

PRESS RELEASE

The Trade Dispute Tribunal wishes to advice the public on its roles, procedures and process, and the fees. Trade Dispute Tribunal in other words may refer to as the "Employment Tribunal" begun its operations to serve the workers or employers who are aggrieved at their workplace. This tribunal is an informal court set up under the Trade Dispute Act [CAP162].

Our roles are to consider the facts tendered by the employers and employees and make a decision following the relevant laws. We only make decision on trade disputes cases. A trade dispute case has to be between a worker and his employer or between workers and workers. Trade disputes are grievances arising from a contract of employment, termination, suspension, matters of disciplines, conditions of work at the work place, membership and facilities of trade union members, and machinery of negotiations are some but not an exhaustive list.

The procedure and process of the Tribunal is shown in the flow chart below.

We only accept a Trade Dispute from the:

• Commissioner of Labour

- COL will refer a case which she thinks cannot be resolved within 7 days at the Department of Labour. She has to issue a certificate and a report on the unresolved Trade Disputes.
- The Minister of Internal Affair
- The Minister may refer a trade Dispute of an essential service. He has to the issue a certificate on the Trade Disptue.
- The Court
- The Court must refer a trade dispute to the Tribunal

Registration & planning

- We analyse and register the trade dispute and allocate a case number.
- We make plans setting the dates of conference, trial, and decision
- We give notice to the worker and worker, or employer and worker to attend the conference or hearing.
- We advice the claimant to pay fees, & the Defendant to pay counter claim fee if applicable.

At a Conference and Trial

- We will explain your roles & tribunal etiquettes;
- We will explain to you how to complete our Forms and what is expected to be in the Forms
- We will discuss our plans to determine your case within 3 months and a final plan is to be made between us
- A Notice will be issued to you with the dates of filing your claim, defence, and counter claim (if any)
- During the trial, you will be given time to tell your story and the other party will ask you questions
- A decision will be made and this decision is final

The worker or employer may nominate a person to represent him but that person must not be a lawyer. Lawyers are not allowed. Rules of evidence that applies in the supreme and magistrate court does not apply at the Tribunal.

Tribunal has fees for the worker or employer to pay. The Claim fee is VT 10,000, and when a Defendant has a counter-claim the fee is VT 5,000. This is a one-off fee to pay.

Since, the Tribunal has limited time frame, our rules allow us to strike out case if you do not attend and may make a decision in the absence of a party.

We are established by the Government of the Republic of Vanuatu to settle your trade dispute within 3 months and you do not have to pay any huge amount of legal cost.

Do not hesitate to contact our Office on 33200 Voip 2585 for more information, and you are welcome to visit our Office at the Ministry of Internal Affairs in the Former Land Transport Office to ask questions about the tribunal.



OUR LOCATION

Ministry of Internal Affairs

Below is our Office.

