

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

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

[2026] NZERA 68  
3428364

BETWEEN	MARITIME UNION OF NEW ZEALAND INC First Applicant
AND	HECTOR THORPE AND FIVE OTHERS Second Applicants
AND	NEW ZEALAND MERCHANT SERVICE GUILD IUOW INC Third Applicant
AND	HOLCIM (NEW ZEALAND) LIMITED Respondent

Member of Authority: Nicola Craig

Representatives: Simon Mitchell KC and Angus Drumm, counsel for the first and second applicants  
Paul McBride, counsel for the third applicant  
Sherridan Cook and Sianatu Lotoaso, counsel for the respondent

Investigation Meeting: On the papers

Submissions received: 11 February 2026 from the first and second applicants  
11 February 2026 from the respondent

Date: 12 February 2026

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**SECOND DETERMINATION OF THE AUTHORITY**

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[1] On 23 December 2025 the Authority issued a determination under which an interim injunction prevented Holcim (New Zealand) Ltd (Holcim) from making the six second applicants redundant.<sup>1</sup>

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<sup>1</sup> *Maritime Union of New Zealand Inc & Ors v Holcim (New Zealand) Ltd* [2025] NZERA 848.

[2] The substantive investigation of the issues of the Maritime Union of New Zealand and its members is set for next week but in the meantime on 11 February 2026 a joint memorandum of counsel was filed on behalf of the first and second applicants and the respondent. One of the second applicants, Michael Hanson, no longer seeks to be covered by the interim order.

[3] Yesterday discussion occurred at a case management conference regarding this and another related matter, including about aspects of the application concerning Mr Hanson.

[4] I record that Mr Hanson agrees to:

- (a) his employment with Holcim ending on 14 January 2026; and
- (b) Holcim deducting from his final pay the wages he was paid from 14 January 2026, being the additional wage costs, it has incurred in relation to Mr Hanson as a result of the interim order.

[5] Having considered all the circumstances I order that the interim order in the 23 December 2025 determination is discharged from 14 January 2026 in relation to Michael Hanson only. The order remains in place for the other five second applicants.

### **Costs and next steps**

[6] Costs are reserved, noting the presumption against costs in certain collective situations referred to in the Authority's Practice Direction.<sup>2</sup>

Nicola Craig  
Member of the Employment Relations Authority

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<sup>2</sup> [Practice Direction of the Employment Relations Authority](#)