

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Monday 03 December 2018***

*Continuation @ 1:00 p.m.*

Decision:

Member : Mr K. Mohit

Member : Mr R. Gungoo

Member : Ms T. Jutton

**ERT/RN 77/18**

**MRS SOOLEKA DALWLOOR**

AND

**BELLE MARE BEACH DEVELOPMENT CO. LTD  
(THE RESIDENCE MAURITIUS)**

Mr B. Ramdenee, Counsel

Mr K. Colunday, Counsel

***Labour Dispute***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Tuesday 04 December 2018***

*Preliminary Meeting @ 1.00 p.m.*

Decision:

**ERT/RN 157/18**

**PRIVATE SECTOR EMPLOYEES UNION**

**AND**

**MAURITIUS FREEPORT DEVELOPMENT CO. LTD**

**I.P.O: PORT-LOUIS MARITIME EMPLOYEES ASSOCIATION**

***Order for Recognition***

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*Preliminary Meeting @ 1.00 p.m.*

Decision:

**ERT/RN 158/18**

**MR DANIEL MARIEE**

**AND**

**CARGO HANDLING CORPORATION LTD**

***Labour Dispute***

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*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***

# EMPLOYMENT RELATIONS TRIBUNAL

BEFORE R. Hossen, President

TRIBUNAL NO. 1

*Tuesday 04 December 2018*

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 61/18**

**MR JEAN HUGUES NOLAN JAGESUR**

AND

**CARGO HANDLING CORPORATION**

**I.P.O: (1) MR PRAKASH GOPAUL**

**(2) MR PATRICE EDWARD ALDO PICOT**

**(3) MR ASVIN MAHADEW**

**(4) MR RATTAN CHETHAK**

**(5) MR SHIV SHANAND SUNKUR**

**(6) MR JEAN CHRISTEL GENAVE**

**(7) MR ASHVIN JIBNA**

**(8) MR ANOOP SHARMA MAHADOO**

**(9) MR SHREE RAJVEERSINGH HUNGSRAZ**

**(10) THE PORT-LOUIS MARITIME EMPLOYEES ASSOCIATION**

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

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

***Co-Respondent  
to take a stand***

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 103/18**

**MR DEVA PILLAY CHELVANAIGUM**

AND

**CARGO HANDLING CORPORATION LTD**

**I.P.O: (1) MS LOUIS NICOLE RAMSAMY**

**(2) MR GUY MARTIN**

**(3) MR JOCELYN ARMELIO AH-LAYE**

**(4) MR PARMENDRA DEELJORE**

**(5) MR ROODRASINGH BHUJUN**

**(6) THE PORT-LOUIS MARITIME EMPLOYEES ASSOCIATION**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel  
Mr J. Gujadhur, Senior Attorney

***Co-Respondent  
to take a stand***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Tuesday 04 December 2018***

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 104/18**

**MR EMMANUEL JAUFFRAY VAILLANT  
AND**

**CARGO HANDLING CORPORATION LTD**

**I.P.O: (1) MR MAMODE SALIM MALLECK HOSSEN**

**(2) MR TERASEN MARDAYMOOTOO**

**(3) MR MRINAL BHIKARI**

**(4) THE PORT-LOUIS MARITIME EMPLOYEES ASSOCIATION**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel

Mr J. Gujadhur, Senior Attorney

***Co-Respondent  
to take a stand***

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*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 105/18**

