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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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No. 1924/43 - THURSDAY JULY 23, 2015

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

My No. IR/21/48/2012 Ref. No. IR/21/48/2012

THE INDUSTRIAL DISPUTES ACT CHAPTER 131

The award transmitted to me by the Arbitrator to whom the Industrial Dispute which has arisen between All Employees Union of Information and Telecommunication, P. O. Box 2293, Colombo (on behalf of 1130 employees) of the one part and SLT Human Capital Solutions (Pvt.) Ltd, (previous name - SLT Manpower Solutions (Pvt.) Ltd, Sri Lanka Telecom PLC, Maradana Road, Colombo 08 of the other part was referred by order dated 04/12/2014 made under Section 4(1) of the Industrial Disputed Act, Chapter 131, (as amended) and published in the Gazette of the Democratic Socialist Republic of Sri Lanka *Extraordinary* No. 1893/10 dated 16.12.2014 for Settlement by Arbitration is hereby published in terms of Section 18(1) of the said Act.

M.D.C. AMARATHUNGA,
Commissioner of Labour.

Department of Labour,
Labour Secretariat, Colombo 05.
18th June 2015.

In the matter of An Industrial Dispute

Between

All Employees Union of
Information and
Telecommunication,
P. O. Box 2293,
Colombo,
(On behalf of 1130 employees)

(of the one part.)

Party of the First Part

Case No. -3587

and

SLT Human Capital Solutions
(Pvt.)Ltd, (Previous Name -
SLT Manpower Solutions
(Pvt.) Ltd,
Sri Lanka Telecom PLC,
Maradana Road,
Colombo 08,



of the other part

Party of the Second Part

Award

The Honourable Minister of Labour and Labour Relations Gamini Lokuge, do by virtue of the powers vested in him by Section 4 (1) of the Industrial Disputes Act, Chapter 131 of the Legislative Enactments of Ceylon (1956 Revised Edition), as amended by Acts Nos. 14 of 1957, 4 of 1962 and 39 of 1968 (read with Industrial Disputes - Special Provisions) Act No. 37 of 1968 hereby appointed me on 04.12.2014 to be the Arbitrator and referred the above said dispute to me for settlement by Arbitration.

Statement of matter is dispute :

The matter in dispute between the aforesaid parties is :
“Whether the 1130 employees mentioned in the schedule annexed hereto, working at SLT Manpower Solutions (Pvt.) Ltd. (Present name - SLT Human Capital Solutions (Pvt.) Ltd) have been caused injustice in the payment of bonus from 2012 onwards, by non compliance with the procedures followed in the payment of bonus to the employees of Sri Lanka Telecom (PLC), and if so, to what relief they are entitled.”

Appearances :

Party of the First Part :

Party of the First Part is absent

Representative Mr. S. P. Wijemanna is present

Party of the Second Part :

Mr. Adhil Khasim Attorney-at-Law Industrial Relations Advisor - The Employers' Federation of Ceylon is absent.

Mr. Diwan Ruwanpura - Manager Operations and Legal appears for the Sri Lanka Telecom Human Capital Solutions (Pvt.) Ltd appears for and represented on behalf of the Party of the Second Part.

Both Parties were noticed under registered cover to be present on 20.01.2015. The Party of the Second part filed the First Statement whereas the Party of the First Part failed and neglected in their duty. Court ordered *Ex- parte* inquiry returnable, of the Party of the First Part having duly noticed, on 02.03.2015. Thereafter, Party of the First Part submitted their First Statement while Second Statement was filed of record by the Second Part.

When the case was taken up on 29.04.2015 a new move was made on behalf of the Party of the First part - though absent for unknown reason - by their Representative whose letter of authority is filed of record, urges the Court to withdraw the complaint made against the Party of the Second Part subject however, to reserve the right to file a fresh complaint against the Second Part in the future.

In the premises, having scrutinized the statements and today's application for withdrawal it is abundantly clear to me that the Party of the First Part cannot have and maintain their case at all. Come what may, I do not stand in the way of a withdrawal made by the Representative on behalf of the Party of the First Part.

I allow the withdrawal and make no Award

I consider this Award as just and equitable in the circumstances

T. EDMUND SANTHARAJAN.
Arbitrator.

06th May 2015,
At Cololmbo.

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