

EMPLOYMENT RELATIONS TRIBUNAL

ORDER

ERT/RN 66/2020

Before: -

Shameer Janhangeer	Vice-President
Raffick Hossenbaccus	Member
Karen K. Veerapen (Mrs)	Member
Arassen Kallee	Member

In the matter of: -

Syndicat des Travailleurs des Etablissements Privés

Applicant

and

Metinox Ltd

Respondent

The Syndicat des Travailleurs des Etablissements Privés has entered the present application before the Tribunal moving for an order for recognition of a trade union pursuant to *section 36 (5)* of the *Employment Relations Act*, as amended. The Applicant Union has notably averred that it has the support of no less than 20% and not more than 50% of the workers in the bargaining unit, having five members at the workplace. The application was initially resisted by Metinox Ltd.

Both parties were assisted by Counsel. Mr B. Ramdenee appeared for the Applicant Union, whereas Mr R. Bhookun appeared for the Respondent Employer.

A secret balloting exercise was held in the present matter upon the accord of both parties to determine the Applicant's support in the relevant bargaining unit comprising welders and cleaners employed at Metinox Ltd. This was organised and supervised by the Tribunal at the premises of the Respondent at Les Pailles on 21 July 2020. The outcome of the ballot exercise revealed that the

Applicant Union had complete support (i.e. 100%) in the bargaining unit applied for. Thereafter, Counsel for the Respondent informed the Tribunal that the Respondent is abiding by the decision of the Tribunal.

The Tribunal therefore orders, in view of it having more than 50% support of the workers in the bargaining unit, that the Syndicat des Travailleurs des Etablissements Privés be recognised by Metinox Ltd as sole bargaining agent in respect of the bargaining unit consisting of welders and cleaners. Moreover, the trade union and Metinox Ltd are to meet at specified intervals or at such time and on such occasions as the circumstances may reasonably require for the purposes of collective bargaining.

The Tribunal would wish to place on record its appreciation to both parties for their spirit of understanding and cooperation in this matter and wishes them well in their endeavour to achieve and sustain good and harmonious industrial relations in their future interactions.

The Tribunal orders accordingly.

SD Shameer Janhangeer
(Vice-President)

SD Raffick Hossenbaccus
(Member)

SD Karen K. Veerapen
(Member)

SD Arassen Kallee
(Member)

Date: 22nd July 2020