

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON OFFICE**

BETWEEN Sharyn Lee Corneal (Applicant)

AND General Distributors Limited trading as Woolworths
at Gull (Respondent)

REPRESENTATIVES C Clarkson and B Webby for Applicant
S Langton and A Clements for Respondent

MEMBER OF AUTHORITY G J Wood

INVESTIGATION MEETING Napier, 27 and 28 February 2007

FURTHER SUBMISSIONS Received by 22 April 2007

DATE OF DETERMINATION 24 May 2007

DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

1. The applicant, Ms Sharyn Corneal, claims that she was unjustifiably disadvantaged in her employment by the actions of her manager, resulting in her needing to take stress leave, that she was subsequently unjustifiably dismissed and that she was not paid sick leave she was entitled to.
2. The respondent (“Woolworths” or “Gull”) claims that Ms Corneal was fairly treated throughout her employment and justifiably dismissed for serious misconduct on two separate grounds. It denies that Ms Corneal is owed any sick leave and further claims that she owes it money for unpaid speeding fines and the return of an unclean and damaged uniform.

The Facts

3. Ms Corneal joined Gull in 2001, when it first set up business in New Zealand and was not owned by Woolworths. She had a range of responsibilities in a number of new Gull service stations around the Auckland region. She became the manager of the Taradale store in 2003.

4. When Woolworths took over Gull's operations Ms Corneal came under new management, with Gull making up very much a minority of Woolworths' management's responsibilities in the sense that there were only about 400 Gull employees in the newly named Woolworths at Gull stores, compared to over 10,000 at Foodtown and Woolworths.
5. In 2004 Mr Ryan McMullen, the Central North Island Manager for Woolworths, took over as Ms Corneal's manager. What was slightly unusual, but not prohibited by Woolworths' internal policies, was that Mr McMullen's brother was employed at Gull Taradale and thus worked for Ms Corneal. Ms Corneal became concerned that Mr McMullen's brother was spying on her on his behalf, in part because Mr McMullen's management style was rather more searching and directive than his predecessors. In particular, Mr McMullen insisted on internal audit standards being met and/or remedied promptly if not met, and every time he visited the store he would leave a list of improvements to be made. This appeared to be in contrast to the style of his predecessors. In this context it must be remembered that Mr McMullen insisted on Woolworths' standards being adhered to, although the management standards of Gull's managers were not as high as Woolworths' managers, because the lower turnovers of the stores and the staffing levels being much lower.
6. Ms Corneal says that Mr McMullen was picking on her, but I find that he was, in general, simply trying to ensure Woolworths' standards were met at the Gull service stations, including that in Taradale. I accept his evidence that he simply did not discuss the management of the Taradale store with his brother. I also do not accept that Mr McMullen tried to encourage staff to leave the Taradale store, but rather he assisted staff to transfer between stores when it was to their personal advantage.
7. From Mr McMullen's point of view, Ms Corneal's performance was acceptable for a Gull manager, although he was particularly concerned about high roster levels, as this impacted on staff costs.
8. Ms Corneal became particularly concerned after a discussion she had with Mr McMullen in September 2005 about training records not being completed. I accept that Mr McMullen was curt in his language towards Ms Corneal's attempts to explain the delay, but that he did not threaten to replace her in her job. I find instead that Mr McMullen was very much results focused, and that this led Mr Corneal to believe that he was not interested in her reasons for not complying with Woolworths' policies.

