

precedent to the determining of quantum by the Authority, namely the issue of liability.

4. Even where grounds for removal exist the Authority has a residual discretion as to whether it removes part of a matter under s.178. On the one hand the Authority's investigatory approach and its non-regard to technicalities may mean that it is better placed than the Court to undertake an investigation into the voluminous and complex pay and shift arrangements between the parties over the course of six years. On the other there may be some difficult questions of law in assessing how quantum should be calculated. The factors mitigating against removal are, however, insufficient to displace the factors above, which would allow the Court to hear the matter as a whole and deliver its judgment accordingly.

5. I therefore order the removal of those parts of the employment relationship problem between Phillip William Dickson and Idea Services Limited (labelled 5105496) that are not already subject to challenge in the Employment Court to the Employment Court for it to hear and determine without the Authority investigating them further.

G J Wood

Member of the Employment Relations Authority