

*Under the Employment Relations Act 2000*

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON OFFICE**

**BETWEEN** John Richard Watts (Applicant)  
**AND** David and Judy Stevenson (Respondents)  
**REPRESENTATIVES** G W Calver for Applicant  
S J Webster for Respondents  
**MEMBER OF AUTHORITY** G J Wood  
**SUBMISSIONS RECEIVED** 7 February 2005  
**DATE OF DETERMINATION** 7 February 2005

**COSTS DETERMINATION OF THE AUTHORITY**

1. In my substantive determination I found that Mr Watts was unjustifiably dismissed by Mr Stevenson because the termination of his employment for redundancy was not treated fairly and sensitively. Mr Watts was awarded \$6,500 in compensation and \$1,232.88 gross in reimbursement of lost remuneration.
2. On behalf of Mr Watts, Mr Calver made a claim for costs in the range of \$4,000-5,000, inclusive of GST and disbursements. Reference was made to a number of “without prejudice except as to costs” offers made by both parties. I have not taken those into account, however, as none of them were “less generous” to their respective clients than the Authority’s determination.
3. On behalf of Mr and Mrs Stevenson, Mr Webster submitted that there were few factors outside of the ordinary in this case. Those factors were a claim in excess of \$50,000 and a claim at one point by the applicant for indemnity costs. Mr Webster therefore submitted that a fair contribution towards the applicant’s costs would be \$1,000.

4. This is a matter that only took one day to investigate. In many ways it could be described as a standard type of redundancy dismissal case. No grounds exist in my view for an order for costs of more or less than is usually the case for a one day investigation meeting in the Authority.
5. I therefore order the respondents, David Alexander Stevenson and Judy Stevenson, to pay to the applicant, John Richard Watts, the sum of \$2,000 in costs.

**G J Wood**  
**Member of Employment Relations Authority**