



failed to resolve the difficulties that have precluded the parties from entering into a collective agreement.<sup>1</sup>

[4] JCL's application said that ground has been met. In its statement in reply E tū agreed. Bargaining and attempts to reach resolution have occurred in meetings held on four occasions between August and October 2019; mediation on 17 January and 20 March 2020; video conferences in May, June and August 2020 and written communication between the parties. A negotiation specialist was engaged to assist during the most recent stages of bargaining, without success. According to E tū negotiations for renewal of this CA on previous occasions have typically taken less than a week. Bargaining this time has now spanned more than 14 months. While the parties have been able to agree some terms, differences over how to best resolve JCL's concerns over the costs of travel time paid to technicians are at the heart of their difficulties in concluding the present negotiations.

[5] The descriptions given by both parties clearly established bargaining had been unduly protracted and extensive efforts have failed to resolve the difficulties precluding them from renewing the CA. Accordingly, the application for referral to facilitation is granted. This matter will now be referred to another member of the Authority to provide facilitation assistance to the parties.

Robin Arthur  
Member of the Employment Relations Authority

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<sup>1</sup> Employment Relations Act 2000 s 50C(1)(b).