

**IN THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON**

**I TE RATONGA AHUMANA TAIMAHI
TE WHANGANUI-A-TARA ROHE**

[2025] NZERA 697
3418145

BETWEEN	ASSOCIATION OF PROFESSIONALS AND EXECUTIVE EMPLOYEES INCORPORATED Applicant
AND	MEDLAB CENTRAL LIMITED First Respondent
AND	TLAB LIMITED Second Respondent

Member of Authority: Rowan Anderson

Representatives: Omar Hamed, advocate for the Applicant
Hamish Kynaston, counsel for the Respondent

Investigation Meeting: On the papers

Determination: 31 October 2025

DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

[1] The Association of Professionals and Executive Employees Incorporated (APEX) and Medlab Central Limited and Tlab Limited (Respondents) are engaged in bargaining and have not been able to conclude a collective agreement. APEX has lodged an application for facilitated bargaining based on the ground set out in sections 50C(1)(b), 50C(1)(c), and 50C(1)(d) of the Employment Relations Act 2000 (the Act).

[2] Urgency has been granted, and a case management conference was held on 30 October 2025. The Respondents do not oppose the application but reserve their position as to some of the information provided to the Authority by APEX.

[3] The parties have agreed with the Authority that this matter could be determined “on the papers” and without the need for the provision of formal submissions and/or further information. An email was received from the Respondents on 30 October 2025 confirming that the application is not opposed.

Findings

[4] I have carefully considered the material before the Authority, including the affidavit lodged by APEX detailing the background to the bargaining, mediation, and strike action.

[5] I am satisfied that the bargaining has been unduly protracted and that extensive efforts, including mediation, have failed to resolve it. The ground for referral at s 50C(1)(b) of the Act is made out. I need not consider further the other grounds raised. The referral to the Authority for facilitation is accepted.

[6] I have considered referral to mediation. In the circumstances, and given the parties agree as to engagement in facilitation, I do not consider a direction to mediation would contribute constructively to resolving the matter.

Next Steps

[7] The Authority will communicate with the parties as to the convening of a case management conference.

Costs

[8] There is no order as to costs.

Rowan Anderson
Member of the Employment Relations Authority