

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Monday 19 November 2018***

*Hearing @ 1.00 p.m.*

Decision:

Member : Ms L. Lactive

Member : Mr E. Appasamy

Member : Mr G. Gokhool

**ERT/RN 58/17**

**MR JAIRAJ KUMAR DUSSOYE**

AND

**THE STATE OF MAURITIUS**

**AS REPRESENTED BY**

**THE MINISTRY OF HEALTH AND QUALITY OF LIFE**

Mr J. Moirt, Counsel

Ms D. Punchu, Counsel

Mrs S. Angad, Senior State Attorney

***Labour dispute***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**Boardroom**

***Monday 19 November 2018***

*Conciliatory Meeting @ 1.30 p.m*

Decision:

**ERT/RN 131/18**

**ORGANISATION OF HOTEL, PRIVATE CLUB AND  
CATERING WORKERS UNITY**

**AND**

**LE PENINSULA BAY  
BLUE LAGOON BEACH HOTEL CO. LTD**

Mr. D. Dodin, Counsel

***Further Negotiations***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**Boardroom**

***Monday 19 November 2018***

*Preliminary Meeting @ 2.00 p.m*

Decision:

**ERT/RN 150/18**

**LUX HOTEL STAFF UNION/LE GRAND GAUBE &  
OTHER HOTELS & RESTAURANTS STAFF UNION**

**AND**

**LUX HOTEL/ HOLIDAY & LEISURE RESORTS**

***Procedure Agreement  
by way of Award***

# EMPLOYMENT RELATIONS TRIBUNAL

BEFORE R. Hossen, President

TRIBUNAL NO. 1

**Tuesday 20 November 2018**

*Preliminary Meeting @ 1.00 p.m*

Decision:

**ERT/RN 154/18**

**SYNDICAT DES TRAVAILLEURS DES ETABLISSEMENTS PRIVES  
AND**

**PERLE DU JOUR CO. LTD**

***Order for Recognition***

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*Preliminary Meeting @ 1.00 p.m*

Decision:

**ERT/RN 155/18**

**UNION OF ARTISANS AND ALLIED WORKERS OF CANE INDUSTRY  
AND**

**GRAYS DISTILLING LIMITED**

Mrs. S. Atherton, Counsel

Mr. D. Manikaran, State Attorney

***Order for Recognition***

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*Mention @ 1.00 p.m*

Decision:

**ERT/RN 153/18**

**SYNDICAT DES TRAVAILLEURS DES ETABLISSEMENTS PRIVES**

**AND**

**ALUCHIC LTEE**

***Service anew***

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*Mention @ 1.00 p.m*

Decision:

**ERT/RN 152/18**

**FARM WORKERS UNION**

**AND**

**INNODIS LTD**

***Respondent to retain  
services of Counsel***

# EMPLOYMENT RELATIONS TRIBUNAL

BEFORE R. Hossen, President

TRIBUNAL NO. 1

*Tuesday 20 November 2018*

*Mention @ 1.00 p.m*

Decision:

**ERT/RN 151/18**

**PORT LOUIS MARITIME EMPLOYEES ASSOCIATION  
UNION OF EMPLOYEES OF PORT LOUIS HARBOUR**

**AND**

**COMMISSION FOR CONCILIATION AND MEDIATION  
I.P.O: MAURITIUS CANE INDUSTRY AUTHORITY**

***Respondent to retain  
services of Counsel***

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*Mention @ 1.00 p.m*

Decision:

**ERT/RN 126/18**

**MR MUSLIM ABDUL**

**AND**

**MAHATMA GANDHI INSTITUTE**

Mrs. S. Atherton, Counsel

Mr. D. Manikaran, State Attorney

***Disputant to  
take a stand***

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*Mention @ 1.00 p.m*

Decision:

