

**AWARD**

**OF**

**THE ARBITRATION TRIBUNAL**

**OF**

**THE REPUBLIC OF THE FIJI ISLANDS**

**NO 53 OF 2006**

584  
NO 53 OF 2006

**AWARD**

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In the Dispute Between

**FIJI SUGAR AND GENERAL WORKERS UNION**

and

**GENERAL MACHINERY HIRE LIMITED**

FSGWU : Mr R Singh  
GMH : Mr R Prakash

**DECISION**

This is a dispute between the Fiji Sugar and General Workers Union (the Union) and General Machinery Hire Limited (the Employer) concerning the termination of employment of Mr Daven Sami (the Grievor).

A trade dispute was reported by the Union. The report was accepted by the Chief Executive Officer who referred the Dispute to a Disputes Committee. The Employer failed to nominate a representative to the committee within the prescribed time limit. The Minister authorized the Chief Executive Officer to refer the dispute to an Arbitration Tribunal for settlement pursuant to section 5 A (5) (a) of the Trade Disputes Act Cap 97.

The Dispute was referred to the Permanent Arbitrator on 2 August 2006 with the following terms of reference:

***".....for settlement over the termination of employment of Mr Daven Sami. The Union contends that the actions of the Employer were unfair, unjust and wrong and Mr Sami be re-instated without loss of benefits."***

The dispute was listed for a preliminary hearing on 1 September 2006. On that day the parties were directed to file their preliminary submissions within 21 days and the Dispute was listed for mention on 29 September 2006.

The Employer filed its preliminary submissions on 22 September 2006.

By letter dated 21 September 2006, the Union informed the Tribunal that it would be making an application to withdraw the Dispute.

When the Dispute was called for mention on 29 September 2006, the Union confirmed its application to which the Employer indicated its consent.

**CONSENT AWARD**

The Dispute is withdrawn and the proceedings are discontinued.

**DATED** at Suva this            day of October 2006

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**ARBITRATION TRIBUNAL**