

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND OFFICE**

BETWEEN Christine Gardner (Applicant)
AND Safe Secure Limited (Respondent)
REPRESENTATIVES David Bruce, Advocate for Applicant
Lawrence Herzog, Counsel for Respondent
MEMBER OF AUTHORITY Dzintra King
MEMORANDA RECEIVED 20 January 2006 from Respondent
No memorandum from Applicant
DATE OF DETERMINATION 1 May 2006

DETERMINATION OF THE AUTHORITY

The applicant was unsuccessful in her personal grievance claim. The respondent now seeks costs. The actual costs were \$8,250 GST inclusive and the respondent seeks \$5,000. No rationale for seeking this amount was provided.

In Graham v Airways Corporation of NZ Ltd (unrep, 28 January 2004, AA 39/04) the Authority stated that the investigative role of the Authority differed from adversarial legal proceedings. The legislation intended a far less legalistic approach and access to justice should not be blocked by excessive costs. In Wilson v Grey Power Publishing Co Ltd (unrep, 4 March 2004, AA 58/03) the Authority held that it should consider the degree and standard of work that is required for an investigation.

I can see no reason in this case from the general range of costs' awards. The applicant is to pay the respondent the sum of \$1,500.

Dzintra King
Member of Employment Relations Authority