



[3] A similar issue subsequently arose between the parties at AFFCO's Rangiuru plant and very recently became the subject of an injunction application made to the Employment Court. That has resulted in a hearing of the substantive matter being set down before the Court in late September.

[4] The parties have advised the Court that by consent the Moerewa dispute ought to be removed for disposal by the Court together with the Rangiuru dispute. Mr Malone counsel for AFFCO has confirmed to the Authority the employer's consent and the union is the applicant for removal.

[5] I agree with the submission of Mr Mitchell counsel for the union that there are grounds for removal under s 178 of the Employment Relations Act 2000 and particularly s 178(2)(c), in that the Court already has before it proceedings which are between the same parties and which involve the same or similar or related issues.

[6] In addition the ground under s 178(2)(d) of the Act is present, as the Authority is of the opinion that in all the circumstances the Court should determine the matter.

[7] Accordingly, the Authority orders the removal of the matter in its entirety to the Employment Court for it to be heard and determined without further investigation by the Authority.

A Dumbleton  
**Member of the Employment Relations Authority**