

Ltd v Da Cruz. Ms Gibson seeks a reasonable contribution to the respondent's costs submitting that the costs incurred by the respondent were not incurred unreasonably.

[4] The applicant's counsel suggests an award of costs in favour of the respondent in the sum of \$500 or that, in the alternative, costs should lie where they fall. Either of the suggested alternatives, I find, falls short of what is just in the circumstances of this case. Given that the case had only modest merit and the respondent was put to the expense of engaging professional advocacy services and was successful in its defence of the applicant's claim, it has a right to expect a realistic contribution to those costs.

[5] While the investigation meeting was relatively brief, the type of claim brought by the applicant required detailed submissions to be prepared on behalf of the respondent and that matter has been weighed along with the financial situation of the applicant.

[6] In all the circumstances, I think it just to allow costs to follow the event. I order the applicant to pay the respondent the sum of \$1,800 as a contribution to its reasonably incurred costs.

Paul Montgomery
Member of the Employment Relations Authority