**MR RANJIT SAULICK  
AND**

**CARGO HANDLING CORPORATION LTD**

**I.P.O: (1) MR PRAKASH GOPAUL**

**(2) MR PATRICE EDWARD ALDO PICOT**

**(3) MR ASVIN MAHADEW**

**(4) MR RATTAN CHETHAK**

**(5) MR SHIV SHANAND SUNKUR**

**(6) MR JEAN CHRISTEL GENAVE**

**(7) MR ASHVIN JIBNA**

**(8) MR ANOOP SHARMA MAHADOO**

**(9) MR SHREE RAJVEERSINGH HUNGSRAZ**

**(10) THE PORT-LOUIS MARITIME EMPLOYEES ASSOCIATION**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel

Mr J. Gujadhur, Senior Attorney

***Co-Respondent  
to take a stand***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Tuesday 04 December 2018***

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 106/18**

**MR AJAGHEN SUNJEVEE**

AND

**CARGO HANDLING CORPORATION LTD**

**I.P.O: (1) MR PRAKASH GOPAUL**

**(2) MR PATRICE EDWARD ALDO PICOT**

**(3) MR ASVIN MAHADEW**

**(4) MR RATTAN CHETHAK**

**(5) MR SHIV SHANAND SUNKUR**

**(6) MR JEAN CHRISTEL GENAVE**

**(7) MR ASHVIN JIBNA**

**(8) MR ANOOP SHARMA MAHADOO**

**(9) MR SHREE RAJVEERSINGH HUNGSRAZ**

**(10) THE PORT-LOUIS MARITIME EMPLOYEES ASSOCIATION**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel  
Mr J. Gujadhur, Senior Attorney

***Co-Respondent  
to take a stand***

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 107/18**

**MR RAMRAJ HURKHOO**

AND

**CARGO HANDLING CORPORATION LTD**

**I.P.O: (1) MR RENE GILBERT BRUNO STEEVE FRIVET**

**(2) MR JEAN CLAUDE JOSIAN JOMAIN**

**(3) MR EDDY CLAREL JUSTIN**

**(4) MR PIERRE STEEVE HENRIETTE**

**(5) MR JOSIAN DENIS**

**(6) MR MOHAMMUD ISMET ALLADEEN**

**(7) MR NANDKISHORE RAMCHURRUN**

**(8) MR DHANRAJ TREEBHOWON**

**(9) MR DINESH MATADIN**

**(10) MR FREDERIC FRANCOIS**

**(11) THE PORT-LOUIS MARITIME EMPLOYEES ASSOCIATION**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel  
Mr J. Gujadhur, Senior Attorney

***Co-Respondent  
to take a stand***

# EMPLOYMENT RELATIONS TRIBUNAL

BEFORE R. Hossen, President

TRIBUNAL NO. 1

*Tuesday 04 December 2018*

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 108/18**

**MR LECKRAZ BISNAUTHSING**

AND

**CARGO HANDLING CORPORATION LTD**

**I.P.O: (1) MR RENE GILBERT BRUNO STEEVE FRIVET**

**(2) MR JEAN CLAUDE JOSIAN JOMAIN**

**(3) MR EDDY CLAREL JUSTIN**

**(4) MR PIERRE STEEVE HENRIETTE**

**(5) MR JOSIAN DENIS**

**(6) MR MOHAMMUD ISMET ALLADEEN**

**(7) MR NANDKISHORE RAMCHURRUN**

**(8) MR DHANRAJ TREEBHOWON**

**(9) MR DINESH MATADIN**

**(10) MR FREDERIC FRANCOIS**

**(11) MR RAMRAJ HURKHOO**

**(12) MR BHAYE MONTASE FOKER MOHAMUD**

**(13) THE PORT-LOUIS MARITIME EMPLOYEES ASSOCIATION**

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel  
Mr J. Gujadhur, Senior Attorney

***Co-Respondent  
to take a stand***

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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 file amended  
Statement of Case***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Tuesday 04 December 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 file amended  
Statement of Case***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Tuesday 04 December 2018***

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 111/18**

**MR MAHENDRA MAYBABEE**

**AND**

**CARGO HANDLING CORPORATION LTD**

- I.P.O:** (1) MR ABDOOL QAYYOOM NAUYECK  
(2) MR LOUIS GINO BERTY KIRSLEY STE MARIE  
(3) MR WESTLEY BETCHEN  
(4) MR SACHIN DEV MOONEWA  
(5) MR MAHMUD FIRDOSS ELAHEE  
(6) MR GEORGES STEWART ROBERTSON  
(7) MR LOUIS JOHN CURTIS MARCELIN  
(8) MR IROY FRANCO BELLEROSE  
(9) MR GEORGE DIDIER DESIRE EVARISTE  
(10) MR KENNY NARAINSAMY RAMEN  
(11) MR DON ERIC JULIO VERLOPE  
(12) MR DEEPAK DAUHOO  
(13) MR JULIEN VICTOR SONAHEE  
(14) MR SANIL BOONEANY  
(15) MR MOHAMAD ZAMIR MAHAMOODALLY  
(16) MR ABDOOL AZIZE IBNE SOLEIMAN AZA  
(17) MR SHAKIL BAULUM  
(18) MR DHANSAM MAHADOO  
(19) MR JOSEPH PATRICK DESIRE  
(20) MR NADENSAMY MARDAYMOOTOO  
(21) MR MARIO DIDIER FOUQUET  
(22) DESIRE PATRICK MODELAR  
(23) MR JEAN MARC CHERY  
(24) MR LOUIS DJOHUN ROBERTSON  
(25) MR JOSIAN DANY JOSEPH  
(26) MR JEAN NOEL CLENFORD SARDES  
(27) MR DAPHNE NICHOLAS JASMIN  
(28) MR THESY JOVANY LABOUR  
(29) MR RISHIKESH MAHADNAC  
(30) MR JEAN LINDSAY EDDY FRANCOIS  
(31) THE PORT-LOUIS MARITIME EMPLOYEES ASSOCIATION

