

*Under the Employment Relations Act 2000*

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND OFFICE**

**BETWEEN** Cecil Ross Taylor (Applicant)  
**AND** VE Logistics NZ Limited (Respondent)  
**REPRESENTATIVES** Marilyn Wing, for the Applicant  
Glen Baxter, for the Respondent  
**MEMBER OF AUTHORITY** Marija Urlich  
**SUBMISSIONS RECEIVED** 16 December 2004 from the Applicant  
26 January 2005 from the Respondent  
**DATE OF DETERMINATION** 27 January 2005

**COSTS DETERMINATION OF THE AUTHORITY**

[1] In my determination of 2 December 2004, I found that the applicant was successful in his claim for wage arrears. The applicant was awarded remedies. The issue of costs was reserved and I invited the parties to try to resolve this issue.

[2] I have received costs submissions from Mrs Wing, for Mr Taylor. I understand from her submissions the parties have attempted without success to resolve the issue of costs and on Mr Taylor's behalf she now seeks the Authority's determination on this issue. Mrs Wing seeks full indemnity costs of \$3455.25.

[4] I have also received costs submissions from Mr Baxter on behalf of the respondent. These submissions concern the attempts by the parties to resolve the costs issue and the identity of the respondent. The identity of the respondent has been dealt with in the determination AA 397/04.

[5] I am of the view this is an appropriate case for an award of costs. The case was important to both parties but was not a complex matter and the investigation meeting was concluded within 2 hours with further information provided in writing subsequently. In all the circumstances and taking into account the principles relating to costs as set out in *New Zealand Airline Pilots Association v The Registrar of Unions* [1989] 2 NZILR 550 and *Reid v Fire Services Commission* [1995] 2 ERNZ 38 I am of the view that an appropriate award of costs including disbursements is \$1200.00.

[6] I order VE Logistics NZ Limited to pay to Cecil Ross Taylor the sum of \$1200.00 as a contribution to his costs and disbursements.

Marija Urlich  
Member, Employment Relations Authority