

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI
TĀMAKI MAKĀURAU ROHE**

[2026] NZERA 57
3440084

BETWEEN AIR NEW ZEALAND LIMITED
Applicant

AND E TŪ INCOPORATED
First Respondent

AND FLIGHT ATTENDANTS'
ASSOCIATION OF NEW ZEALAND
Second Respondent

Member of Authority: Nicola Craig

Representatives: Andrew Caisley, counsel for the applicant
Emily Griffin, counsel for the first respondent
Angus Drumm, counsel for the second respondent

Investigation Meeting: On the papers

Determination: 3 February 2026

DETERMINATION OF THE AUTHORITY

Employment relationship problem

[1] Air New Zealand Limited (Air New Zealand) has lodged an application for referral to facilitation in respect of its collective bargaining with unions E tū Incorporated (E tū) and the Flight Attendants' Association of New Zealand (FAANZ). The bargaining covers international flight attendants - new 'Wide Body Aircraft Cabin Crew Collective Agreements' are sought.¹

¹ Wide body aircraft - B777 and B787.

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

- (a) Air New Zealand is party to a collective agreement with E tū which came into force on 3 June 2022 and was expressed to expire on 3 June 2025;
- (b) Air New Zealand is party to a collective agreement with FAANZ which came into force on 3 June 2022 and was expressed to expire on 3 June 2025;
- (c) Bargaining for a replacement collective agreement was initiated by each of the unions on 2 April 2025;
- (d) The first bargaining meeting was held between Air New Zealand and the unions on 8 April 2025;
- (e) A joint bargaining process agreement was entered into by Air New Zealand, E tū and FAANZ on 24 April 2025;
- (f) Over 2025 the parties met for 72 days of bargaining, without successfully concluding new collective agreements. About 30 of those days involved an external facilitator's assistance;
- (g) The parties attended mediation provided by the Ministry of Business, Innovation and Employment on 1 December 2025 and 14 January 2026;
- (h) Potential settlements were taken out for ratification in October 2025 and December 2025, with both unions' members not voting in support by the required majority;
- (i) The unions issued strike notices for a December 2025 complete withdrawal of labour although these were later withdrawn; and
- (j) On 27 January 2026 FAANZ and E tū each issued three new strike notices for full withdrawal of labour on 11, 12 and 13 February 2026.

Application for facilitation

[3] Air New Zealand asserts two grounds under s 50C of the Employment Relations Act 2000 (the Act) for referral:

- (a) Bargaining has been unduly protracted with extensive efforts (including mediation), failing to resolve the difficulties that precluded the parties from entering into collective agreements – s 50C(1)(b); and
- (b) Parties have proposed a strike which if it occurred, would be likely to affect the public interest substantially – s 50C(1)(d).

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

[5] A case management conference was held with representatives for all parties. Both E tū and FAANZ advised that they were agreeable to attending facilitation. No further response to the application was sought to be made by the unions nor required by the Authority.

Facilitation should be granted

[6] Having fully considered the material placed before the Authority, I find the ground set out in s 50C(1)(b) of the Act is made out – the parties have made very extensive efforts, including with the use of an external facilitator and a mediator, but have been unable to resolve the difficulties precluding settlement.

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

Next steps and costs

[8] The Authority will convene a case management conference with the parties as soon as possible to discuss arrangements for urgent facilitation, which will be undertaken by a different Authority Member.

[9] As this is an application for facilitation and all parties are willing to attend facilitation, I make no order for costs.²

Nicola Craig
Member of the Employment Relations Authority

² <https://www.era.govt.nz/assets/Uploads/practice-direction-of-the-employment-relations-authority>