Mr D. Ramano, Counsel

Mr A. Ramdass, Counsel  
Mr J. Gujadhur, Senior Attorney

***Co-Respondent  
to take a stand***



# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Tuesday 04 December 2018***

*Mention @ 1:00 p.m.*

Decision:

**ERT/RN 81/18**

**DR DUSHYANT DISSIPAL PURMANAN**

AND

**THE STATE OF MAURITIUS AS REPRESENTED BY:**

**MINISTRY OF HEALTH AND QUALITY OF LIFE**

**I.P.O: MINISTRY OF CIVIL SERVICE & ADMINISTRATIVE REFORMS**

Mrs M. Lutchman, Counsel

Mrs. R. Vydelingum, Principal State Attorney

***Disputant to  
take a stand***

# **EMPLOYMENT RELATIONS TRIBUNAL**

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

**TRIBUNAL NO. 2**

***Tuesday 04 December 2018***

*Hearing @ 2:00 p.m.*

Decision:

Member : Mr R. Hossenbaccus

Member : Mr F. Acharauz

Member : Mr K. Lukeeram

**ERT/RN 76/18**

**MR SHAM WEN PO DANY HUBERT SHAM NG NIM**

AND

**NAM SHUN FOoy KOON**

Ms J. Mootealoo, Counsel

Mr. J. Tsang Mang Kin, Counsel

Ms V. Ghunsam, Counsel

***Labour Dispute***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**Boardroom**

***Wednesday 05 December 2018***

*Conciliatory Meeting @ 12.00 p.m*

Decision:

Member: Ms L. Lactive

Member: Mrs. K. Veerapen

Member: Mr. C. Fanchette

**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

***Parties to  
Report Progress***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**Boardroom**

***Wednesday 05 December 2018***

*Conciliatory Meeting @ 12.30 p.m.*

Decision:

Member: Ms L. Lactive

Member: Mrs. K. Veerapen

Member: Mr. C. Fanchette

**ERT/RN 150/18**

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

**AND**

**LUX HOTEL/ HOLIDAY & LEISURE RESORTS**

Mr B.Ramdenee, Counsel

Mr D.Dodin, Counsel

***Parties to  
Report Progress***

**EMPLOYMENT RELATIONS TRIBUNAL**

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

**TRIBUNAL NO. 2**

***Wednesday 05 December 2018***

*Mention @ 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. Y. Hein, Counsel

***Respondent to File  
Grounds of Objection***

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*Mention @ 1.00 p.m.*

Decision:

**ERT/RN 156/18**

**AIR MAURITIUS MANAGERS ASSOCIATION**

**AND**

**AIR MAURITIUS LTD**

***Respondent to retain  
Services of Counsel***

# **EMPLOYMENT RELATIONS TRIBUNAL**

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

**TRIBUNAL NO. 2**

***Wednesday 05 December 2018***

*Hearing @ 2:00 p.m.*

Decision:

Member : Mr R. Hossenbaccus

Member : Mrs K. Veerapen

Member : Mr K. Lukeeram

**ERT/RN 126/18**

**MR MUSLIM ABDUL**

**AND**

**MAHATMA GANDHI INSTITUTE**

Mrs. S. Atherton, Counsel

Mr. D. Manikaran, State Attorney

***Labour dispute***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Wednesday 05 December 2018***

*Argument @ 1:30 p.m.*

Decision:

