

*Under the Employment Relations Act 2000*

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY  
OFFICE**

**BETWEEN** James Sneddon  
**AND** Towers Auckland (2002) Limited  
**REPRESENTATIVES** Francis Sabbineni for Applicant  
Paul Tremewan for Respondent  
**MEMBER OF AUTHORITY** Yvonne Oldfield  
**SUBMISSIONS** 20 July 2006, 23 August 2006  
**DATE OF DETERMINATION** 10 October 2006

DETERMINATION OF THE AUTHORITY ON COSTS

Employment Relationship Problem

[1] In a determination dated 12 July 2006 I found that Mr Sneddon was genuinely redundant but that the process by which his employment was terminated was not in all respects fair. I also found contributory conduct and, taking the last factor into account, awarded Mr Sneddon \$1,500.00 compensation for hurt and humiliation. On behalf of Mr Sneddon Mr Sabbenini has now sought full costs of \$1,000.00. Mr Tremewan has responded pointing out that my substantive determination was silent on the issue of costs and therefore that costs should lie where they fall. However I consider that the matter of costs remains open to be determined and now do so based on all the submissions I have received from the parties.

Determination

[2] Mr Tremewan indicated that there was a low level of preparation by the applicant for the investigation. He pointed out that invoices were not supplied and the representation was on a "no win no fee" basis. He referred me to the established principles on which awards of costs are to be made, and he submitted that the matter was uncomplicated and was dealt with in a half day.

[3] I agree with the respondent's submissions however I do not agree that it follows that costs should lie where they fall. Mr Sneddon is entitled to a contribution to his costs. In light of what Mr Tremewan has said, I set this at \$500.00.

[4] Towers Auckland Ltd is ordered to pay to the applicant the sum of \$500.00 as a contribution to his costs.

Yvonne Oldfield  
Member of Employment Relations Authority