

**IN THE EMPLOYMENT COURT  
AUCKLAND**

**[2013] NZEmpC 122  
ARC 41/13**

IN THE MATTER OF            an application for special leave to remove  
   proceedings from the Employment  
   Relations Authority

BETWEEN                      FLIGHT ATTENDANTS AND  
   RELATED SERVICES (NZ)  
   ASSOCIATION INC  
   First Applicant

AND                              THE PERSONS LISTED IN SCHEDULE  
   'A'  
   Second Applicants

AND                              AIR NEW ZEALAND LIMITED  
   First Respondent

AND                              AIR NEW ZEALAND TASMAN  
   PACIFIC LIMITED  
   Second Respondent

Hearing:                      5 July 2013

Appearances:                Simon Mitchell and Lisa Keys, counsel for applicants  
   Andrew Caisley, counsel for first respondent  
   Rob Towner, counsel for second respondent

Judgment:                    5 July 2013

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**ORAL JUDGMENT OF CHIEF JUDGE G L COLGAN**

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[1]     Under s 178(2)(a) and (c) of the Employment Relations Act 2000 (the Act) the applicants have leave to remove this matter from the Employment Relations Authority to the Court for hearing at first instance.

[2]     The applicants must file and serve their statement of claim within seven days of today's date.

[3] The respondents will have the period of 14 days following service on them of the statement of claim to file and serve their statements of defence.

[4] There is a possibility that I am investigating that the Court may be able to hear these proceedings together with the proceedings in ARC 42/13 (lockout proceedings) in mid-August 2013.

[5] I make a further direction to mediation under s 188 of the Act. I appreciate that the parties have been attempting to resolve these matters in mediation up until now and because I do not know the circumstances in which Ms Langridge is in the United Kingdom at the present time, I will not say other than this is a matter of high priority for all parties. Mediation should not be delayed because of the absence of an Air New Zealand manager, albeit I accept someone in an important and knowledgeable role. The further mediation that I direct under s 188 should recommence as soon as possible.

[6] I reserve costs on my decision today.

GL Colgan  
Chief Judge

Judgment delivered orally at 2.49 pm on Friday 5 July 2013