9. Ms Corneal wrote a formal letter of complaint to the General Manager of Woolworths about the above matters concerning Mr McMullen. This complaint was raised in a meeting four days later, on 7 October, between the General Manager, Mr McMullen and Ms Vanessa Currie of human resources. Ms Corneal raised her concerns about Mr McMullen's "*yes sir no sir management approach*" and that she felt others were being trained to replace her. The general issues were discussed and the meeting concluded with the General Manager recommending that Mr McMullen and Ms Corneal have another meeting, with representatives present, in order to improve their relationship. This approach was agreed to and a meeting was organised for four days later, where Ms Corneal was to be represented by an organiser from her union.
10. At the meeting Mr McMullen denied that he had ever threatened anyone and that it was unfortunate that Ms Corneal believed that. It was agreed that she would raise any rumours about management with Mr McMullen immediately and that in turn Mr McMullen would raise any issues of concern about the store with her. In relation to Mr McMullen's brother, Mr McMullen denied that there was any conflict of interest and assured Ms Corneal that he would step aside if any staff issues relating to his brother were ever raised.
11. Mr McMullen then raised his concerns over the timeliness of a lot of Ms Corneal's reports, which Ms Corneal did not agree with. It was agreed that Ms Corneal would contact Mr McMullen as soon as possible if deadlines could not be met.
12. I accept Woolworths' witnesses' evidence that Ms Corneal accepted at that meeting that all her concerns had been resolved and that the relationship between her and Mr McMullen could proceed on a much better footing. It follows from that finding that any potential grievances Ms Corneal may have had up to that point had in effect been resolved.
13. Unfortunately, the issues over staffing hours and prompt and accurate reporting continued. In addition to running the store at staff levels above approved levels, Ms Corneal also put in a lot of extra hours herself to the detriment, I find, of her health. Despite the additional hours returns were not of a high enough level to offset the additional costs and thus profitability was negatively impacted upon.
14. Ms Corneal did raise her own extra hours with Mr McMullen on one occasion, but he indicated that she had not told him about it at the time, which was over Christmas, and that matters now seemed to be under control.

15. An internal audit of the Taradale store was conducted in November 2005, but the results were not published until February 2006. The overall result was rated as satisfactory, with no high risk issues, but price integrity procedures, cash operations procedures and payroll procedures were said to be in need of addressing. Ms Corneal's response to these points was that she already had some remedies in place but accepted the constructive feedback.
16. Mr McMullen noted that the result was disappointing, but that all recommendations had since been implemented and would be monitored in the following months. Mr McMullen was particularly concerned that Ms Corneal appeared to have signed off past audit recommendations as being followed when this had not in fact occurred. Mr McMullen therefore determined to take the matter up formally by way of disciplinary investigation.
17. A meeting was due to be held on 1 March. Ms Corneal unfortunately did not react well to the pressure of the intended meeting and went on sick leave, requesting ten days stress leave. Ms Corneal also noted that there might be a conflict of interest with Mr McMullen conducting the investigation and that additional hours may be required at the store for it to operate efficiently.
18. Ms Currie responded on behalf of Woolworths, denying any conflict of interest and requesting Ms Corneal to attend a meeting as soon as possible.
19. Because Ms Corneal had raised matters of work stress Mr Mark Bell, the National Health and Food Safety Manager for Woolworths, became involved. Mr Bell asked Ms Corneal for further medical information. Mr Bell also met with Ms Corneal, together with Ms Currie, on 27 March. The concerns Ms Corneal raised about her situation were excessive hours over Christmas and January, which she accepted she had not raised at the time, and that a performance related disciplinary issue was taking place with Mr McMullen, whom she had difficulties with, although Ms Corneal accepted the issues had not yet been dealt with through the disciplinary process.
20. I accept that at the end of the meeting Ms Corneal told Mr Bell and Ms Currie that she was feeling much better. Mr Bell followed up with Ms Corneal later by telephone. I accept that Ms Corneal did not raise any particular issues and said that she was going to leave things where they were and have a think about them.
21. Ms Corneal returned to work after her sick leave and was of course very busy, as a result of only having temporary cover over the period she was away. I accept that she prepared an email to Mr Bell about the stress she was under, but I find, based on my acceptance of Mr

Bell's evidence that he did not receive the email and the efforts Woolworths made to try and discover whether the email was prepared at the time and sent (which proved fruitless), that she either did not send it or it was never received by Mr Bell. I therefore can not accept that any grievance over this matter was ever raised with Woolworths until much later.

