

EMPLOYMENT RELATIONS TRIBUNAL

ORDER

Before: Rashid Hossen – President
Raffick Hossenbaccus – Member
Triboohun Raj Gunnoo – Member

ERT/RN 94/13 - Union of Bus Industry Workers

Applicant

And

UBS Transport Ltd

Respondent

I.P.O. (1) United Bus Service Employees Union

(2) Association Travailleurs Transport Autobus

(3) Bus Industry Traffic Officers Union

Co-Respondents

This is an application made by the Union of Bus Industry Workers (UBIW) pursuant to Section 37 (Savings and Transitional Provisions (4)(a)(ii) of the Employment Relations (Amendment) Act 2013). The application is to determine which trade union or group of trade unions the employees in the

bargaining unit wish to be their bargaining agent, either Joint Negotiating Panel (Association Travailleurs Transport Autobus, Bus Industry Traffic Officers Union, United Bus Service Employees Union) or Union of Bus Industry Workers. The bargaining unit consists of bus conductors, drivers, traffic officers, workshop mechanic employees and cleaners employed by the Respondent.

It should be noted that Mr Albert Desire Luckey, a member of the Tribunal hearing this matter regrettably passed away on 23 January 2016. The hearing of the matter proceeded following his passing with the accord of the parties.

A secret ballot exercise was organized and supervised by the Tribunal at the seat of the UBS Transport Ltd, Royal Road, Cassis, Port Louis on Tuesday 12 July 2016 and at the seat of UBS Transport Ltd, 16th mile, Forest Side on Wednesday 13 July 2016. Out of a total number of 1,452 employees in the relevant bargaining unit as agreed by parties, 1,318 employees participated in the balloting exercise. 645 employees voted for Joint Negotiating Panel (Association Travailleurs Transport Autobus, Bus Industry Traffic Officers Union, United Bus Service Employees Union), 660 employees voted for Union of Bus Industry Workers and 13 bulletins were declared void.

The Tribunal therefore orders that the Union of Bus Industry Workers be recognized as the bargaining agent to represent the workers in the bargaining unit at UBS Transport Ltd.

The Applicant and the Respondent shall thus meet at such time and on such occasions, as the circumstances may reasonably require, for the purposes of collective bargaining.

SD Rashid Hossen
(President)

SD Raffick Hossenbaccus
(Member)

SD Triboohun Raj Gunnoo
(Member)

14 July 2016