

- It is open to the Authority to consider whether all or any of the parties costs were unnecessary or unreasonable;
- That costs generally follow the event;
- That without prejudice offers can be taken into account;
- That awards will be modest;
- That frequently costs are judged against a notional daily rate;
- The nature of the case can also influence costs and this has resulted in the Authority ordering that costs lie where they fall in certain circumstances.

[5] Ms Heremia was legally aided. On Ms Heremia's behalf, Ms Alchin seeks an award of between \$4,000 and \$5,000. There is no evidence or other documentation from Ms Heremia to show what her grant of legal aid was, or what the actual costs incurred were. Therefore, I have no basis on which to assess whether an award of between \$4,000 or \$5,000 is appropriate.

[6] The investigation meeting took one day and was not overly complex, however, there were a large number of documents produced to the Authority by the respondent which from my experience, took a lot of time to scrutinise and examine as part of my preparation for the investigation meeting.

[7] Wilding International Ltd is required to pay to Ms Heremia the sum of \$3,000 including disbursements as a reasonable contribution to costs.

[8] An order is made accordingly.

Vicki Campbell
Member of the Employment Relations Authority