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# Personal Grievance? Ask for an Authority To Act form - by Lawrence Anderson

**Authority to Act**

Important information: Complete this form if you would like to appoint an agent or representative to act on your behalf. Please ensure you have read and understood the Information Guide at the beginning of this form. Both you and your agent or representative need to sign this form.

Please fill in all sections below.

**Part 1: Applicant**

Name of Tribunal or Authority?

Tribunal or Authority case number? (if known)

What is your name?

Surname:

First name(s):

Address for service:

Street:

Suburb:

City/town:

Post code:

Contact details:

Telephone contact number ( ): :

Mobile:

Email address:

Date of birth ( / / ): (day / month / year)

**Part 2: Agent or representative**

What do you want to appoint as your agent/representative?

Full name of person/organisation:

What is your relationship to this person/organisation?

Agent / representative's address for service:

Street:

Agent / representative's contact details:

Telephone contact number ( ): :



We recently saw an advocate get tripped up as the Employment Relations Authority and Employment Court found that they had failed to establish a written Authority To Act (ATA) with their client.

The Court noted that there is no requirement of the Authority to provide a template form for advocates, neither does the Court have the jurisdiction to impose such a requirement on the Authority.

Frequently I observe cases where both regulated and non-regulated employment advocates have in the first phone call with a client to their 0800 number, fired off a personal grievance letter, starting the client's case without providing written Terms of Engagement, let alone having a client fill out an ATA form before commencing work.

There has been occasions where this has resulted in clients coming to us seeking representation because they were unclear on what was happening with the other advocacy firm. When this happens the advocates may argue over which represents that client. The loser of that argument may then charge the client for the work they have performed. If that is the firm that failed to provide written Terms of Engagement to agree to from the outset, then the client would have legitimate grounds to dispute those charges.

To avoid these problems, an employment advocate should provide an Authority To Act (ATA) form to prospective clients, along with a Terms of Engagement form as per my [18 July article](#).

There is a boilerplate ATA form on the Justice website but it's not tailored to the employment jurisdiction. An employment ATA form might look something like this:

*[contact details of Advocate]*

**AUTHORITY TO ACT**

*I authorise [Advocate] to act as my representative/s, as provided by Section 236 of the Employment Relations Act 2000. In addition, I authorise [Advocate] to obtain any information on my behalf regarding all issues with my current or former employer.*

*In addition, I authorise [Advocate] to:*

- *Obtain any details regarding my pay, service record and/or personnel record from my employer or payroll service or ACC; and*
- *Seek copies of my wage and time record and/or any other Employment Agreement documentation from my employer; and*
- *Refer the matter to the Mediation Service of the Employment Relations Service, the Employment Relations Authority, or the Employment Court; and*
- *Represent me in any other required manner relating to the issues as advised by me in telephone conversations and/or meetings we have held; and*
- *Represent me in the negotiation and execution of a final and binding and enforceable agreement pursuant to s149 of Employment Relations Act 2000.*

*I understand that [Advocate] will keep me informed of all progress relating to these issues, and I will be provided with a copy of all documentation sent or received by my representative; and that I will keep my representative, similarly informed.*

*First Name:* \_\_\_\_\_

*Last Name:* \_\_\_\_\_

*Signature:* \_\_\_\_\_

*Date:* \_\_\_\_\_