22. Ms Corneal suffered from angina and diabetes. While I accept that Woolworths knew that she had suffered from a heart related condition, I conclude from my acceptance of the evidence of Woolworths' witnesses' evidence that they were not aware of ongoing heart issues and were unaware that her diabetes was serious. They were also unaware of Ms Corneal's previous bouts of depression.
23. The disciplinary meeting was delayed while the above health and safety issues were investigated. The meeting eventually took place on 5 April and dealt with the issues resulting from the audit. At the conclusion it was decided to hold a further meeting to clarify certain issues relating to health and safety, food safety, price integrity, cash operations and payroll records. Although it is clear that disciplinary action, most likely a warning, was under serious consideration these matters never proceeded, because other more pressing concerns came to Woolworths' attention.
24. In the meantime Ms Corneal had gone back on to sick leave for a two week period. I note here that throughout her periods of sick leave Ms Corneal would often attend Gull Taradale to see to work matters, often for extended periods.
25. During this latter period of absence the relief manager raised a concern that the till had not balanced. On further examination Woolworths discovered that two bags containing a total of \$300 were missing.
26. As noted above, Ms Corneal called into the store on many occasions, even although she was on sick leave. When informed about the issue of the missing money she commented to relief staff that it might in fact be in her car. The next day she rang the store to say that she had found the \$300 in her car and that she had meant to take it to the bank but had forgotten about it.
27. Woolworths determined that the issue of the missing money, which Ms Corneal was responsible for, was serious enough to consider her suspension. Accordingly Ms Currie rang Ms Corneal while she was on sick leave to tell her that consideration was being given to her suspension and to give her the opportunity to make submissions on the matter. Ms

Corneal stated that she had made an honest mistake, in that she could not find a park at the bank and then forgot about the money because she was so ill.

28. Ms Corneal had already emailed her explanation to other Woolworth's staff that morning. In that statement she stated, amongst other things:

"I know that I am supposed to get change from ADT but they take a day and we needed it for the bags on Sunday".

29. Ms Currie rang back some time later to state that Ms Corneal would be suspended until a disciplinary meeting the next week. Ms Corneal stated that she was not sure that she would be able to attend such a meeting and that this was all part of the ongoing issue of Mr McMullen's treatment of her.
30. Ms Corneal was very concerned about attending a disciplinary meeting on matters of serious misconduct. She had had experience in the past with other staff undergoing what she saw as badgering at such meetings.
31. Ms Corneal had obtained legal representation over the previous disciplinary issue. Her representative, Mr Brian Webby, wrote to Woolworths on 6 May with notice of her concerns over bullying and discrimination from Mr McMullen and noted that this treatment would explain any concerns about errors that the investigation might reveal. Mr Webby concluded by stating, verbatim:

"5. To protect her health and prevent further the unfairness, we intervene and insist on the following:

- (a) Proper disclosure of the allegations. There is insufficient to pursue such allegations given that she has already made an explanation. Therefore we ask for further disclosure of all information regarding the allegations.*
- (b) All questions your company wants answered by her are to be put in writing and forwarded through us.*
- (c) We will arrange for her to have a proper opportunity to respond to those questions.*
- (d) In the meantime your company needs to take stock of the situation.*

6. While she wants to keep her employment. While she wants to continue to discharge her duties to employer. Realistically the solution may be a mediated settlement."

32. Ms Currie responded on 11 May clarifying the issues around the \$300 and adding a new issue, namely that on 21 August Ms Corneal appeared to have taken a quarter of pumpkin and a broccoli from the shelves and left the store without paying for them. Ms Currie noted

that the company would not conduct its investigation by correspondence and reminded Mr Webby of the meeting set down for 17 May. She stated:

“Given your indication that you only wish to deal with these issues in correspondence, not at a meeting, please ensure Sharyn is aware that the meeting is her opportunity to explain the allegations, and if she does not take that opportunity, a decision may be made in her absence.”

33. It was also stated that the claims of bullying were going to be investigated separately by Woolworths, together with the alleged discrimination.
34. Mr Webby replied again seeking to deal with the issue through a mediated settlement. In relation to the \$300 Mr Webby noted that Ms Corneal had already responded to those allegations in writing. It was noted that the money remained in a company vehicle, which was company property, throughout. Mr Webby declined to attend the suggested meeting because of other work commitments and stated that Ms Corneal’s health prevented her from attending. He also declined to provide details of the alleged bullying and discrimination, again stating mediation was the best way forward.
35. In her written explanation over the produce issue Ms Corneal noted that it was her responsibility to dispose of produce of poor quality. Ms Corneal denied taking the produce out of the store without paying, but rather took it to put it in the rubbish bin either just outside the entrance or around the side of the property.
36. Ms Currie responded on 16 May indicating that Woolworths intended to continue with its disciplinary investigation in Ms Corneal’s absence and asking if she had any further information to provide. Ms Currie also noted that Woolworths could not progress the bullying and discrimination allegations without further information and that mediation was not appropriate at that time.
37. In response Mr Webby noted that Ms Corneal reserved the right to supply further information but that due to ill health he was not prepared to expose Ms Corneal to unfair and unreasonable demands. Mr Webby again referred to the prospect of mediation.
38. Ms Currie responded stating that Ms Corneal would be given a further opportunity to give an explanation, whether in person or in writing, and seeking again further information on the bullying and discrimination issue.
39. Mr Webby responded indicating that Ms Corneal was in no state to attend a meeting and that more specifics about bullying and discrimination would be given in time.