**ERT/RN 83/18**

**MR TIKANAND DEWOO**

**AND**

**IRRIGATION AUTHORITY**

**I.P.O: MR RADHAYSWUR MOOSOOHUR**

Mr. L. Nulliah, Counsel

Mrs. C. Green Jokhoo, Assistant Parliamentary Counsel

***Co-Respondent to file  
Statement of Case***

# EMPLOYMENT RELATIONS TRIBUNAL

BEFORE R. Hossen, President

TRIBUNAL NO. 1

**Tuesday 20 November 2018**

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 103/18**

**MR DEVA PILLAY CHELVANAIGUM**

AND

**CARGO HANDLING CORPORATION LTD**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel

Mr J. Gujadhur, Senior Attorney

***Respondent to furnish  
list of Co-Respondents***

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*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 104/18**

**MR EMMANUEL JAUFFRAY VAILLANT**

AND

**CARGO HANDLING CORPORATION LTD**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel

Mr J. Gujadhur, Senior Attorney

***Respondent to furnish  
list of Co-Respondents***

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*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 105/18**

**MR RANJIT SAULICK**

AND

**CARGO HANDLING CORPORATION LTD**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel

Mr J. Gujadhur, Senior Attorney

***Respondent to furnish  
list of Co-Respondents***

# EMPLOYMENT RELATIONS TRIBUNAL

BEFORE R. Hossen, President

TRIBUNAL NO. 1

**Tuesday 20 November 2018**

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 106/18**

**MR AJAGHEN SUNJEVEE**

AND

**CARGO HANDLING CORPORATION LTD**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel

Mr J. Gujadhur, Senior Attorney

***Respondent to furnish  
list of Co-Respondents***

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*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 107/18**

**MR RAMRAJ HURKHOO**

AND

**CARGO HANDLING CORPORATION LTD**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel

Mr J. Gujadhur, Senior Attorney

***Respondent to furnish  
list of Co-Respondents***

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*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 108/18**

**MR LECKRAZ BISNAUTHSING**

AND

**CARGO HANDLING CORPORATION LTD**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel

Mr J. Gujadhur, Senior Attorney

***Respondent to furnish  
list of Co-Respondents***

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*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 109/18**

**MR MADUN SOORAJEE**

AND

**CARGO HANDLING CORPORATION LTD**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel

Mr J. Gujadhur, Senior Attorney

***Respondent to furnish  
list of Co-Respondents***

# EMPLOYMENT RELATIONS TRIBUNAL

BEFORE R. Hossen, President

TRIBUNAL NO. 1

**Tuesday 20 November 2018**

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 110/18**

**MR MOORGEN RAMASSAMY**

AND

**CARGO HANDLING CORPORATION LTD**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel

Mr J. Gujadhur, Senior Attorney

***Respondent to furnish  
list of Co-Respondents***

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*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 111/18**

**MR MAHENDRA MAYBABEE**

AND

**CARGO HANDLING CORPORATION LTD**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel

Mr J. Gujadhur, Senior Attorney

***Respondent to furnish  
list of Co-Respondents***

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*Mention @ 1.00 p.m*

Decision:

**ERT/RN 114/18**

**MR HANSRAJ ADAYA**

AND

**MAURITIUS PORTS AUTHORITY**

Mr R. Rault, Counsel

Mrs F. Maudarbocus-Moolna, Senior Attorney

Ms S. Angad, Senior State Attorney

Mr. D. Manikaran, State Attorney

***Respondent to file  
Answer to particulars***

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*Mention @ 1.00 p.m*

Decision:

**ERT/RN 115/18**

**MR AMOHAMMAD A ATCHIA**

AND

**MAURITIUS PORTS AUTHORITY**

Mr R. Rault, Counsel

Mrs F. Maudarbocus-Moolna, Senior Attorney

Ms S. Angad, Senior State Attorney

Mr. D. Manikaran, State Attorney

***Respondent to file  
Answer to particulars***



# EMPLOYMENT RELATIONS TRIBUNAL

BEFORE R. Hossen, President

TRIBUNAL NO. 1

*Tuesday 20 November 2018*

*Mention @ 1.00 p.m*

Decision:

**ERT/RN 116/18**

**MR ASHLEY COOPPOOSAWMY**

AND

**MAURITIUS PORTS AUTHORITY**

Mr R. Rault, Counsel  
Mrs F. Maudarbocus-Moolna, Senior Attorney

Ms S. Angad, Senior State Attorney  
Mr. D. Manikaran, State Attorney

***Respondent to file  
Answer to particulars***

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*Mention @ 1.00 p.m*

Decision:

**ERT/RN 117/18**

**MR ROSHAN KOMKOON**

AND

**MAURITIUS PORTS AUTHORITY**

Mr R. Rault, Counsel  
Mrs F. Maudarbocus-Moolna, Senior Attorney

Ms S. Angad, Senior State Attorney  
Mr. D. Manikaran, State Attorney

***Respondent to file  
Answer to particulars***

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*Mention @ 1.00 p.m*

Decision:

**ERT/RN 118/18**

**MR YOGRAJ NURKOO**

AND

**MAURITIUS PORTS AUTHORITY**

Mr R. Rault, Counsel  
Mrs F. Maudarbocus-Moolna, Senior Attorney

Ms S. Angad, Senior State Attorney  
Mr. D. Manikaran, State Attorney

***Respondent to file  
Answer to particulars***

# EMPLOYMENT RELATIONS TRIBUNAL

BEFORE R. Hossen, President

TRIBUNAL NO. 1

**Tuesday 20 November 2018**

*Mention @ 1.00 p.m*

Decision:

**ERT/RN 119/18**

**MR SAMINADEN MINIANDÉE**

AND

**MAURITIUS PORTS AUTHORITY**

Mr R. Rault, Counsel  
Mrs F. Maudarbocus-Moolna, Senior Attorney

Ms S. Angad, Senior State Attorney  
Mr. D. Manikaran, State Attorney

***Respondent to file  
Answer to particulars***

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*Mention @ 1.00 p.m*

Decision:

**ERT/RN 120/18**

**MR DIAN ISWAR RAJKOOMAR**

AND

**MAURITIUS PORTS AUTHORITY**

Mr R. Rault, Counsel  
Mrs F. Maudarbocus-Moolna, Senior Attorney

Ms S. Angad, Senior State Attorney  
Mr. D. Manikaran, State Attorney

***Respondent to file  
Answer to particulars***

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*Mention @ 1.00 p.m*

Decision:

**ERT/RN 121/18**

**MR SHUNMUGA SUNDARAM MURUGESAN**

AND

**MAURITIUS PORTS AUTHORITY**

Mr R. Rault, Counsel  
Mrs F. Maudarbocus-Moolna, Senior Attorney

Ms S. Angad, Senior State Attorney  
Mr. D. Manikaran, State Attorney

***Respondent to file  
Answer to particulars***

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*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 61/18**

**MR JEAN HUGUES NOLAN JAGESUR**

AND

**CARGO HANDLING CORPORATION**

Mr D. Ramano, Counsel  
Mr T. Dabycharun, Counsel

Mrs V. Bunwaree-Goburdhun, Counsel  
Mr J. Gujadhur, Senior Attorney

***Respondent to furnish  
list of Co-Respondents***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Tuesday 20 November 2018***

*Mention @ 1:00 p.m.*

Decision:

**Consolidated Cases**

**ERT/RN 95/18**

**MR ANDRE HEROLD VERNIS**

AND

**CARGO HANDLING CORPORATION LIMITED**

**ERT/RN 96/18**

**MR RICARDO DESIRE DONNY BOT**

AND

**CARGO HANDLING CORPORATION LIMITED**

**ERT/RN 97/18**

**MR PAUL REX ALEXANDER ALLAGHEN**

AND

**CARGO HANDLING CORPORATION LIMITED**

**ERT/RN 98/18**

**MR CHRISTIAN JOEFFRER CHUNG KOO YUK**

AND

**CARGO HANDLING CORPORATION LIMITED**

**ERT/RN 99/18**

**MR SAMEER ENAYATE MOORADUN**

AND

**CARGO HANDLING CORPORATION LIMITED**

Mr. N. Poonisamy, Counsel

Mrs V. Bunwaree-Goburdhun, Counsel  
Mr J. Gujadhur, Senior Attorney

***Disputant to file  
Amended Staement of Case***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE S. Janhangeer, Vice-President**

