



RESOLVING COLLECTIVE
LABOUR DISPUTES

The AC E-Newsletter

Memorandum of Understanding on Improving Industrial Relations in
the Garment Industry and Binding Arbitration

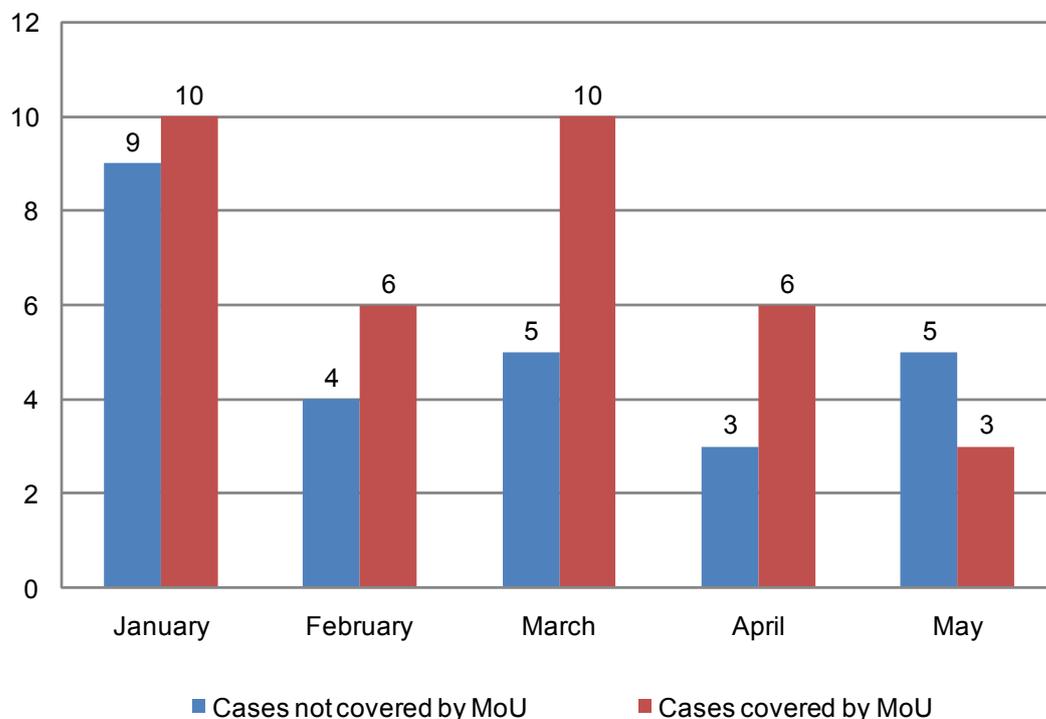
May 2011

Resolution of Labour Disputes Covered by the MoU

In May 2011, the Arbitration Council (AC) received 8 labour dispute cases, 3 of which were covered by the MoU.

Overall, in January – May 2011, the AC has received 61 labour dispute cases, 35 of which were covered by MoU. The graphs below show the total cases received by the AC, classified by MoU cases and non MoU cases and overall results on Labour Dispute Resolutions.

**Number of Cases Received by the Arbitration Council
(January - May 2011)**



Observations on the Implementation of the MoU and Binding Arbitration Cases

There were 4 cases registered in April and their proceedings lasted until May. Parties reached an agreement at the hearings in 2 cases and prior to the hearing in 1 case. Only 1 case was arbitrated by the AC.

There were 2 cases registered and heard in May 2011. Among the 5 cases, where hearings were held in May, we observed that:

1. Encouraging developments

- In 4 cases, the parties signed a separate agreement on binding arbitration on rights disputes.
- In 1 case, the parties signed an agreement on binding arbitration on rights disputes and interests disputes.
- In 5 cases, the parties understood the MoU provisions, specifically the binding arbitration on rights disputes and its non-strike provisions.
- In 4 cases, the parties were well prepared for presenting documents or evidence before the AC.
- In 5 cases, the parties actively participated in the hearing by presenting facts and evidence well to support their claims.
- In 4 cases, the parties showed their willingness to settle the disputes by agreements.
- In 5 cases, the parties were present in the hearings.
- In 5 cases, the parties did not stage a strike.

2. Challenges in the Implementation of the MoU

- In 1 case, the employer did not show its willingness to settle the disputes by signing an agreement with the workers. The employer insisted that workers abide by the Internal Work Rule.
- In 1 case, the parties did not sign a separate agreement on binding arbitration on a rights dispute because the employer thought that the workers would still go on strike.
- In 1 case, the parties were not well prepared for presenting documents or evidence before the AC.
- In 1 case, the workers were not well prepared for presenting documents or evidence before the AC.



An officer of the AC Secretariat explained the AC's proceeding to parties

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