

# EMPLOYMENT RELATIONS TRIBUNAL

**ERT/RN 41/10**

## **AWARD**

**Before:-**

<b>Rashid Hossen</b>	-	<b>President</b>
<b>Philippe Edward Blackburn</b>	-	<b>Member</b>
<b>Kumaraswamy Venkatasawmy</b>	-	<b>Member</b>
<b>Maurice Christian Aimé Laurette</b>	-	<b>Member</b>

**In the matter of:**

**Union of Economists**

**And**

**Ministry of Finance and Economic Development**

On the 23<sup>rd</sup> June, 2010, the Tribunal received a joint communication from the Union of Economists and the Ministry of Finance and Economic Development informing us of the existence of a labour dispute between the Union of Economists and the Ministry of Finance and Economic Development (MOFED) on filling of vacancies. Negotiations were held between the parties but no agreement was reached. A labour dispute was subsequently reported to the Commission for Conciliation and Mediation but still no agreement could be reached.

The Union of Economists and the Ministry of Finance and Economic Development have jointly referred the present labour dispute to the Employment Relations Tribunal by virtue of **Section 63 of the Employment Relations Act 2008** for arbitration and pray for an Award on the dispute.

The point in dispute is:-

***“Whether all vacancies in the Economist Cadre, including consequential ones, in the grades listed below should be filled with effect from July 2007”***

- (i) Director-General***
- (ii) Assistant Director***
- (iii) Principal Economist***
- (iv) Senior Economist.”***

The Tribunal is pleased to note that after informing the parties that they should spare no effort to attempt to resolve this labour dispute that it finally managed to reconcile the parties. Indeed on the 21<sup>st</sup> September, 2010 both parties reached an agreement as follows:-

**“Agreement between Union of Economists (Applicant) and the Ministry of Finance and Economic Development (Respondent) at the Employment Relations Tribunal made on 21 September 2010**

**Both parties agreed as follows:**

***(a) For the post of Assistant Director***

*As at June 2008, 2 Principal Economists were eligible for consideration for the post of Assistant Director in the normal course. As both the posts of Assistant Director and Principal Economist have been restyled Lead Analyst on 1 July 2008, this Ministry proposed that the 2 senior most Principal Economists may be deemed to have been appointed Assistant Director as at 30 June 2008 vice 2 existing vacancies and may be granted 3 increments with effect from 1 July 2008 at the point reached in the salary scale of their substantive post subject to the maximum salary of the post of Lead Analyst. The salary arrived at would subsequently be used for conversion in the new PRB scale as from 1 July 2008.*

**(b) For the Post of Principal Economist**

*This post has been replaced by the new post of Lead Analyst in the new structure. The Ministry of Finance and Economic Development has informed that, following merging of all grades in the Ministry as proposed by the PRB, there would be **11** vacancies in the grade of Lead Analyst. Out of 16 Senior Economists in post, **10** of them would, as at 30 June 2008, have been eligible for consideration for the post of Principal Economist on the basis of the existing scheme of service which is filled by selection. As it is not possible to determine who among the officers would have been appointed Principal Economist, it was proposed that –*

- *The first selection exercise be carried out in the grade of Lead Analyst as recommended by the PRB, i.e. from Senior Analyst (Personal) i.e. the Senior Economists in post and the 4 officers in the grade of Senior Economic Analyst in post (1 is on unauthorized absence).*
- *In case the **11** posts of Lead Analyst are all filled, at least 6 former Senior Economists would be appointed Lead Analyst. If any officer from the **10** eligible Senior Economists is appointed, 3 increments would **hypothetically** be granted as from 1 July 2008 subject to maximum salary of the post to the **4 senior officers** in that grade. The 3 increments would become payable on the date of their assumption of duty as Lead Analyst.*

**(c) For the post of Senior Economist**

- *Out of 26 Economists in post, 17 were eligible for consideration for appointment as Senior Economist as at 30 June 2008. It was agreed that for subsequent selection exercises in the grade of Lead Analyst as recommended by the PRB, if any of the 17 Economists are appointed Lead Analysts, 3 increments would hypothetically be granted as from 1 July 2008 subject to maximum salary of the post to the **5** senior most officers in that grade. The 3 increments would become payable on the date of their assumption of duty as Lead Analyst.*

***Agreed by both parties represented by:***

***For the Union of Economists:***

- 1. Mr J. Mohamadally MOWNAH, Senior Analyst – President***
- 2. Ms Chandrani GOPAUL, Analyst – Vice President***
- 3. Mrs S. PIANG SANG SEW-HEE, Analyst – Member***
- 4. Mrs Rachna RAMSURN, Analyst – Member***

***For the Ministry of Finance and Economic Development:***

- 1. Mrs Arlette Benyett, Acting Manager, Human Resources***
- 2. Mrs Geeta Seegobin, Assistant Manager, Human Resources***

***Dated: 21 September 2010”***

Both parties having moved for an Award in terms of the agreement, the Tribunal awards accordingly.

**(sd)Rashid Hossen  
(President)**

**(sd)Philippe Edward Blackburn  
(Member)**

**(sd)Kumaraswamy Venkatasawmy  
(Member)**

**(sd)Maurice Christian Aimé Laurette  
(Member)**

**Date: 29th October, 2010**