

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON OFFICE**

BETWEEN Hannah Jackson (Applicant)
AND Hsien Lee t/a Treasure Restaurant (Respondent)
REPRESENTATIVES Anita McIntosh for Applicant
Ross Jamieson for Respondent
MEMBER OF AUTHORITY G J Wood
SUBMISSIONS RECEIVED By 16 November 2005
DATE OF DETERMINATION 17 November 2005

COSTS DETERMINATION OF THE AUTHORITY

1. In my substantive determination I found that Ms Jackson was unjustifiably given notice of termination of employment and suspended by the respondent, Mrs Hsien Lee, co-owner of the Treasure Restaurant. Mrs Lee was ordered to pay \$1002.75 gross in lost remuneration and \$1500.00 in compensation.
2. On Ms Jackson's behalf Ms Macintosh has submitted correspondence with the Legal Services Agency, in which the entitlement of Mrs Lee to legal aid is questioned, in support of a claim for costs. Given that the Legal Services Agency could not advance the concerns raised on Ms Jackson's behalf and no claim for exceptional circumstances or for an order of what the Authority would have ordered had Mrs Lee not been legally aided was made, Mrs Lee's liability must be limited to her contribution to legal aid. That contribution was \$50.00.
3. I therefore order the respondent, Hsien Lee, to pay the applicant, Hannah Jackson, the sum of \$50.00 in costs.

G J Wood
Member of Employment Relations Authority

