



## **MEDIA RELEASE**

### ***DIER UPHOLDS RIGHT OF INDIVIDUAL REPRESENTATION***

The Department of Industrial and Employment Relations has confirmed the interpretation of the law in respect of the rights of individuals to be represented by the union of their choice, in the light of the recent GWU insistence on a 'misinterpretation' that threw into doubt the law governing a Union's right to assist an employee at the place of work.

In an email (partially reproduced hereunder) sent last Sunday morning to all stakeholders involved, the DIER's observations confirmed that the MUBE is right in its interpretation. This clarification was necessary after BOV was 'threatened' by the GWU with industrial action after it registered a trade dispute against the bank claiming that BOV is breaching the Industrial and Employment Relations act in the way management was dealing with MUBE. In the light of this threat, the bank refrained from initiating the hearing of the pending grievances some of which date back to 2014 resulting in failure to respect employees' rights many of which are members of both the MUBE and the GWU.

The DIER also confirmed that the law:

".....does not negate the right which other unions may have with respect to individual matters. If the matter relates to an individual who engages a union of his choice to represent him, then that is not a collective matter.....that non-recognized union can represent a member/more than one member as long as it is on an individual basis. A non-recognized union can challenge on behalf of an employee/a group of employees, as any other person for that matter, a clause in a collective agreement to which that union was not a party....."

In the light of this confirmation, the MUBE has already requested Bank management to call on employees who have pending claims/grievances to be heard. These include, amongst others, the Managerial arrears, Customer Service Centre issues, and pending individual grievances. Furthermore, MUBE now expects the bank to immediately communicate and set a new date for those employees who were promised commencement of hearings by end of January.

## **GROWING MEMBERSHIP**

MUBE strongly believes that all trade unions should intrinsically protect and defend the interests of workers and NOT its organizational interests. MUBE refuses to be drawn into a 'power struggle' to the detriment of workers and will do whatever is necessary to protect workers, even if it entails taking hard decisions to protect and defend our growing membership at BOV.

## **THREAT TO FREEDOM OF ASSOCIATION**

MUBE is seriously concerned with BOV's position as it is a clear threat to freedom of association and the MUBE is being left with no other option but to go ahead and escalate the matter further.

**In this regard, MUBE will be voicing the position with the State being a key shareholder at BOV, the Bank's Board and all other shareholders who have the Bank's interests at heart.**

23<sup>rd</sup> March 2017

**mubemedia1703.03**