

BETWEEN TRACEY CRAWFORD
Applicant

AND M TOROK HOLDINGS LIMITED
Respondent

Member of Authority: Leon Robinson

Representatives: Rowland Ingram for Applicant
Mark Torok for Respondent

Determination: 30 April 2007

DETERMINATION OF THE AUTHORITY AS TO COSTS

[1] By a Determination dated 26 March 2007, the Authority resolved the employment relationship problem between these parties by formal orders in the applicant Ms Tracey Crawford ("Ms Crawford") favour. Ms Crawford now asks the Authority to order that M Torok Holdings Limited ("M Torok Holdings") pay her costs because the parties have not been able to resolve the matter informally between them.

[2] Ms Crawford costs in the unjustifiable dismissal investigation are advised as \$3,500.00 and a reasonable contribution to that sum is now sought. M Torok Holdings did not take the opportunity to respond.

[3] The exercise of my discretion calls for a determination of what is a fair and reasonable contribution as between the parties. The Authority adopts a principled approach taking into account relevant matters and having no regard for irrelevant ones.

[4] The investigation meeting proceeded over less than one day. Ms Crawford succeeded in her claim and is therefore to be regarded as the successful party. She is entitled to a contribution to her costs. Costs awards in the Authority are modest and in this instance, I see no reason to depart from the conventional tariff.

[5] Accordingly, exercising my discretion on a principled basis, I conclude a contribution of \$1,500.00 is appropriate. **I order M Torok Holdings Limited to pay to Tracey Crawford the sum of \$1,500.00 as a contribution to costs.**

Leon Robinson
Member of Employment Relations Authority