

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

[2014] NZERA Auckland 130  
5431552

BETWEEN

LOUISE LOCK  
Applicant

A N D

HL GROUP LIMITED  
TRADING AS THE  
FARMHOUSE CAFE  
Respondent

Member of Authority: Rachel Larmer

Representatives: Mark Nutsford, Advocate for Applicant  
John Ren, Shareholder of Respondent

Investigation Meeting: On papers

Submissions: 21 March 2014 from Applicant  
No submissions from Respondent

Date of Determination: 07 April 2014

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**COSTS DETERMINATION OF THE AUTHORITY**

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**A. HL Group Limited (The Farmhouse Cafe) is ordered to pay Ms Louise Lock;**

- (1) \$1,750.00 towards her actual costs;**
- (2) \$71.56 to reimburse her filing fee.**

**Employment relationship problem**

[1] In a determination dated 10 March 2014 the Authority held that Ms Lock was unjustifiably dismissed by The Farmhouse Café.<sup>1</sup> As the successful party she is entitled to a contribution towards her actual costs.

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<sup>1</sup> [2014] NZERA Auckland 83.

[2] The parties were encouraged to resolve costs by agreement but that has not occurred. I am satisfied from the invoice filed with the Authority that Ms Lock has incurred actual costs in excess of \$4,200. Ms Lock has left the amount of costs awarded to the Authority's discretion. The Farmhouse Café has not made any costs submissions.

[3] I adopt the Authority's usual notional daily tariff based approach to costs. This matter involved a half day investigation meeting. The notional starting point for assessing costs in this matter is \$1,750 (being half of the current notional daily tariff of \$3,500).

[4] Neither party identified any factors which should result in adjustments being made to the notional starting tariff and I am not aware of any. I therefore consider it appropriate to adopt the notional daily tariff on a pro-rata basis without adjustment.

### **Orders**

[5] The Farmhouse Café is ordered to pay Ms Lock within 28 days of the date of this determination \$1,750 towards her actual costs together with \$71.56 to reimburse her filing fee.

**Rachel Larmer**  
**Member of the Employment Relations Authority**