

Trade Dispute - Mediation

Overview

This intervention occurs when there is a dispute or disagreement on labour related matters between an employer and an employee or employees or employees' representatives. Referrals are to be made within thirty (30) days of the occurrence of the Trade Dispute.

Who is eligible?

An aggrieved employee or employer

How do I get this service?

- Registration and scheduling of alleged dispute.
 - Attend mediation meeting.
 - If applicant fails to appear for hearing, the dispute is dismissed or if good cause shown then the dismissal is reversed and matter is mediated.
 - If respondent fails to appear for mediation then the default award is issued.
 - If no response to default award within 30 days, default award is referred to Commissioner of Labour and Social Security for enforcement.
 - If responded to and good cause shown, default award is reversed and mediation resumes.
1. If referral outside 30 days
 - Application for condonation of late referral.
 - If condonation is denied dispute referred to Industrial Court.
 - If condonation is granted mediation resumes.
 2. If parties agree settlement certificate is issued
 - If settlement certificate is honoured matter is closed.
 - If settlement is not honoured, dispute is referred to Commissioner of Labour for enforcement.
 3. Failure to settle
 - Issuance of advisory award.
 - Issuance of certificate of failure to settle.
 - Referral to Industrial Court if it is dispute of right.
 - Referral to arbitration if dispute of interest and parties agree.
 4. Referral to industrial action if dispute of interest and not essential service
 - Receipt of notification to strike or lock out.
 - Convene meeting to draw strike/lockout rules.
 - Undertake industrial action

What supporting documents are required?

What supporting documents are required?

- Justification for referral
- Proof of service

How long will this service take?

Thirty (30) working days

How much does it cost?

No cost

Where can I get more information on this Service**District Contact Numbers**

Department of Labour and Social Security Head office, Gaborone Tel. (+267) 37372772	Gaborone Regional Labour Office I Tel. (+267) 3971406
Gaborone Regional Labour Office II Tel. (+267) 3956019	Francistown Regional Labour Office Tel. (+267) 2416933
Lobatse Regional Labour Office Tel. (+267) 5332569	Maun Regional Labour Office Tel. (+267) 68622705/2418
Selibe Phikwe Regional Labour Office Tel. (+267) 2611598	Serowe Regional Labour Office Tel. (+267) 4632579
Kasane Regional Labour Office Tel. (+267) 6250216	

Opening hours: 7:30 am to 12:45 and 13:45 to 16:30, Monday to Friday, except public holidays.