

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND OFFICE**

BETWEEN Marc Butler & Others (Applicant)
AND Carter Holt Harvey Limited (Respondent)
REPRESENTATIVES Unknown
Rob Towner, Counsel for Respondent
MEMBER OF AUTHORITY Vicki Campbell
SUBMISSIONS RECEIVED 20 December 2005 from Respondent
DATE OF DETERMINATION 25 February 2005

COSTS DETERMINATION OF THE AUTHORITY

- [1] In my determination of 26 October 2004, I found for the respondent. The issue of costs was reserved and I invited the parties to try to resolve this issue.
- [2] I have received costs submissions from Mr Towner for Carter Holt Harvey Limited, but have not received any submissions in reply on behalf of the applicant.
- [3] Mr Towner seeks an order of \$2,000 as a contribution to costs.
- [4] I am of the view this is an appropriate case for an award of costs. The case was important to both parties. The investigation meeting was concluded within ½ a day. In all the circumstances and taking into account the principles relating to costs as set out in *New Zealand Airline Pilots Association v The Registrar of Unions* [1989] 2 NZILR 550 and *Reid v Fire Services Commission* [1995] 2 ERNZ 38 I am of the view that an appropriate award of costs including disbursements is \$1,000.00.
- [5] I order the applicants to pay to Carter Holt Harvey the sum of \$1,000.00 as a contribution to costs and disbursements.

Vicki Campbell
Member of Employment Relations Authority