

ADDRESS BY HON. DR VASANT KUMAR BUNWAREE
MINISTER OF LABOUR, INDUSTRIAL RELATIONS &
EMPLOYMENT

Tripartite Workshop (08-09 January 2008)

on

Draft Employment Relations Bill and
Draft Employment Rights Bill

Date: 08 January 2008

Time: 9.30 hrs

Venue: Gold Crest Hotel
Quatre-Bornes

Mrs Doumbia-Henry,
Director of the International Labour Standards Department of the ILO,

Mr Carrière
of the Freedom of Association Branch of the ILO,

Mrs Ramsamy,
Permanent Secretary of my Ministry,

Representatives of Employers, Workers and Ministries

Dear participants,

A very good morning to all of you.

It is a pleasure for me to address you on the occasion of this **Tripartite Workshop**, organized by my Ministry to facilitate further discussions on the **draft Employment Relations Bill and the draft Employment Rights Bill**.

At the very outset, I would like to extend a warm welcome to Mrs Doumbia-Henry and Mr Carrière of the ILO who will assist us by leading the discussions on the two draft Bills. I take this opportunity to express my thanks to the ILO which has responded positively to a request I made in August 2007 for the assistance of technical experts for this tripartite workshop. I was informed that the experts would be available only after mid-December 2007 in view of other important engagements at the ILO, and we are very thankful to Mrs Doumbia-Henry and Mr Carrière for having agreed to come at the earliest available opportunity in the early days of this new year 2008.

Ladies and gentlemen, when this Government took office in July 2005, one of our main objectives was to put the economy back on track and improve the lives of our citizens. Several courageous measures have been taken and, despite the difficult international context, these measures have proved to be successful, as evidenced by the growth rate which has climbed to (2006) 5% and (2007) 5.7% from only 2.2% in 2005.

There was an urgent need also to review our Labour Legislation, namely the Labour Act and the Industrial Relations Act which date back to over 30 years, to adapt to the new economic environment.

We have embarked on an in-depth review of these legislations with the aim of putting in place a legal and institutional framework which will not only respond to economic imperatives but also better protect workers, promote collective bargaining in enterprises and effectively strengthen tripartism and social dialogue.

My Ministry strongly believes that social and labour policies, including the adoption and implementation of legal instruments, should be the result of extensive consultations and social dialogue between all the relevant stakeholders.

To this end, I have personally ensured that all our social partners have had every chance, at each stage of this important labour law review exercise, to make their comments and to submit alternative proposals which have been duly and carefully considered by Government.

The holding of this tripartite seminar is yet another testimony of the good faith and seriousness of purpose of my Ministry regarding its commitment to wide-ranging and effective consultations with regard to the labour legislation review exercise.

For the purpose of this review exercise, a Technical Committee chaired by the Director, Labour and Industrial Relations and comprising senior officials of my Ministry was set up. Both this Committee and I have had several meetings with the representatives of the Trade Unions and of the Mauritius Employers' Federation.

The outcome of these discussions form the basis of the draft Bills which were circulated to all parties on 29 August 2007 for comments and observations. Thereafter, the Technical Committee held meetings with stakeholders for any clarification or additional information required.

It is worthwhile noting that the initial six weeks' delay given to stakeholders for submission of their comments and observations was further extended following a request of representatives of the trade unions.

Ladies & Gentlemen, last year when I attended the 96th International Labour Conference in Geneva, my delegation and I took the opportunity to discuss the provisions of the two draft Bills with senior officials of the International Labour Office. Subsequently the two draft Bills were also forwarded to the ILO for any additional comments and observations.

True to the spirit of social dialogue to which we are deeply committed, we not only circulated the comments and observations received from ILO to all stakeholders but also convened an official tri-partite meeting on (17 November 2007) to discuss issues raised by the ILO.

Ladies & Gentlemen, both my Ministry and the Government have given in-depth consideration to all comments and observations received from the social partners and from the ILO. I am happy to announce here that several proposals made by the social partners and nearly all the suggestions made by the ILO have been retained.

These will be found incorporated in the final versions of the bills.

The overriding reason that prompted us not to retain the few proposals that we have not, was the higher interest of the country and the fact that we cannot afford to put our fragile economy at risk. This workshop will allow these few issues to be discussed fully and, I hope, to the satisfaction of all parties.

Ladies and gentlemen, I can safely say that never before has so much importance been given to social dialogue and consultations, as has been done in the context of the on-going review of our labour and industrial legislations.

As a responsible Government, we must ensure that there is sustainable development, which is the sine-qua-non condition for the creation of wealth and the generation of employment and the right conditions for decent work for all. The Government and all social partners need to work hand in hand in the pursuit of sustainable strategies to improve the economic situation of our country and the welfare of our nation.

Dear Participants, I would like you to bear in mind, during your discussions, that we must come up with legislation that will have to be not only **worker-friendly** and **compliant with the ILO fundamental conventions** but that needs also to be **investment-friendly** and help us adequately address the challenges posed by globalisation.

We should aim at finding solutions to industrial relations problems through speedy conciliation and settlement of disputes and putting in place processes for agreements on labour issues to be reached to the satisfaction of all parties concerned.

Our ultimate aim, Ladies and gentlemen should be, I repeat, the welfare of our nation and this implies important sacrifices from all and serious efforts for all to understand one another and this spirit of understanding is reflected in the best practise of social dialogue for which we are here today and which is the very reason why this workshop is being organized. Your contribution will be remembered by many and for years to come as these pieces of legislation are expected to shape the destiny of our future generations.

With these words, I now have the pleasure to declare this workshop open and wish you all very frank, constructive and fruitful deliberations.

I thank you for your attention.