

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

**AA 58/10
5282213**

BETWEEN DAMODARAN CHETTY
 Applicant

AND NZ QUALITY AUTO SERVICES
 LIMITED
 Respondent

Member of Authority: Leon Robinson

Submissions Received: 14 January 2010

Determination: 11 February 2010

DETERMINATION OF THE AUTHORITY AS TO COSTS

[1] By a Determination dated 17 December 2009, I made formal orders in settlement of the employment relationship problem between these parties. Mr Chetty now makes application for costs.

[2] Mr Chetty's counsel advises the Authority that Mr Chetty's legal costs are \$3,334.38 inclusive of GST and disbursements.

[3] The respondent company has taken no steps to defend the application.

[4] As a result of the respondent's failure to engage, the investigation meeting took one hour. I see no reason to depart from the Authority's daily tariff and having regard to the length of the investigation meeting I award costs at the lower daily tariff rate in the sum of \$1,500.00.

[5] Exercising my discretion on a principled basis and for the reasons outlined above, **I order NZ Quality Auto Services Limited to pay to Damodaran Chetty the sum of \$1,500.00 as a contribution to his costs.**

Leon Robinson
Member of Employment Relations Authority