40. Ms Currie wrote again stating that Ms Corneal would be placed on sick leave and that the disciplinary investigation would continue. Having assessed all the information at its disposal, including video evidence, Woolworths remained concerned that taking money to the bank for change was in breach of cash office procedures, because security firms were to be used. It was also concerned that the money was left in Ms Corneal's vehicle for about a week, which could amount to serious negligence, and that she did not return the money until a day after being informed it was missing. Woolworths was also concerned that it did not appear that Ms Corneal used the wastage mark down procedures and that she had walked straight past the bin near the front doors without appearing to dispose of the produce. It also was concerned that she had insufficient time to put it in the other bin.
41. Mr Webby then wrote seeking the video coverage, which was provided that week. Ms Corneal was given until 7 June to respond to Woolworth's concerns. On her behalf Mr Webby responded that day, stating that her timing was out because she was seriously ill, that she was able to take money out of the premises and that her failure to return it resulted directly from her ill health. Despite knowing, as evidenced from her email at the time, that she was not supposed to get change from ADT, she stated that she had never received an instruction that they were never to get their own change or trained in procedures for obtaining change. Ms Corneal was also certain that she had put the produce in the bin.
42. Woolworths then finalised its views and concluded, over the \$300 that:
- “You breached company policy by removing \$300 company funds from the WW at Gull premises without authority; you retained them, therefore being in possession in company property without authorisation, and you failed to return the funds for up to a week; you left the funds unsecured in your vehicle during that time; your actions constitute serious misconduct, serious breach of policy and negligence”.*
43. In relation to the produce it concluded:
- “You removed company product from company premises without paying for it and without authorisation, your actions seriously breached strict company policies on possession of company produce. Your actions constitute serious misconduct and serious breach of company policy.”*
44. Woolworths looked at whether action short of dismissal would be sufficient but concluded otherwise. Given her length of service and position in the company Ms Currie decided that Ms Corneal must have known better and summary dismissal was warranted. Ms Corneal quickly raised a personal grievance of unjustified dismissal.

45. Subsequent to Ms Corneal's dismissal Woolworths was concerned that the uniform returned was in a poor state of repair and could not be used, and that she was responsible for speeding fines totalling \$410. Ms Corneal accepted responsibility for the fines and indicated that she would pay them to the company once she was paid her outstanding sick leave.
46. Despite mediation and attempts in the course of and after the investigation meeting to resolve matters directly between the parties this has proved unfruitful and it therefore falls to the Authority to make a determination.

The Law

47. The test for unjustifiable dismissal and/or action has been changed by a 2004 amendment to the Employment Relations Act 2000. In *X v. Auckland District Health Board* unreported, Colgan CJ, AC10/07, 23 February 2007, the Court encapsulated the statutory test for unjustified dismissal in paras.[96] and [97] as follows:

"...The Court (and the Authority) must first consider justification objectively. That is to be compared to, subjectively, the way in which the affected employee or the affected employer may have considered justification. Objective in this sense may be likened to dispassionate or disinterested.

[97]The Court or Authority's focus is to be on 'the employer's' actions, and "how the employer acted". So it is the employer's conduct in dismissing or disadvantaging an employee in employment that is to be the focus of the inquiry. That phrase also directs that there be two separate considerations, first of what that employer did (the substantive dismissal or justification and the grounds for it) and, second, how the employer acted (the process leading to those outcomes. In both cases, substance and procedure, the Court and Authority must be satisfied that what the employer did and how the employer acted were what a fair and reasonable employer would have done in all the circumstances at the time the dismissal or disadvantage occurred. As I found in the interlocutory injunction judgment in this case, the Court must apply the standards of a notional employer to the conduct of the actual employer. In doing so the Court (and the Authority) must draw on their knowledge and experience of, and expertise in, employment relations in determining whether they are satisfied that what the employer did met those notional standards".

