

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON OFFICE**

BETWEEN Arthur Cooper Gyles (Applicant)
AND Thumbprint 2 Limited (Respondent)
REPRESENTATIVES David Patten for the Applicant
Andrew Bell for the Respondent at the substantive investigation
meeting
MEMBER OF AUTHORITY P R Stapp
SUBMISSIONS ON COSTS From the Applicant 19 May 2006, 22 August 2006
No reply from the Respondent
DATE OF DETERMINATION 9 October 2006

COSTS DETERMINATION OF THE AUTHORITY

[1] The application for costs was made in the statement of problem and leave reserved in a substantive determination delivered on the employment relationship problem. The applicant was partially successful in his claims. The parties attended mediation. The applicant is seeking an order for costs. He has incurred the costs of having a representative assist him in the preparation for the Authority's investigation and his representative's attendance at the investigation meeting that lasted a day and preparation of final submissions.

[2] In the absence of any details and invoices from the applicant on the costs incurred I have decided to give the applicant a contribution towards his costs and disbursements. Indeed there were no exceptional circumstances to depart from this practice. The investigation involved necessary preparation and the one day investigation meeting was not unreasonable for the issues involved in resolving the employment relationship problem.

[3] A reasonable contribution towards costs would be \$3,000. I order Thumbprint 2 Limited to pay Arthur Cooper Gyles the sum of \$3,000 contribution towards his costs and the \$70 filing fee.

P R Stapp
Member of the Authority