17th April 2009

Media Statement

Union Recognition Issue – Employers set the record straight

As an Employers' Association, we are expressing our concern at the manner in which the situation regarding union recognition at the Malta Freeport Terminals has escalated. We reiterate our position that employers should not be dragged into a dispute between trade unions and that we will not go into the merit of who should represent workers at the ports. MEA has always been, and will continue to be, impartial between unions, and we firmly believe that unions representation should be left for the employees to decide upon.

Employers are only bound to grant recognition to unions who have proof that they have more than 50% paid up membership. In the absence of such proof, they are not obliged to give recognition. On their part, employees have a right to decide whether to join a trade union or not, and which union to join. This right is to be respected by employers and especially by the unions themselves. We hear a lot about the right of a trade union to take industrial action, however, it must be added that there is a balance of power between employers and unions in the sense that in an industrial democracy, employers also have a right to protect their interests.

The Malta Freeport terminals Ltd acted correctly, when faced with a claim for sole recognition by two unions, in asking the Registrar of Trade Unions to establish which union, if any, has recognition. The company had no option but to accept the result of the verification exercise conducted by the Registrar.

The General Workers' Union should never have ordered industrial action on this issue since there is no dispute between the employer and the employees. If the GWU, or any other union in a similar situation, has an issue with the way the verification exercise was conducted, it should take up the matter with the Registrar of trade unions, and not with the employer. It is clear that if the GWU did not resort to industrial action, the Malta Freeport Terminals Ltd would not have had reason to issue the garnishee order, and a lot of trouble would have been avoided.

The threat of a blockade on Maltese exports by European trade Unions is irresponsible and will jeopardise the operation of many companies in Malta and the livelihood of thousands of Maltese

workers, should such actions materialise. We are all aware that this is a time when employers are struggling to survive in the face of an international recession, and are doing their utmost to minimise job losses. One would expect that in such a situation, European unions should give higher priority to safeguard jobs rather than threaten us with blockades, unless they think that stopping Maltese exports from reaching their shores will save some jobs in their own countries.

The industrial relations climate in Malta has been stable for years as a result of a mature approach based on mutual respect between employers, unions and government. To date, the social partners have always managed to solve industrial relations problems without the interference of foreign unions. The meddling in local affairs by the likes of Merseyside TUC and the CGIL Piemonte will only serve to make the situation worse. It is surprising that these unions are also interfering in a dispute between two local unions.

We appeal to all unions to work in the national interest, and to direct their energies towards safeguarding and generating productive jobs in Malta, rather than waste them on feuds which do not work in the employees' interests. Employers are committed to safeguard jobs, and the vitriolic comments against employers made by Gejtu Mercieca on the programme Realta' are anachronistic and completely out of touch with contemporary industrial democracy.

Affiliated to the International Organisation of Employers (I.O.E.),
Association of Business Organisation in European Capital Cities (O.P.C.E.) and
European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest (C.E.E.P.)