

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

[2015] NZERA Christchurch 138
5453068

BETWEEN SARAH HUNTER
Applicant

AND MOT HOT ROASTS LIMITED
Respondent

Member of Authority: Christine Hickey

Representatives:
Luke Acland, counsel for the applicant
Shane Holtham, advocate for the respondent

Costs submissions received: From the applicant on 26 June 2014
None from the respondent

Determination: 15 September 2015

COSTS DETERMINATION OF THE AUTHORITY

A. Mot Hot Roasts Limited must pay Sarah Hunter \$511.56 contribution towards her legal costs.

[1] On 29 May 2015 I issued a determination that Ms Hunter had been unjustifiably dismissed and should be paid a total of \$6,105.35 by Mot Hot Roasts Limited.

[2] Ms Hunter was legally aided and Mr Acland has applied for costs on the basis that Ms Hunter is obliged by the Ministry of Justice to do so.

[3] The power of the Authority to award costs arises from Section 15 of Schedule 2 of the Employment Relations Act 2000. Costs are awarded at the discretion of the Authority.

[4] The principles and the approach adopted by the Authority on which an award of costs is made are well settled. In exercising its discretion the Authority frequently judges costs

against a notional daily rate, which is currently \$3,500. The successful party can expect a reasonable contribution to their legal costs to be made by the unsuccessful party.

[5] The investigation meeting was held on 27 May 2015 and took $\frac{3}{4}$ of an hour. On that basis, Mot Hot Roasts Limited must pay Sarah Hunter \$440.00 plus the cost of the filing fee which was \$71.56.

Christine Hickey

Member of the Employment Relations Authority