



Authority (separate proceedings) that have been recently issued and have some relationship to the issue on what work is currently before me, and are open to be distinguished from Mr Dickson's current matter. Those two determinations in all likelihood will be challenged to the Court.

[4] It is also very likely that this matter will involve a challenge.

[5] However, whilst the matter has importance and involves a question of law about what work is and what pay is involved for Mr Dickson I considered that the lateness in the application for removal being made and the subsequent residual costs were factors weighing against removal. Further, the current proceedings do not involve a fresh application but rather a continuation of an employment relationship problem already partly heard with other determinations issued on preliminary matters. I considered the parties would also benefit from an investigation meeting where everyone was ready to proceed and that there is law available that submissions could be made on to apply to the facts of the current application.

[6] Like the other two separate determinations, from other members of the Authority, either party has the right to challenge the determination should they wish to.

[7] There was no urgency attached to the removal application, except that it needed to be heard by me prior to commencing the planned arrangements for the investigation meeting that had been on notice for some time.

[8] I declined the application for removal.

[9] Costs are reserved.

P R Stapp  
Member of the Employment Relations Authority