Member : Mr K. Mohit

Member : Mr R. Gungoo

Member : Ms T. Jutton

**ERT/RN 19/18**

**MR SACCARAM RAMMA**

AND

**NEW MAURITIUS HOTELS LTD**

Mr E. Mooneapillay, Counsel

Mr Y. Hein, Counsel

***Voluntary Arbitration***

# **EMPLOYMENT RELATIONS TRIBUNAL**

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

**TRIBUNAL NO. 2**

**Thursday 06 December 2018**

*Continuation @ 11:00 a.m.*

Decision:

Member : Mr A. Lotun

Member : Mr F. Acharauz

Member : Mr G. Gokhool

## **Consolidated Cases**

**ERT/RN 117/17**

**MRS BHAGIRATHI PYNEEANDÉE**

AND

**AIR MAURITIUS LTD**

**ERT/RN 118/17**

**MRS VERONIQUE MARJORIE LISEBETH AH LEUNG**

AND

**AIR MAURITIUS LTD**

**ERT/RN 119/17**

**MRS SHAMINE BEGUM DOOBORY**

AND

**AIR MAURITIUS LTD**

**ERT/RN 120/17**

**MRS MARIE-NOELLE CORINNE GELLE**

AND

**AIR MAURITIUS LTD**

Mr D. Ramano, Counsel

Mr K. Colunday, Counsel

Mr V. Runghen, Counsel

***Labour Dispute***



# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Thursday 06 December 2018***

*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

***For Common dates***

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*Mention @ 1.00 p.m*

Decision:

**ERT/RN 153/18**

**SYNDICAT DES TRAVAILLEURS DES ETABLISSEMENTS PRIVES**

AND

**ALUCHIC LTEE**

Mr. B. Ramdenee, Counsel

Mr. R. Bhookhun, Counsel

***Respondent to File  
Statement of Case***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Thursday 06 December 2018***

*Mention @ 1.00 p.m*

Decision:

Member : Mr F. Supparayen

Member : Mr F. Acharauz

Member : Ms T. Jutton

**ERT/RN 20/18**

**HOTELS AND RESTAURANTS EMPLOYEES UNION**

AND

**CORAL AZUR BEACH RESORT CO LTD**

Mr D. Ramano, Counsel

Mr N. Dookhit, Counsel

Mr T. Dabycharun, Counsel

Mr N. Appa Jala, SA

***Parties to report  
progress***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen, President**

**TRIBUNAL NO. 1**

***Thursday 06 December 2018***

*Disposal @ 1:00 p.m.*

Decision:

Member: Mr. R. Hossenbaccus

Member: Mrs. K. Veerapen

Member: Mr. K. Lukeeram

**ERT/RN 139/17**

**HOTELS AND RESTAURANTS EMPLOYEES UNION**

AND

**BELLE MARE PLAGE HOTEL (CONSTANCE INDUSTRIES LTD)**

Mr D. Ramano, Counsel

Mr Y. Hein, Counsel

Mr T. Dabycharun Counsel

***Disposal***

# **EMPLOYMENT RELATIONS TRIBUNAL**

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

**TRIBUNAL NO. 1**

***Thursday 06 December 2018***

*Hearing @ 1:00 p.m.*

Decision:

Member: Ms. L. Lactive

Member: Mr. R. Gungoo

Member: Mr. A. Kallee

**ERT/RN 50/18**

**UNION OF EMPLOYEES OF C.E.B AND OTHER ENERGY SECTOR**

AND

**CENTRAL ELECTRICITY BOARD**

Mr D. Ramano, Counsel

Mr T. Dabycharun, Counsel

Mr R. Chetty, S.C

Mr. S. Sookia, Attorney

***Voluntary Arbitration***

# **EMPLOYMENT RELATIONS TRIBUNAL**

**BEFORE R. Hossen , President**

**TRIBUNAL NO. 1**

***Thursday 06 December 2018***

*Hearing @ 1:30 p.m.*

Decision:

Member: Mr. K. Mohit

Member: Mrs K. Veerapen

Member: Mr. P. Burosee

**ERT/RN 152/18**

**FARM WORKERS UNION**

**AND**

**INNODIS LTD**

Mr M. King Fat, Counsel

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