

**IN THE STATUTORY TRIBUNAL, FIJI ISLANDS**  
**SITTING AS THE EMPLOYMENT RELATIONS TRIBUNAL**



## Adjudication

**Title of Matter:** Arthur Leger, Menani Ledua, Miliakere Daurewa,  
Zane Young and Bikashni Prasad (Grievor)  
  
v  
Sugar Industry Tribunal (Employer)

**Section:** Section 211(1)(a) *Employment Relations Act 2007*

**Subject:** Adjudication of Employment Grievance

**Matter Number:** ERT Grievance Nos 10, 12, 13, 22 and 23 of 2018

**Appearances:** Arthur Leger, Menani Ledua, Miliakere Daurewa,  
Zane Young and Bikashni Prasad appearing in Persons.  
  
Mr S Krishna, Krishna & Co for the Employer

**Date of Hearing:** 9 March 2018

**Before:** Mr Andrew J See, Resident Magistrate

**Date of Decision:** 9 March 2018

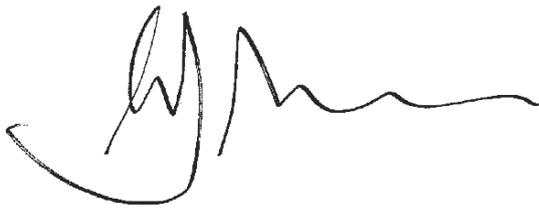
This is a grievance that has been referred to the Tribunal by Bikashni Prasad, Miliakere Daurewa, Menani Ledua, Arthur Leger and Zane Young, in which these 5 employees seek adjudication as to their work value in their respective positions with the Respondent Employer, during the period 14 June 2013 to 3 April, 2017.

The claim made by the individual employees comes about due to the additional work requirements imposed upon each of them during the temporary absence of Mr Mahesh Goundar, Assistant Registrar. What is being proposed by the employer in resolution of the claim, is that the individual employees be compensated on a one-off basis for additional responsibilities assumed during this

time based on a formula set out within correspondence to the Chief Mediator dated 8 August, 2017. The employees the subject of this grievance and the Employer agreed to calculations set out within that correspondence. On that basis, the Tribunal believes that such arrangements can be made by the variation of the contractual terms between the parties, for the relevant period in which the extra work was performed.

To give effect to this arrangement, the Employer must now issue a letter of variation to each of the employees, advising of the additional compensation amount to be paid in each case for the relevant period. Such letter will make clear that in each case, this is a one-off payment adjustment and is made in full and final settlement of all claims pertaining to that employment period.

In order to resolve this matter as expeditiously as possible, the Employer is directed to give effect to this determination within 7 days.



**Mr Andrew J See**  
**Resident Magistrate**