



requested the joinder of Mr Salmon as second respondent. Mr Kurta did not give any indication of having served Mr Salmon with notice of this application for joinder, which I understand has now been passed on to Mr Salmon under separate cover to this determination.

[4] It has never been disputed that the first respondent was Ms Parata's employer. Mr Kurta's application appears to be based on an assertion that Mr Salmon has aided and abetted the first respondent's breaches of duty. This claim was not raised in the original statement of problem. It amounts to a new cause of action against an additional respondent. Such an application cannot be addressed by joining a party to a matter which has already been determined. It should more properly be addressed via fresh proceedings. This determination therefore deals only with the issue of costs.

[5] Preparation for the investigation of this employment relationship problem was minimal. Mr Kurta filed a very brief witness statement from his client and accompanied her to an investigation meeting which lasted under two hours. In all the circumstances, a very modest award of costs is warranted.

**[6] I order the respondent to pay \$500.00 to the applicant as contribution to her costs, and in addition to pay to her \$20.00 for disbursements and \$70.00 for her filing fee.**

Yvonne Oldfield

Member of the Employment Relations Authority