

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

WA 116A/10
5299028

BETWEEN Leigh Greer
Applicant

AND Pro Parts Palmerston North
Limited
Respondent

Member of Authority: Denis Asher

Representatives: Michelle McManus for Mr Greer
Mark Gapp for the Company

Submissions received: By 16 July 2010

Determination: 27 July 2010

COSTS DETERMINATION OF THE AUTHORITY

[1] In my determination dated 28 June 2010 (WA 116/10) I found in favour of Mr Greer's application for a compliance order.

[2] While costs were reserved I indicated that, subject to the parties' submissions, as the matter was dealt with on the papers and bearing in mind that costs in respect of

an earlier compliance order application (WA 119/09) were still reserved, costs of \$500 would appear appropriate (par 19, WA 116/10).

Parties' Costs Submissions Summarised

[3] In costs submissions dated 9 & 16 July 2010 Mr Greer expressed his view that costs of \$500 were appropriate.

[4] Other than brief advice dated 12 July that he did not have the money to pay the awards set out in WA 116/10 all at once, no other comment has been received from the respondent.

Discussion and Findings

[5] The Authority's discretion with which to award costs is now well settled and typically follows the event: *PBO Limited (formerly Rush Security Limited) v Da Cruz* [2005] 1 ERNZ 808.

[6] After regard to the parties' positions and further reflection, I have no reason to change my preliminary assessment that costs of \$500 are appropriate in respect of WA 119/09 and WA 116/10. Calculation of interest owing on outstanding monies can be addressed by the parties in the first instance and returned to the Authority in the event this simple matter is unable to be agreed.

Determination

[7] The Company is to pay to Mr Greer as a contribution to his fair and reasonable costs \$500 (five hundred dollars).

Denis Asher

Member of the Employment Relations Authority