**TRIBUNAL NO. 2**

***Tuesday 20 November 2018***

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 102/18**

**MRS MARIE CHRISTINE KATE OREEAWON**

**AND**

**AIR MAURITIUS LTD**

**I.P.O: JENNIFER FRANCOIS**

Mr. H. Abdoula, Counsel

Mr K. Colunday, Counsel

Mr V. Runghen, Counsel

***For Common dates***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE S. Janhangeer, Vice-President**

**TRIBUNAL NO. 2**

***Tuesday 20 November 2018***

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 42/17**

**MR ALAIN GAETAN SYLVIO ARTHUR**

**AND**

**RIGHTS MANAGEMENT SOCIETY**

**I.P.O: PAY RESEARCH BUREAU**

Mr J. Moirt, Counsel

Mr R. Daureeawo, SC

Ms N. Sakauloo, Counsel

***Disputant and  
Respondent to file  
Statement of Reply***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE I. Sivaramen, Vice-President**

**TRIBUNAL NO. 2**

***Tuesday 20 November 2018***

*Disposal @ 1:00 p.m.*

Decision:

Member: Mr. K. Mohit

Member: Mr. R. Gungoo

Member: Mr. G. Gokhool

## **Consolidated Cases**

**ERT/RN 167/17**

**MR RAM NELLAPOTESAWMY**

AND

**SBI (MAURITIUS) LTD**

**ERT/RN 168/17**

**MRS ABIDAH BAHEMIA**

AND

**SBI (MAURITIUS) LTD**

**ERT/RN 169/17**

**MRS LORRAINE NG HOW TSEUNG**

AND

**SBI (MAURITIUS) LTD**

**I.P.O: PRIVATE BANK STAFF AND EMPLOYEES ASSOCIATION**

Mr D. Ramano, Counsel

Mr K. Colunday, Counsel

***Disposal***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R.Hossen, President**

**TRIBUNAL NO. 1**

***Tuesday 20 November 2018***

*Argument @ 2.00 p.m.*

Decision:

Member : Mr F. Supparayen

Member : Mr A. Acharauz

Member : Ms T. Jutton

**ERT/RN 68/13**

**MR RAJESHWAR SIBARTIE**

AND

**MAURITIUS TELECOM LTD**

Mr H. Duval, S.C

Mr D. Basset, S.C

Mr H. Dhanjee, Counsel

***Labour dispute***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE I. Sivaramen, Vice-President**

**TRIBUNAL NO. 2**

***Tuesday 20 November 2018***

*Continuation @ 2:15 p.m.*

Decision:

Member : Mr R. Lotun

Member : Mr E. Appassamy

Member : Mr P. Burosee

**ERT/RN 12/16**

**MR MOONSAMY GOUNDAN**

AND

**CENTRAL ELECTRICITY BOARD**

**I.P.O: MR NUNKOOMAR RAMLOWAT**

Mr R. Valayden, Counsel

Mr R. Chetty, SC

***Labour dispute***



# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R.Hossen, President**

**TRIBUNAL NO. 1**

***Thursday 22 November 2018***

Member: Mr. R. Hossenbaccus

Member: Mr. E. Appasamy

Member: Mr. G. Gokhool

*Mention @ 2:00 p.m.*

**ERT/RN 123/18**

**SALLAKE RESORTS LTD**

**AND**

**ORGANISATION OF HOTEL, PRIVATE CLUB AND CATERING WORKERS UNITY**

Mr A. Oozeer, Counsel

Mr Y. Rajahbalee, Counsel

***Procedure Agreement  
by way of an Award***