

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

[2012] NZERA Wellington 92
5357995

BETWEEN	MICHAEL GREEN Applicant
AND	GLOBE HOLDINGS LIMITED Respondent

Member of Authority: G J Wood
Submissions received: From applicant on 16 July 2012
Determination: 16 August 2012

COSTS DETERMINATION OF THE AUTHORITY

[1] Mr Green was successful in his claim against the respondent, Globe Holdings, that as its employee he was owed unpaid wages, holiday pay and statutory holiday pay, plus interest. Globe Holdings was also ordered to pay a penalty to the Crown for failure to provide copies of Mr Green's employment agreement, wage and time records and holiday and leave records. In my determination, I concluded that had Globe Holdings responded to these requests, matters would have been dealt with more efficiently.

[2] Globe Holdings has not responded to Mr Green's request to settle costs. Mr Green now seeks \$4,850.24 in costs.

[3] On behalf of Mr Green, Mr Abraham noted that Globe Holdings had obstructed rather than facilitated the Authority's investigation. In particular Mr Green relied on a late statement in reply, failure to attend mediation, failure to attend on conference calls and failure to respond to correspondence. I accept these submissions and that these events caused Mr Green to incur additional costs unnecessarily.

[4] Mr Abraham therefore sought full costs recovery on behalf of Mr Green.

[5] Despite the failings of Globe Holdings, I do not consider that this is a matter for the recovery of full costs. In any event, there was no schedule of costs provided. This was a straightforward matter dealt with in well under a day, and accordingly a contribution towards Mr Green's costs of \$3,500 (as if it involved a full day's investigation meeting) is appropriate.

[6] I therefore order the respondent, Globe Holdings Limited, to pay to the applicant, Mr Michael Green, the sum of \$3,500 in costs.

G J Wood
Member of the Employment Relations Authority