

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

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

3412684

BETWEEN	FIRE AND EMERGENCY NEW ZEALAND Applicant
AND	NEW ZEALAND PROFESSIONAL FIRE FIGHTERS' UNION Respondent

Member of Authority: Jeremy Lynch

Representatives: Guido Ballara and Natasha Reid, counsel for the  
applicant  
Peter Cranney, counsel for the respondent

Date: 13 October 2025

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**DIRECTIONS OF THE AUTHORITY**

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[1] A case management conference (CMC) was held by telephone with the representatives today. At the CMC, the Authority granted this matter urgency, and the following timetable directions were made by agreement:

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| • Statement in Reply  | <i>By <b>midday Friday 17 October 2025</b></i>                       |
| • Respondent witness statements   | <i>To be lodged and served by <b>23 October 2025, at 1.00 pm</b></i> |
| • Any witness statement in reply from the applicant (strictly if necessary) | <i>To be lodged and served by <b>29 October 2025</b></i>             |
| • Investigation meeting   | <i>From <b>10.00 am on 14 November 2025, by AVL</b></i>              |



## **Issues**

[2] The issues identified for investigation and determination are:

- (a) Whether the Authority should accept the reference for facilitation made by Fire and Emergency New Zealand.

## **Witnesses**

[3] For the applicant, Ronald Devlin will give evidence.

[4] For the respondent, its national secretary will give evidence.

[5] Written witness statements are required to be lodged and served as per the timetable above.

[6] Unless agreed by the Authority in advance, witnesses are expected to attend the investigation meeting in person, and under oath or affirmation, answer questions about their evidence.

## **Investigation meeting**

[7] The Authority offered a number of dates for investigation, however the earliest date that both parties (and their witnesses) were available to attend an investigation meeting is 14 November 2025.

[8] The procedure for the investigation meeting for each matter will comprise:

- (a) Questions from the Authority member to witnesses;
- (b) Any additional relevant and necessary questions to witnesses from the representatives; and
- (c) Submissions will be heard at the close of the meeting.

## **Direction to mediation**

[9] Mediation is promoted by the Act as the primary problem-solving mechanism. Under s 159 of the Act, the Authority *must* direct parties to mediation, except in limited circumstances.



[10] From reviewing the statement of problem, it is clear that those exceptions do not apply, and that a direction to mediation is required.

[11] **A direction is made** that within 10 working days of today (or in other words, on or before **28 October 2025**), the parties are to attend mediation, and in good faith, attempt to resolve matters between them.

[12] As this mediation is by direction of the Authority (as opposed to by voluntary referral), the parties are required to attend.

[13] A coordinator from the Employment Mediation Service of MBIE will make contact with the parties to arrange.

[14] If the matter is resolved at mediation, the application currently before the Authority will be withdrawn.

[15] The applicant is to promptly notify the Authority of the outcome of mediation.

### **Costs**

[16] There is a presumption that for an application of this nature, the parties will bear their own costs.

The seal is circular with the text "THE SEAL OF THE EMPLOYMENT RELATIONS AUTHORITY OF NEW ZEALAND" around the perimeter. In the center is the New Zealand Coat of Arms, featuring a shield supported by a Maori warrior and a British soldier, with a crown on top.

Jeremy Lynch  
Member of the Employment Relations Authority

