

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2012] NZERA Auckland 16
5332262

BETWEEN	NEW ZEALAND PROFESSIONAL DRIVERS AND TRANSPORT EMPLOYEES ASSOCIATION INCORPORATED Applicant
AND	TRANSPORTATION AUCKLAND CORPORATION LIMITED Respondent

Memoranda received: 25 October 2011 from applicant
13 October 2011 from respondent

Determination: 17 January 2012

COSTS DETERMINATION OF THE AUTHORITY

[1] The matter before the Authority concerned an application for facilitation. I rejected the application. At the commencement of the hearing the respondent offered to attend facilitation by agreement and to resume bargaining. This was rejected by the applicant which sought a determination as to whether the respondent had breached the duty of good faith. I found there had been no breach.

[2] The respondent seeks an award of \$3,542 for 13 hours at a rate of \$235 plus GST. These costs relate to the preparation for the hearing and attendance at the investigation itself.

[3] The applicant has sought to have the matter re-opened and wishes the determination regarding costs to be postponed until the rehearing application is heard and determined.

[4] It is preferable that costs be determined now.

[5] The respondent says the applicant has contributed to the costs incurred. It is unfortunate that the applicant rejected the respondent's offer to resume bargaining.

[6] The applicant is to pay the respondent the sum of \$3,000 in costs.

Dzintra King

Member of the Employment Relations Authority