

MEDIA ADVISORY

4 SEPTEMBER 2006

Injunction Proceedings

National Distribution Union and Progressive Enterprises - supermarket distribution centres

Following failure of mediation to settle this dispute, the Employment Court has today declined to grant the interim injunctions sought by the National Distribution Union to prevent Progressive's subsidiary companies, that operate the distribution centres, from engaging others to perform the work of locked out employees.

The Court has concluded that the unions have not established a breach of s97 of the Employment Relations Act 2000 and, in particular, that the employers have "engaged" others to do the work of their employees at the distribution centres.

The Court can hear the substantive case within the next fortnight and will meet with the parties' lawyers to timetable the case to a hearing.

A copy of the Court's judgment is on its website, www.justice.govt.nz/employment-court/judgments.html.

For further information please contact the National Manager of the Employment Court, Heather Tavassoli, telephone (04) 473 9800, fax (04) 498 9980.