



RESOLVING COLLECTIVE
LABOUR DISPUTES

The AC E-Newsletter

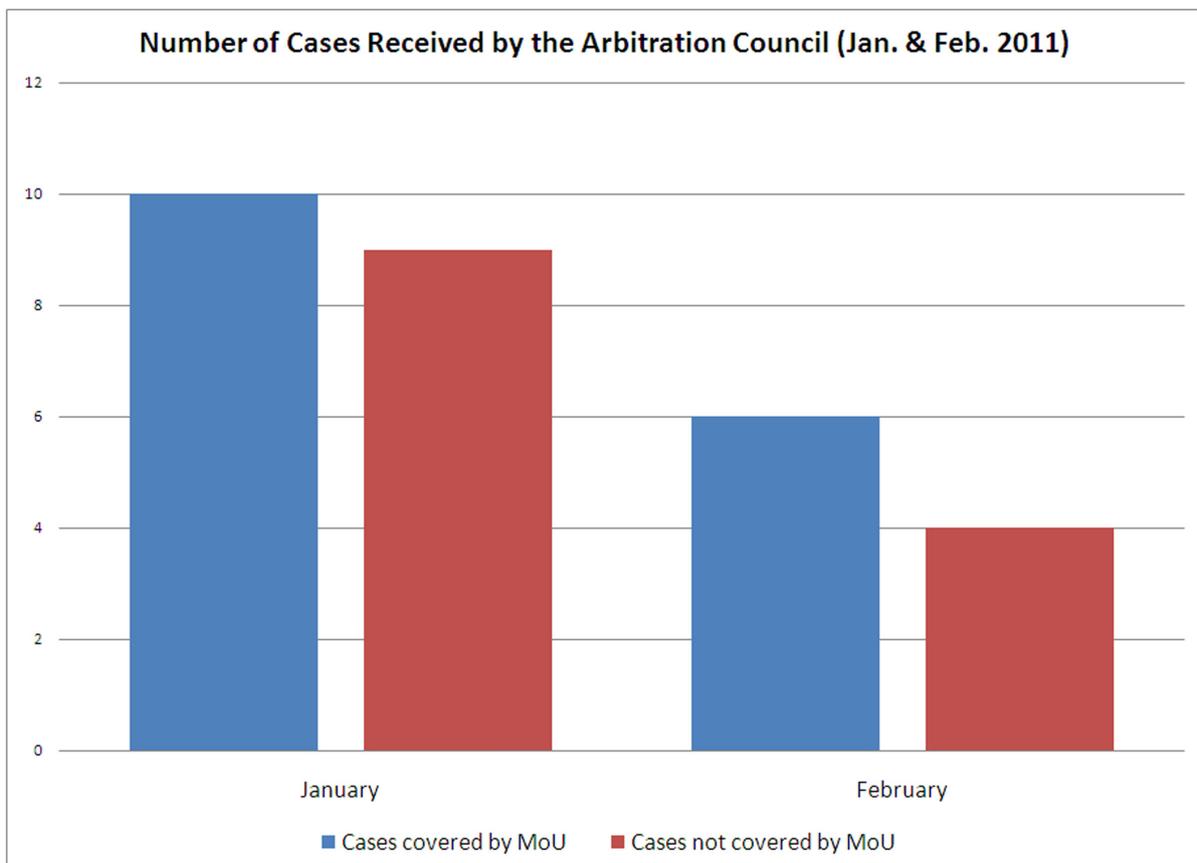
Memorandum of Understanding on Improving Industrial Relations in
the Garment Industry and Binding Arbitration

February 2011

Resolution of Labour Disputes Covered by the MoU

In February 2011, the Arbitration Council received 10 labour dispute cases, 6 of which were covered by the Memorandum of Understanding on Promoting Industrial Relations in the Garment Industry (MoU), signed on 28 September 2010 by relevant employers and unions operating in the garment industry. Among other items, the parties to the MoU agree to submit their labour disputes to final and binding arbitration on 'rights disputes' by the Arbitration Council.

Overall, in January – February 2011, the Arbitration Council has received 29 labour dispute cases. The table below shows the total cases received by the Arbitration Council, classified by MoU cases and non MoU cases.



Observations on the Implementation of the MoU and Binding Arbitration Cases

For the period covering February 2011, the Arbitration Council Foundation has captured some observations, including both encouraging development and initial challenges, regarding the labour dispute cases covered by the MoU.

1. Encouraging Development

- o In three cases, dispute parties reached settlement agreements prior to arbitral decisions by the Council.
- o In one case, the employer and union parties requested the AC to extend the arbitration process to allow additional time for their negotiation to end the dispute.
- o In general, dispute parties have demonstrated their willingness and endeavor to negotiate with a view to ending their disputes.

2. Challenges in the Implementation of the MoU

In two cases involving the same enterprise union and employer, the union party did not participate in the arbitration proceedings for the case the union had initiated. Among them, one case involves a strike staged by the union party prior to the arbitration process. However, after the Arbitration Council issued its interim return to work order, the workers returned to work and waited for the Council to decide on the merits of their case.

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