48. These propositions continue even where employers have "strict" policies on matters such as a zero tolerance to matters such as violence or unauthorised possession of company property. Thus the Authority can apply the standards of reasonableness and fairness even to areas where the parties have agreed or the employer has imposed standards of strict compliance (*Housham v. Juken New Zealand Ltd* unreported Colgan CJ AC17/07 5 April 2007).
49. In coming to decisions on disciplinary matters employers must take into account the seriousness of the allegations made against the employee. Proof of allegations should be consistent with the gravity of them. As the Court of Appeal held in *Managh v. Wallington*

[1998] 2 ERNZ 337 at p.341, in relation to the separate but linked issue of the standard of proof in employment proceedings:

“The rationale for having a civil standard of proof is the concept to which most people would subscribe that the graver the allegation and its likely consequences, the more probably it should be before found proved.”

50. *Zendel Consumer Products Limited v. Henderson* 1992 2 ERNZ 377 is authority for the proposition that where independent grounds for justifying summary dismissal existed the failure to prove other grounds for dismissal might not render the dismissal unjustified. What is required is simply evidence that the employer would have dismissed on the independent grounds. Thus an employer who dismisses an employee for several reasons can still justify the dismissal where there are some reasons that do not stand up to scrutiny, provided there is evidence that the employer would have dismissed the employee anyway for the reason(s) that did survive the Authority’s scrutiny.

Determination

51. In most cases before the Authority credibility comes into issue, in the sense that parties have different recollections and perceptions of events that occurred some time in the past. The Authority is required to make its determination based on the facts as it believes, on the balance of probabilities, them to have occurred. In this case I have concluded that all the witnesses who came to the Authority gave their recollection of events as best they could recall them. While over time these recollections may have been coloured by the witnesses’ experiences since then, that is not to say that they are not genuine.
52. In this case I have found the evidence of Woolworths’ witnesses to not only be genuine but backed up by records made at or very near to the time. I have thus accepted, for instance, Mr Bell’s evidence that he never received Ms Corneal’s undated email about the stress she was under in April 2006. That is not to say that I reject Ms Corneal’s evidence that she prepared it and sent it. It is also why I accept Ms Currie’s explanation that she had not pre-determined Ms Corneal’s dismissal.
53. Where there are conflicts between the evidence of the witnesses for Woolworths and Ms Corneal, I prefer that of Woolworths’ witnesses. Ms Corneal was very ill at the time of the events in question and therefore this is likely to have affected her memory. In particular, as she was an insulin dependent diabetic Ms Corneal’s memory would be affected when she was hypoglycaemic. In fact I find this to be the most likely explanation for times when Ms Corneal failed to remember to do things she was required to. Depression and diabetes

simply do not assist people to remember to do important things in their job, and I am sure this is why Ms Corneal forgot to return the \$300 to the store and forgot to mark down the expired produce and put it in the bin. In the latter regard I accept Woolworths' evidence that the produce was not placed in the bin directly outside the store and that there was insufficient time for it to be placed in the garbage bin around the side of the store.

54. I accept that Ms Corneal was very distressed by Mr McMullen's close management of her. Mr McMullen clearly could have communicated better with Ms Corneal, but he was entitled to demand high standards from her and pursue matters raised by the internal audit. It is not inherently unfair of an employer to closely manage staff.
55. For all the reasons given above I therefore conclude that Ms Corneal was not the victim of bullying by Mr McMullen or discrimination by Woolworths. There was no evidence of discrimination other than general claims by Ms Corneal, which did not warrant further investigation by Woolworths or the Authority.
56. Given that Woolworths did not receive any follow up from Ms Corneal on the issue of her stress and the lack of response from her doctor about that until after she was dismissed, I also conclude that Ms Corneal was not treated unfairly over this matter.
57. I accept that a fair and reasonable employer would have concluded that Ms Corneal was guilty of serious misconduct in misplacing the \$300 for around one week. Ms Corneal was entitled to the benefit of doubt over whether she intentionally held on to the money and Woolworths gave her that benefit. No doubt the stress she was under was taken into account in this regard. On the other hand, Woolworths was entitled to reject Ms Corneal's later explanation that she was not prohibited from getting change from the bank. In fact she had previously already acknowledged in writing that she knew it was company policy to only get change from the security firm Woolworths engaged. The one concrete example she pointed to, where other staff had gone direct to the bank, had been authorised in advance and therefore could properly be distinguished from Ms Corneal case.
58. Furthermore, even on Ms Corneal's explanation of events she forgot about the \$300 for the period of around a whole week. Woolworths was entitled to conclude that this was gross negligence and therefore serious misconduct warranting summary dismissal. Not only was Ms Corneal not supposed to take the money out off the premises at all, including for that reason, she had to be reminded of its absence and it was not returned for another day. Not doubt the reason for this was because of her health, for which I have the greatest sympathy.

