

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2011] NZERA Auckland 110
5293403

BETWEEN LEE CHRISTIANSEN
 Applicant

AND CAROL RASING T/A
 CHICKENS 4U
 Respondent

Member of Authority: Dzintra King

Submissions received: 10 February 2011 from Respondent
 7 March 2011 from Applicant

Determination: 23 March 2011

COSTS DETERMINATION OF THE AUTHORITY

[1] The applicant, Mr Lee Christiansen, was unsuccessful in his personal grievance claim. The parties have been unable to agree costs. The respondent now seeks costs.

[2] The respondent seeks a significant contribution to its reasonably incurred costs. The costs are \$6,556.50 plus disbursements of \$29.20 for a taxi fare and \$5.62 courier expenses.

[3] I do not have details of the costs, a matter noted by the applicant.

[4] The applicant says that an order exceeding the daily tariff is not warranted and a lesser sum would be reasonable given the hearing finished at 3pm.

[5] Mr Finnigan for the applicant submitted that before leaving to go overseas his client had informed him that meeting any award would involve financial hardship but Mr Finnigan had been unable to obtain details.

[6] The criteria for awards of costs are set out in *PBO Ltd (formerly Rush Security Ltd) v Da Cruz* [2005] 1 ERNZ 808.

[7] Costs normally follow the event and the respondent is entitled to recover a reasonable contribution to its reasonably incurred costs.

[8] Costs in the Authority are to be moderate and not punitive.

[9] The applicant is to pay the respondent the sum of \$2,000 plus disbursements of \$34.82.

Dzintra King

Member of the Employment Relations Authority