

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

[2013] NZERA Auckland 321  
5390704

BETWEEN                      SHARON MOORE  
   Applicant  
  
AND                              CARTER HOLT HARVEY  
   LIMITED  
   Respondent

Member of Authority:      K J Anderson  
  
Representatives:            P Cranney, Counsel for Applicant  
   D France, Counsel for Respondent  
  
Submissions received:     17 May 2013 from Respondent  
   Nil from Applicant  
  
Determination:              29 July 2013

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**COSTS DETERMINATION OF THE AUTHORITY**

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[1] In a determination dated 19 April 2013,<sup>1</sup> the Authority found that Ms Moore was unsuccessful with her claim against the respondent that she was unjustifiably dismissed. The parties were invited to resolve the matter of costs but have not been able to do so, albeit the Authority has been made aware that an attempt has been made. Submissions have now been received from the respondent and while an extension of time was allowed, to 14 June 2013, for the applicant to file submissions (and/or continue discussions); to date, none have been received.

[2] The respondent seeks an award of costs of the sum of \$3,500.00, consistent with the current daily tariff approach of the Authority. While details of the costs incurred by the respondent have not been provided, given the experienced counsel involved, it can be taken to be within the knowledge of the Authority that the applicable costs would be considerably higher than the sum sought. Hence it can

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<sup>1</sup> [2013] NZERA Auckland 133

logically be concluded that the claim is quite reasonable, given that the investigation meeting occupied the better part of one day.

**Determination**

[3] Given the successful outcome for the respondent regarding the determination of Ms Moore's claims, pursuant to clause 15 of Schedule 2 to the Employment Relations Act 2000, Ms Sharon Moore shall pay to Carter Holt Harvey Limited the sum of \$3,500.00 as a contribution to the costs incurred by the company.

**K J Anderson**  
**Member of the Employment Relations Authority**