

# EMPLOYMENT RELATIONS TRIBUNAL

ERT/RN 67/2018

## ORDER

Before: -

<b>Shameer Janhangeer</b>	<b>Vice-President</b>
<b>Abdool Kader Lotun</b>	<b>Member</b>
<b>Abdool Feroze Acharauz</b>	<b>Member</b>
<b>Parmeshwar Burosee</b>	<b>Member</b>

In the matter of: -

**Air Mauritius Managers Association (AMMA)**

*Applicant*

and

**Air Mauritius Ltd**

*Respondent*

The Air Mauritius Managers Association (AMMA) has entered the present application before the Tribunal moving for an order for recognition of a trade union pursuant to *section 38* of the *Employment Relations Act* (the “*Act*”). The Association has notably averred that it meets the criteria for recognition as a bargaining agent under *section 37 (1)* of the *Act*. The application was initially resisted by Air Mauritius Ltd.

Both parties were assisted by Counsel. Mr G. Glover, SC, appeared together with Miss S. Chung for the Applicant. Mr R. Chetty, SC, appeared together with Mrs U. Bhurtun for the Respondent.

A secret balloting exercise was held in the present matter upon the accord of both parties. This was organised and supervised by the Tribunal at Sir Seewoosagur Ramgoolam International Airport, Plaisance on the 14<sup>th</sup> of June 2018. A list of 165 employees comprising the bargaining unit was agreed upon by both parties. A total of 89 employees participated in the ballot exercise, of which all were in favour of the recognition of the Air Mauritius Managers Association (AMMA) as their bargaining agent. This equated to a support of 53.94% in the relevant bargaining unit for the Applicant union. Thereafter, Counsel for the Respondent informed the Tribunal that there is no objection to the application.

The Tribunal thus orders that the Air Mauritius Managers Association (AMMA) be recognised as a bargaining agent by Air Mauritius Ltd in respect of the bargaining unit of Managers at Air Mauritius Ltd covering the following categories: Management C Grade Staff, Technical Grade 4 Management Staff, Management MCC1, Cabin Operations Management Grade Staff, Technical Grade 5 and Management B Grade Staff. The Applicant union is to be recognised as a bargaining agent in view of its application and the new stand taken by the Respondent.

Moreover, the Air Mauritius Managers Association (AMMA) and Air Mauritius 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 application is therefore granted.

**SD Shameer Janhangeer  
(Vice-President)**

**SD Abdool Kader Lotun  
(Member)**

**SD Abdool Feroze Acharauz  
(Member)**

**SD Parmeshwar Burosee  
(Member)**

**Date: 21<sup>st</sup> June 2018**