

*Under the Employment Relations Act 2000*

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND OFFICE**

**BETWEEN** Dyanne Joy Reynolds (Applicant)  
**AND** The Natural Pet Treat Company Limited (Respondent)  
**REPRESENTATIVES** Dyanne Joy Reynolds In person  
Mr Harjit Sidhu, Advocate for Respondent  
**MEMBER OF AUTHORITY** Marija Urlich  
**INVESTIGATION MEETING** 17 June 2004  
**DATE OF DETERMINATION** 20 January 2005

DETERMINATION OF THE AUTHORITY AS TO COSTS

[1] The Authority found in its determination dated 6 July 2004 that Dyanne Reynolds did not have a personal grievance and had not been constructively dismissed. A timetable for filing costs submissions was set in the determination. I have received and read costs submissions filed by Mr Sidhu the managing director of The Natural Pet Treat Company Limited ("TNPTC"), and Ms Reynolds.

[2] As the successful party TNPTC says it should be fully refunded for the costs and expenses incurred in opposing Ms Reynolds application. In his submission Mr Sidhu has outlined the time and expense involved in preparing and attending the investigation meeting as well as the loss of potential business he says was caused by Ms Reynolds resignation and medical costs incurred due to stress.

[3] The general principle is that an unrepresented litigant is not entitled to be reimbursed legal costs for the litigant's own time (*Health Technology Limited v MacDonald* [1993] 2 ERNZ 842). This principle applies to this situation. Legal advice has not been sought and paid for in preparation for the investigation meeting and TNPTC was represented by Mr Sidhu at the investigation meeting.

[4] I am satisfied Mr Sidhu has incurred the cost of these disbursements in defending Ms Reynolds application to the Authority. As outlined in his submission these disbursements are \$300.00 in unspecified telephone calls, letters and administration costs and \$23.00 in parking for attendance at the Authority. It is appropriate Ms Reynolds contributes to these disbursements and I set her contribution at \$50.00.

[5] I order Dyanne Reynolds to pay to the Natural Pet Treat Company Limited the sum of \$50.00 as a contribution to its disbursements.

Marija Urlich  
Member, Employment Relations Authority

