

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

AA 47A/08
5053269

BETWEEN

ELAINE BRODIE
Applicant

AND

OPOTIKI PACKAGING AND
COOLSTORES LIMITED
Respondent

Member of Authority: R A Monaghan
Representatives: F Meikleham, Counsel for Applicant
K Stretton, Advocate for Respondent
Submissions received: 14 March 2008 from Applicant
27 March 2008 from Respondent
Determination: 31 March 2008

COSTS DETERMINATION OF THE AUTHORITY

[1] In a determination dated 15 February 2008 I found Ms Brodie was dismissed unjustifiably. Costs were reserved and Ms Meikleham has filed a memorandum seeking an order for costs.

[2] The memorandum referred to the remedies awarded in the substantive determination, quantifying the payment Ms Brodie would have received in lieu of notice as one month's salary or \$3,166.66 (gross). In the absence of any response from OPAC I confirm that is the amount to be paid to Ms Brodie in terms of the orders set out at [66] of the determination. I further order the payment of interest in accordance with the calculation in Ms Meikleham's letter to Ms Stretton dated 4 March 2008.

[3] A contribution to costs was sought in the sum of \$2,000. Although the outcome of the substantive matter was not an unqualified success for Ms Brodie, there was some degree of success and in all of the circumstances the contribution sought is very reasonable.

[4] Accordingly OPAC is ordered to contribute to Ms Brodie's costs in the sum of \$2,000.

R A Monaghan

Member of the Employment Relations Authority