

## 12. EMPLOYMENT RELATIONS TRIBUNAL

- 12.1 Established under the Act No. 32 of 2008, the Employment Relations Tribunal (ERT) is a quasi-judicial body, which envisions to be the expert tribunal for the settling of industrial disputes. It aims to provide an efficient, modern, reliable and rapid means of hearing and resolving disputes between workers or trade unions of workers and employers so that peace, social stability and economic development are maintained in the country.
- 12.2 The ERT is mandated, *inter alia*, to hear cases of labour disputes/applications in the Civil Service, the Private Sector, Parastatal and Local Government bodies and make awards. It also interprets collective agreements, awards and orders; and hears appeals from the decision of the Commission for Conciliation and Mediation. Recent amendments to the law have bestowed on the Tribunal additional responsibilities in terms of 'reinstatement' cases.
- 12.3 According to statutory requirements, the ERT consists of a President, two Vice-Presidents, whose offices are public offices, and Members. They are supported by a Registrar, who acts as the Secretary of the Tribunal, Deputy Registrars and officers in the General Services grades.
- 12.4 For this review, the Bureau did not receive any representation from the staff side, whereas Management requested, among others, for the waiving of the ceiling in the fees payable to Members as the latter attend to more than four scheduled sittings per month. During consultations, they were advised on the appropriate course of action. Demand was also made to increase the number of posts for the grade of Transcriber to enable a proper functioning of the Tribunal.
- 12.5 Further submissions were in relation to the payment of a Black Jacket Allowance to new recruits in the grade of Deputy Registrar and a review of the starting salary of the grade of Deputy Registrar, coupled with maintaining the recommendation regarding posting of Court Ushers at the ERT. These issues were examined and are hereunder addressed.
- 12.6 Regarding the structure of the ERT, we consider that the present one is adequate to enable it to deliver effectively on its mandate.

### Posting of Court Usher

- 12.7 Provision exists for officers in the grade of Court Usher at the Judiciary to be seconded to the ERT on a rotational basis. Since this arrangement has proved to be effective, it is appropriate that it continues.

### Recommendation 1

- 12.8 **We recommend that Management should continue to make necessary arrangements with the Judiciary for the secondment of officers in the grade of Court Usher to the Employment Relations Tribunal, on a**

rotational basis. In this context an appropriate provision has been made at paragraph 6.35 of this Volume.

### Judicial and Legal Allowance

12.9 The President, ERT and Vice-Presidents, ERT are paid a yearly Judicial and Legal Allowance, on a personal basis, as an assistance towards meeting the cost of certain items related to the exercise of their profession. In line with what has been recommended for comparable positions, we are providing for payment of the allowance to future holders in these two positions.

### Recommendation 2

**12.10 We recommend that the President, Employment Relations Tribunal and Vice-Presidents, Employment Relations Tribunal should be paid a yearly Judicial and Legal Allowance of Rs 26680.**

### Black Jacket Allowance

12.11 At present, the Registrar, ERT and Deputy Registrar, ERT are paid a yearly Black Jacket Allowance to maintain the decorum of the Tribunal. We are providing for its continued payment.

### Recommendation 3

**12.12 We recommend that the Registrar, Employment Relations Tribunal and the Deputy Registrar, Employment Relations Tribunal should be paid a yearly Black Jacket Allowance of Rs 5640.**

## EMPLOYMENT RELATIONS TRIBUNAL

### SALARY SCHEDULE

Salary Code	Salary Scale and Grade
12 000 124	<b>Rs 222000</b> President, Employment Relations Tribunal
12 000 120	<b>Rs 190000</b> Vice-President, Employment Relations Tribunal
12 069 091	<b>Rs 45930 x 970 - 46900 x 1050 - 49000 x 1100 - 54500 x 1450 - 58850 x 1750 - 62350 x 1850 - 67900 x 1900 - 75500 x 2250 - 80000</b> Registrar, Employment Relations Tribunal (Personal)

Salary Code	Salary Scale and Grade
12 055 083	<b>Rs 34160 x 560 - 35840 x 725 - 37290 x 925 - 39140 x 970 - 46900 x 1050 - 49000 x 1100 - 54500 x 1450 - 58850 x 1750 - 62350 x 1850 - 64200</b> Registrar, Employment Relations Tribunal
12 041 079	<b>Rs 28545 x 320 - 28865 x 350 - 30965 x 400 - 31765 x 425 - 33040 x 560 - 35840 x 725 - 37290 x 925 - 39140 x 970 - 46900 x 1050 - 49000 x 1100 - 54500 x 1450 - 57400</b> Deputy Registrar, Employment Relations Tribunal
08 062 083	<b>Rs 39140 x 970 - 46900 x 1050 - 49000 x 1100 - 54500 x 1450 - 58850 x 1750 - 62350 x 1850 - 64200</b> Senior Transcriber (Personal)
08 052 079	<b>Rs 32615 x 425 - 33040 x 560 - 35840 x 725 - 37290 x 925 - 39140 x 970 - 46900 x 1050 - 49000 x 1100 - 54500 x 1450 - 57400</b> Transcriber (Personal)
08 048 078	<b>Rs 30965 x 400 - 31765 x 425 - 33040 x 560 - 35840 x 725 - 37290 x 925 - 39140 x 970 - 46900 x 1050 - 49000 x 1100 - 54500 x 1450 - 55950</b> Senior Transcriber (Future Holder)
08 034 071	<b>Rs 26345 x 300 - 26945 x 320 - 28865 x 350 - 30965 x 400 - 31765 x 425 - 33040 x 560 - 35840 x 725 - 37290 x 925 - 39140 x 970 - 46900 x 1050 - 47950</b> Transcriber (Future Holder)
24 027 060	<b>Rs 24245 x 300 - 26945 x 320 - 28865 x 350 - 30965 x 400 - 31765 x 425 - 33040 x 560 - 35840 x 725 - 37290</b> Driver

