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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1507/16 – 2007 ජූලි 26 වැනි මහසප්තමිනදා – 2007.07.26

No. 1507/16 – THURSDAY, JULY 26, 2007

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

My No.: T 7/40/99.

AND

THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

Case No.:
2978

The Tea Research Institute of Sri Lanka,
St. Coombs,
Talawakelle

Award

THE award transmitted to me by the Arbitrator to whom the Industrial Dispute which has arisen between Ceylon National Workers' Congress, 6/4, Police Lane, Nuwara Eliya and The Tea Research Institute of Sri Lanka, St. Coombs, Talawakelle, was referred by order dated 31.03.2003 made under Section 4(1) of the Industrial Disputes Act, Chapter 131 (as amended) and published in the *Gazette* of the Democratic Socialist Republic of Sri Lanka Extraordinary No. 1283/12 of 09th April, 2003 for settlement by arbitration is hereby published in terms of Section 18 (1) of the said Act.

The Honourable Minister of Labour Relations and Foreign Employment 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, 62 of 1957, 4 of 1962 and 39 of 1968 read with Industrial Disputes (Special Provisions) Act, No. 37 of 1968, appointed me as Arbitrator by his order dated 31.03.2003 and referred the following dispute between the aforesaid parties to me for settlement by arbitration.

D. S. EDIRISINGHE,
Commissioner General of Labour.

The following dispute between the above parties were referred for arbitration to wit ;

Department of Labour,
Colombo 05,
02nd June, 2007.

Ref. No. : T7/40/99.

In the matter of an Industrial dispute between

Ceylon National Workers' Congress,
6/4, Police Lane,
Nuwara Eliya

1. Whether the non granting of permanency in service by The Tea Research Institute of Sri Lanka, to the Ninety- six (96) employees whose names are referred to in the attached Schedule and who are employed at the said institute is justified and if not, to what relief they are entitled.

and

2. Whether the non granting of wages and other facilities to the said Ninety-six (96) employees of which are enjoyed by the other employees in the same grades of the Institute is justified and if not, to what relief they are entitled.

The counsel who appears for the Union conceded that the workers who were represented by it had ceased to exist and had become members of another union and sought same to amend the reference accordingly.

Since the Union had ceased to exist and workmen have joined another Union the said application was disallowed.

I make award that I cannot now go in to the dispute.

The workers may however take appropriate action under the provisions of the Industrial Dispute Act to reagitate the dispute.

09th of April, 2007.

08-323

A. SRI NAMMUNI,
Arbitrator.