In the particular circumstances of this case, however, her negligence was so serious as to constitute serious misconduct warranting summary dismissal, see for example *Chief Executive Department of Inland Revenue v. Buchanan (No 2)* [2005] ERNZ 767. No fair and reasonable employer would maintain confidence in a manager who had made such an error, I find, particularly as at the relevant time Woolworths had not been made fully aware of the seriousness of Ms Corneal's health concerns. I am also satisfied from the evidence that Woolworths would have dismissed Ms Corneal summarily on this ground alone, with or without its findings of serious misconduct on the produce issue.

59. In relation to the produce specifically, it is clear that Ms Corneal did take the produce out of the store without marking it as stale in the waste disposal register, in breach of company policy. For the reasons given above I accept that Woolworths was entitled to conclude that Ms Corneal had not disposed of the produce appropriately at the time. While it was open to Woolworths to conclude that at the time the information before it was that Ms Corneal had not disposed of the produce in the bins as she said I am not certain that dismissal for this alone was a safe conclusion. For example, if Woolworths had concluded that Ms Corneal had misappropriated the produce then that would have been unfair, as she was entitled to the benefit of doubt on that matter, given the requirement for an intention to misappropriate goods. Woolworths' conclusions, however, did not go that far, but were simply that she had removed the product without authorisation. Considering the matter as one of negligence, again this was negligence at a serious level, but not to the same degree as that relating to the \$300. In itself, this would not justify a finding of serious misconduct warranting dismissal, particularly given Ms Corneal's length of service and seniority. What it does show, however, is further reason why Woolworths could no longer have trust and confidence in Ms Corneal.
60. In terms of how the employer acted (the process) it was Ms Corneal's choice not to be involved in person in the disciplinary process. This was made abundantly clear in Mr Webby's letters on her behalf. Woolworths was entitled to carry out its disciplinary process in a reasonable time frame, but it simply could not insist on Ms Corneal's attendance in person. An employer in this situation is, I find, entitled to carry through its disciplinary procedures. Partly as a result of that and partly because Ms Corneal did not provide all the information about her health that she could have, Woolworths did not have all the relevant material before it at the time, but it can not be held responsible for that. For example, if Ms Corneal had provided further details of the allegations of stress and bullying as requested it may have been required to make further inquiries of this matter before deciding to dismiss

Ms Corneal. In the event, however, Ms Corneal declined to provide that material. The ball was really in Ms Corneal's court and therefore Woolworths was not in breach of its duties to treat Ms Corneal fairly by failing to take account of matters put before the Authority but not it.

61. For the reasons given above, I accept summary dismissal was the conclusion that a fair and reasonable employer would have come to as a result of Ms Corneal's actions over the \$300 and this would have been unaffected by its conclusions over the produce. I therefore determine that her dismissal was justified.
62. I do not accept that Ms Corneal should be required to pay for a new uniform. She returned the uniform she was wearing and an employer such as Woolworths must accept that uniforms will be damaged from time to time.
63. During the Ms Corneal's periods of sick leave I accept that she went to work on at least five days. This was consistent with Ms Corneal's commitment to Gull over many years. While Gull had provided cover for Ms Corneal and it is possible that Ms Corneal did not work for a full shift on all of those days, it does not reflect well on Gull that it has refused to pay her the days when she returned to work to help it out. I therefore find that Ms Corneal is entitled to five days pay, against which must be offset against the \$410 in fines she owes, with the balance to be paid to whichever party it is owed.

Costs

64. Costs are reserved.

G J Wood
Member of the Employment Relations Authority