



Employment Court of New Zealand

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VSL v ZSM Limited [2025] NZEmpC 239 (5 November 2025)

Last Updated: 6 November 2025

IN THE EMPLOYMENT COURT OF NEW ZEALAND CHRISTCHURCH

I TE KŌTI TAKE MAHI O AOTEAROA
ŌTAUTAHI

[\[2025\] NZEmpC 239](#)
EMPC 451/2024

IN THE MATTER OF	a challenge to a determination of the Employment Relations Authority
AND IN THE MATTER OF	an application for an adjournment
BETWEEN	VSL Plaintiff
AND	ZSM LIMITED Defendant

Hearing: On the papers
Appearances: A Fechny, advocate for
plaintiff No appearance for
defendant
Judgment: 5 November 2025

INTERLOCUTORY JUDGMENT (NO 3) OF CHIEF JUDGE CHRISTINA INGLIS

(Application for an adjournment)

[1] This judgment deals with an application advanced on behalf of the plaintiff for an adjournment of the fixture currently set down for hearing in Dunedin on 15 to 18 December 2025.

[2] I issued directions on 29 October 2025 that the defendant was to advise the Court no later than 4pm on 4 November 2025 of its position on the application and that, absent any response, the application would be dealt with on the material currently before the Court. I note that the defendant does not appear to be taking an active part

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in the proceedings, having failed to file any evidence in accordance with earlier timetabling orders.

[3] The reasons for the adjournment are set out in an application, and essentially relate to a mistake about availability advised during the course of a directions conference (Ms Fechny is going to be overseas at the time). In the circumstances I am satisfied that it is appropriate to grant the application.

[4] The dates currently set aside are vacated and the challenge adjourned. The Registrar is to allocate three days of hearing time in Dunedin in the New Year.

[5] No issue of costs arises.

Christina Inglis Chief Judge

Judgment signed at 11.50 am on 5 November 2025

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