the amount to be paid.⁴ It has now applied for an extension of time to challenge the July determination. The grounds of the application are that the delay has been minimal, there is no prejudice to Ms Leckie, and the interests of justice warrant an extension of time being granted.

[4] The application is consented to by Ms Leckie. That is not surprising because she previously consented to a stay subject to conditions that contemplated both determinations had been challenged.

[5] The application for an extension of time is granted. A statement of claim is to be filed within 14 days.

[6] Costs are reserved.

K G Smith
Judge

Judgment signed at 2.15 pm on 25 August 2020

³ *Leckie v Alliance Group Ltd* [2020] NZERA 274 (Member Cheyne).

⁴ Within 28 days pursuant to Employment Relations Act 2000, s 179(2).