

12th January 2015

Media Release

MEA blasts MUMN statement on Union Recognition issue

In a reaction to the MUMN's media release about the new process adopted for union verification, the Malta Employers' Association stated that the MUMN has clearly missed the whole point concerning the Association's objections. In its statement, the MUMN is clearly implying that all employees of the Department of Employment and Industrial Relations were not competent, objective or willing to perform their duties properly. Even if this were the case, the solution would have been to change particular officers concerned rather than the Minister unilaterally divesting the Director and his Department of union recognition verification responsibilities and proceeding instead to establish a separate body for this union verification function.

The MUMN is not understanding and confusing issues when it says that previously there was no consultation about who is doing the verification. No consultation was necessary as the responsibility for verification, according to law, lies squarely on the Director of Employment and Industrial Relations in his capacity as the Registrar of Trade Unions. It is entirely up to the Director to manage the department to ensure that such verifications are made in a professional and objective manner by him or his so delegated qualified employees.

The MEA finds it very surprising that a Union, in this case the MUMN, finds no objection to the fact that, perilously, the law has been turned on its head and the process of union recognition has been changed without any consultation with the stakeholders involved, and when established structures to handle such matters – such as the Employment Relations Board – have been completely bypassed. Is it possible that the MUMN, or any other Union, is not aware of the possible consequences of such precedents? The minister acted hastily when she unilaterally decided to establish this recognition committee, or whatever it is called, just because a union, UHM, claimed recognition of particular employees working at the DIER. It is a fact known to all that the existing legislation contains clear provisions which enable any employer – including government – to hold back a limited number of employees from becoming trade union members if such membership carries a conflict of interest with their duties. It is therefore for these reasons that the Association has issued a directive to its members not to attend any meetings called by this committee before a proper and democratic consultation process occurs. The MEA urges the Minister to respect and make use of current established social dialogue structures and procedures.