



[4] I will accept that on the face of the submission made it appears Mr Roper has some financial difficulty, but what extent is questionable. There is no evidence to suggest that he will not be able to meet his obligation sometime in the future. Mr Roper has not given full particulars of his financial circumstances including his current employment, earnings and assets and liabilities. Mr Roper was not successful in his personal grievance claim and must now pay some of the costs that he has put the respondent to unnecessarily.

[5] There was preparation required for the Authority's investigation meeting and submissions prepared after the meeting. This was a matter that reasonably required the attendance of a representative for the respondent because of the nature of the application and the issues involved and because Mr Roper was represented. The parties had attended mediation services provided by the Department of Labour to try and save costs. This is where the matter should have settled having regard to the outcome in the Authority. Mr Roper chose to continue despite the risks. Mr Roper's claim for monetary remedies was never realistic and open to the employer being concerned enough to reasonably put up a full defence.

[6] The witnesses that were called by the respondent for me to interview were relevant to the proceedings. The seriousness of the claim against the respondent meant that it was reasonable for the respondent to raise issues of for me to investigate mitigation and contribution and involving matters arising after the dismissal. Thus there was extra time involved. Fortunately the entire matter, except for subsequent submissions in writing, was dealt with in one day, as it should have been.

[7] I have assessed the costs within the usual range applying to an investigation in the Employment Relations Authority. I have to take into account all the above circumstances and it is my decision that Mr Roper is to pay Pikarere Farm Limited \$3,000 contribution towards costs. It remains open to the parties to try and sort out some instalment plan.

**Orders of the Authority**

[8] Gary Roper is ordered to pay Pikarere Farm Limited \$3,000 costs.

P R Stapp  
Member of the Employment Relations Authority