

Form 1

APPLICATION TO EMPLOYMENT RELATIONS AUTHORITY
(Section 158, Employment Relations Act 2000)

Between

Full name of applicant:.....

Address of applicant:.....

and

Full name of respondent:

Address of respondent

To the Employment Relations Authority

And to the respondent

Statement of problem (or matter)

1. The problem (or matter) that I wish the Authority to resolve is:¹

.....
.....

2. The facts that have given rise to the problem (or matter) are:¹

.....
.....
.....

3. I would like the problem (or matter) to be resolved in the following way:^{1 2}

.....
.....
.....

¹ Give enough detail to ensure that the Authority and the respondent are fully, fairly, and clearly informed.

² Please include reference to any specific remedy (being a remedy under any enactment or rule of law) that you are seeking. If the applicant is an employee who is seeking, by this application, an order, under section 127(l) of the Employment Relations Act 2000, for the employee's interim reinstatement, the applicant must, at the time of lodging this application, file a signed undertaking in Form 2.

Form 1 - continued

4. I attach copies of the following documents (which I think are relevant to the problem):³

.....
.....
.....

³ List here **all** the documents that are attached, e.g. your employment agreement or letters that you wish to rely on, or documents required under any other legislation, etc.

Mediation

5. Have you, the applicant, tried to resolve this problem (*or matter*) by using mediation services provided by the Department of Labour? Yes No

6. Have you, the applicant, tried to resolve this problem (*or matter*) by using mediation provided by someone other than the Department of Labour? Yes No

7. Have you, the applicant, taken any other steps of any kind to resolve the problem (*or matter*)? Yes No

If the answer to this question is "Yes", specify the other steps taken:

.....
.....

8. If you, the applicant, have answered "No" to both the question in paragraph 5 and the question in paragraph 6, please indicate why you have not used mediation to try to resolve the problem (*or matter*):

.....
.....

Fee

9. This application is accompanied by the prescribed fee.

Signature of applicant:

Date:.....

Notice to the respondent

- 1. If you intend to respond to this application, you must, within 14 days after the date of the service* of this application on you, lodge 2 copies of a Statement in Reply with an officer of the Employment Relations Authority at [.....].

* Note that Regulation 8 of the Employment Relations Authority Regulations 2000 allows the Authority to direct a shorter period in any particular case

- 2. The term **days** (in paragraph 1 of this notice) does not include any day in the period beginning with 25 December in any year and ending with 5 January in the following year.
- 3. You will be notified of the place, date, and time at which the Authority will conduct any investigation meeting, in respect of this application.

Officer of the Employment Relations Authority:

.....

Date:.....

This application is lodged by, whose address for service is and whose telephone number is..... and whose fax number for service is and whose document exchange number for service is and whose e-mail address for service is⁴

or

This application is lodged by on behalf of the abovenamed applicant, whose address for service is and whose telephone number is and whose fax number for service is and whose document exchange number for service is and whose e-mail address for service is⁴

⁴ Although a full postal address must always be supplied, the supply of a telephone number and the supply for service of any 1 or more of the following, namely, a fax number, a document exchange number, or an e-mail address are optional.