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Media Release

Industrial Tribunal now paralysed – MEA

The Malta Employers' Association is very concerned about the effect of the decisions of the Court of Appeal confirming the two June 2015 judgements on the unconstitutionality of the manner in which the Industrial Tribunal is constituted and operates.

It appears that the prevailing view is that following these decisions of the Court of Appeal, which many felt were predictable, the Industrial Tribunal is not in a position to continue functioning.

The Association said that it had been stating for months that the Industrial Tribunal is in need of serious reform, and had also made a presentation to the MCESD with concrete proposals. It is regretful that no action has been taken which would have prevented a situation where the Industrial Tribunal now appears to be paralysed, to the detriment of all parties appearing before it, especially when it was known to all since June last year that there were serious legal issues.

It will now be up to government to take immediate measures to initiate a process, which will, probably take months, to establish the legitimacy of the Industrial Tribunal. In the meantime, both employers and employees will have no recourse to legal redress in cases of industrial disputes and alleged unfair dismissals.