The 48th Biennial Delegates Conference of the Fiji Trades Union Congress [FTUC] held on Saturday 29th August 2020 in Suva, received and adopted the following resolution.

Resolution No. 01: Tripartism

NOTING WITH SERIOUS CONCERN: The continued practice of government to dismantle platforms of social dialogue and tripartism particularly in the Wages Council, Fiji National Provident Fund, National Training and Productivity Authority of Fiji, Fiji National University, and the diminishing roles in National Occupational and Health Safety Board, National Employment Centre and Employment Relations Advisory Board.

REAFFIRMS: The fact that the Tripartite Forum represents the most effective and consultative mechanism within the spirit of ILO Convention 98 and ILO Convention 144 for consultations and negotiations on all employment related matters.

REITERATES: That FTUC maintains its firm position on boycotting participation in any tripartite forums until its role as an important stakeholder is recognized for sincere engagement.

CALLS UPON: Government to respect ILO Convention on Tripartite Consultation (No. 144) and engage in meaningful and genuine social dialogue to resolve all outstanding matters and employment related matters.
Resolution No.02: National Minimum Wage and Wages Councils

CONDEMNING: The Government’s blatant disregard to engage in a fair and consultative process in reviewing the National Minimum Wage.

MINDFUL: Of the fact that the abolition of Wages Councils has drastically increased poverty, destitution and misery in Fiji.

NOTING WITH SERIOUS CONCERN: That the proposal to reinstate Wages Councils as the tripartite structure which provided non-unionized workers with the barest protection against absolute exploitation has been entirely abandoned by the government.

CONCERNED: That this government has disregarded the involvement and consultation of workers’ organization as an equal tripartite partner in its wage setting review process.

 WARNS: The government that the abolition of minimum wage protection has contravened ILO Convention 26 which has been ratified by Fiji.

FURTHER WARNS: The government that stable labour market is the key to sustained economic progress and development and that the removal of such structures and due process has contributed significantly to creating greater instability in the labour market and our economy.

APPEALS: To the government to reconsider its action in removing the basic protection afforded to Fiji’s most vulnerable workers through the Wages Councils in the interests of the welfare of Fiji’s working people, its industrial peace and economic progress in Fiji.
DEMANDS: That the Government immediately restore the Wages Councils and engage with the Fiji Trades Union Congress to fix a National Minimum Wage.

Resolution No.03: Joint Implementation Report & Labour Law Reforms

EXPRESSES CONCERN: At the obnoxious manner in which the government has been dealing with the review of “Labour Reforms” which violated the freedom of trade unions and the rights of workers in the country.

NOTES: That the government has time and again given assurances to amend the contentious issues of the labour laws and later carry out a comprehensive review of the industrial relations laws to comply with the ILO Conventions and the Universal Declaration of Human Rights and based on fair labour practices but has so far it has failed to take any positive action to review such labour laws.

FURTHER REMINDS: The government that the FTUC through the Employment Relations Advisory Board and in concurrence with the Ministry of Labour agreed through the Joint Implementation Report to review the provisions of the labour laws.

STRONGLY DEPLORES: The lethargic way in which the Ministry of labour has handled the review process to implement changes to accommodate the concerns of the workers and ensure full compliance into Core ILO conventions.
CALLS UPON GOVERNMENT: 
To immediately begin the review process as agreed in the Joint Implementation Report including compliance with the ILO Conventions ratified by Fiji.

DEMANDS: 
That the government immediately respond to the ILO Committee of Experts on Application of Standards and Recommendations on Fiji, set deadlines with a genuine commitment and work within these deadlines.

Resolution No.04: Dispute Resolution Mechanisms

CALLS UPON: 
The government to immediately analyze the current system of dispute resolution machinery and establish a machinery that addresses all types of grievances and disputes.

FURTHER CALLS UPON: 
Government to create a system of resolving disputes and grievances that is effective, user friendly and efficient, and expedites the process within mutually agreed timelines.

EXPRESSES SERIOUS CONCERN: 
At the inefficiency of the Arbitration Court and Employment Tribunals where workers and unions endure excessive delays sometimes up to 4 to 5 years before a ruling is handed.

DEMANDS: 
The Government to take necessary steps to improve the current system in order to reduce the timelines taken to resolve disputes and grievances from the date it is lodged to the day a ruling is made and delivered.
Resolution No.05: Mass Terminations

Condemns the decision of Fiji Airways to summarily terminate 758 employees many of which have been long serving workers.

Further Condemns the decision of the Board of Air Terminal Services to terminate ALL its employees simply because its claims not to be able to fulfil its contract with workers.

Notes That the respective workers have exercised their right to challenge the unilateral decision made by Fiji Airways and Air Terminal Services.

Further Notes The recent profit announcement by Fiji Airways and reminds the management that it was through the hard work of the terminated workers that contributed to the hefty profit.

Calls Upon Government to intervene and stop such unfair, inhumane and unjust behavior of Fiji Airways Management & ATS management, and respect workers’ rights and the laws. Fiji Airways has an obligation to respect workers’ rights.

Resolution No.06: COVID-19 Response

Notes That COVID-19 has proved to expose the vulnerability of the labour market globally and the deep need for the respect of fundamental rights of workers.

Notes The difficulties that workers have had to face in providing for their families as a result of the terminations, reduced hours and wages.

Calls Upon government to provide support and assistance to workers that have suffered due to the pandemic.

Calls Upon employers not to take advantage of the pandemic and be compassionate towards workers.
Condemns  The lack of respect for fundamental rights of workers by certain employers and urges the government to work in consultations with the tripartite partners in formulating policies and response strategies.

Calls Upon  government to refrain from implementing policies regarding withdrawals of member funds for recovery efforts.

Resolution No.07: Labour Law Reform

RECALLING  THAT a Tripartite Agreement was signed in Geneva on the 25th of March 2015 and the Joint Implementation Report on 29th January 2016 in Fiji whereby the tripartite partners had committed to review the Labour laws in compliance with the ILO Core Conventions including Essential Services;

CONCERNED  about the utter ignorance of Government’s commitment to engage in genuine social dialogue through its continuous unilateral imposition of amendments to the Employment Relations Act 2007 and the recent introduction of anti – Labour Policies such as the retirement age in municipal councils had continued to violate the fundamental rights of workers;

CALLS UPON  Government to honor its commitment in the Joint Implementation Report in the true spirit of Tripartism.

Resolution No.08: Individual Contracts

Condemns  the imposition of individual contracts in both the Public and Private Sector workers.

Recognizes  that the imposition of individual contracts undermines the fundamental rights of workers to collectively bargain.

Calls Upon  government to respect the fundamental rights of workers and engage in negotiations with Unions.