

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI  
ŌTAUTAHI ROHE**

[2024] NZERA 731  
3345020

BETWEEN CHRISTCHURCH INTERNATIONAL  
AIRPORT LIMITED  
Applicant

AND NEW ZEALAND PUBLIC SERVICE  
ASSOCIATION  
Respondent

Member of Authority: Nicola Craig

Representatives: Shaun Brookes, counsel for the Applicant  
Catherine McNamara, counsel for the Respondent

Investigation Meeting: On the papers

Date of Determination: 10 December 2024

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**DETERMINATION OF THE AUTHORITY**

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**Employment relationship problem**

[1] Christchurch International Airport Limited (CIAL) has lodged an application for referral to facilitation in respect of its collective bargaining with the New Zealand Public Service Association (PSA).

[2] The background to the parties and their bargaining dispute in summary is:

- a) CIAL and the PSA are parties to a collective agreement covering employees in the Airport Fire Service (AFS);
- b) AFS employs approximately 43 firefighters who are responsible for providing and maintaining rescue and firefighting capability at Christchurch Airport;

- c) The now expired collective agreement's term was 6 June 2022 to 30 September 2024;
- d) Bargaining for replacement of the AFS collective agreement was initiated by the PSA on 2 August 2024;
- e) The parties engaged in bargaining on four occasions between 8 August and September 2024;
- f) The parties attended mediation provided by the Ministry of Business, Innovation and Employment on 6 and 27 November 2024;
- g) The parties are having serious difficulties in concluding their bargaining. In particular, the parties have not been able to agree on a remuneration clause for the new collective agreement;
- h) On 25 November 2024, the PSA issued strike notices for action commencing on and from 18 December 2024. CIAL says, if the strike action were to occur, it could affect the public interest substantially;
- i) CIAL is required by Civil Aviation Rules to maintain an effective, operational emergency service. If the PSA took strike action air services at Christchurch Airport could be negatively affected. And any forced reduction in capacity at, or shut down of, the airport would also result in significant disruption to, and within, the wider community; and
- j) On 6 December 2024, CIAL applied to the Authority for reference to facilitated bargaining. The application was supported by an affidavit sworn by CIAL Chief Executive, Justin Watson. CIAL also sought urgency from the Authority.

### **Application for facilitation**

[3] CIAL asserted one ground under s 50C of the Employment Relations Act 2000 (the Act) for referral - in the course of bargaining, a party has proposed a strike or lockout and if it were to occur, would be likely to affect the public interest substantially (s 50C(1)(d)).

[4] Considering all the circumstances of the matter, the Authority granted urgency.

[5] Upon engagement with the Authority, the PSA advised that it agreed facilitation would assist the parties. The PSA further advised in light of this, there was no need to respond to the affidavit evidence, some of which is disputed, and the reference to facilitation could be made by “consent”.

### **Facilitation should be granted**

[6] Having fully considered the material placed before the Authority, I find the ground set out in s 50C(1)(d) of the Act is made out.

[7] Consequently, it is appropriate to order that the parties now engage in facilitation to assist them in a pathway to settlement of a new collective agreement.

### **Next steps**

[8] The Authority will convene a case management conference with the parties as soon as possible to discuss arrangements for urgent facilitation including the timing and the venue of such.

### **Costs**

[9] As this is an application for facilitation, there is no order for costs.

Nicola Craig  
Member of the Employment Relations Authority