

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

AA 191/10
5148649

BETWEEN CHIA-HSU LI
 Applicant

AND ANZ SKY TOURS LIMITED
 Respondent

Member of Authority: Vicki Campbell

Submissions received: 18 December from Applicant
 No submissions from Respondent

Determination: 28 April 2010

COSTS DETERMINATION OF THE AUTHORITY

[1] By determination dated 10 December 2009 I found Ms Li had received all wages and commission payments due to her and was statute barred from pursuing her personal grievance as it had not been raised within the requisite 90 day period. I did however find that Ms Li had not been paid all holiday pay due to her.

[2] In my determination I reserved the questions of costs and encouraged the parties to settle this matter between them. They have been unable to do so and I am now in receipt of memorandum from the applicant.

[3] The conventional rule is that costs follow the event. In this case both parties had a modicum of success. I am of the view that costs ought to lie where they fall.

[4] In the principled exercise of my discretion I order that neither party shall have costs against the other.

Vicki Campbell
Member of the Employment Relations Authority