

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

**AA 103/09
5121831**

BETWEEN CHAO ZENG
 Applicant

AND AIR NEW ZEALAND LIMITED
 Respondent

Member of Authority: Leon Robinson

Representatives: Tuariki John Delamere, Advocate for Applicant
 Rob Towner, Counsel for Respondent

Determination: 2 April 2009

DETERMINATION OF THE AUTHORITY

[1] The applicant resides in China but is represented by New Zealand advocate Mr Tuariki John Delamere ("Mr Delamere"). Following a telephone conference with the representatives in February 2009, I scheduled certain preliminary matters for investigation meeting today. Arrangements were made to accommodate the applicant's absence from New Zealand.

[2] The investigation meeting of the preliminary matters was listed and notified to commence at 10.00am this morning. The applicant did not attend either in person or by her representative Mr Delamere. There has been no correspondence from Mr Delamere seeking to excuse his or his client's attendance today, or any application to adjourn the matter.

[3] Throughout the morning I have attempted to contact Mr Delamere but his business telephone line is persistently engaged. I record the last attempt I made to contact Mr Delamere was at 10.37am. I have been unable to make contact with Mr Delamere and he does not contact the Authority, at least as a matter of courtesy, to excuse his attendance.

[4] I am satisfied that the applicant, resident in China, fails to be represented before the Authority without good cause.

[5] I now direct that this application shall cease to be investigated by the Authority.

[6] The respondent may submit an application for costs in the form of a memorandum of counsel within 14 days for my consideration.

Leon Robinson
Member of Employment Relations Authority