

**IN THE EMPLOYMENT COURT
WELLINGTON**

**[2010] NZEMPC 91
WRC 7/10**

IN THE MATTER OF a challenge to a determination of the
Employment Relations Authority

AND IN THE MATTER OF an application for costs

BETWEEN NEW ZEALAND MEAT WORKERS
& RELATED TRADES UNION INC
Plaintiff

AND AFFCO NEW ZEALAND LIMITED
Defendant

Hearing: By memoranda of submissions filed on 16 and 19 July 2010

Judgment: 20 July 2010

COSTS JUDGMENT OF CHIEF JUDGE GL COLGAN

[1] Unusually in cases of this sort generally but responsibly in all the circumstances, the defendant does not oppose either an order for costs in favour of the plaintiff or the amount proposed by the union's counsel which I accept is a reasonable contribution to costs reasonably incurred.

[2] In these circumstances I formally direct that the defendant is to contribute to the plaintiff's costs in the sum of \$5,712 consisting of \$1,500 costs for the Employment Relations Authority investigation, two-thirds of \$4,500 (being \$3,000) as a contribution to the fees of counsel for the plaintiff, and disbursements including filing fees and travel costs of counsel.

[3] I compliment the parties and their counsel for the efficient and reasonable way in which this issue has been able to be dealt with. I record, as requested by the defendant, that it does not wish either the plaintiff or the Court to see this as a precedent for the future in any other proceedings between these parties. That is accepted.

GL Colgan
Chief Judge

Judgment signed at 5 pm on Tuesday 20 July 2010