



Ministry of Civil Service and Administrative Reforms

22 October, 2013

Ministry of Civil Service and Administrative Reforms

Circular Note No. 44 of 2013

E/439/27/80/01

From: Senior Chief Executive, Ministry of Civil Service and Administrative Reforms

To: Supervising Officers i/c of Ministries/Departments

Employment Relations (Amendment) Act 2013

The Employment Relations (Amendment) Act 2013 has been proclaimed on 11 June 2013 to take effect on the same date.

2. Section 29(1A) of the Act specifies that "*A worker shall have the right to join only one trade union, of his own choice, in the enterprise where he is employed or his bargaining unit*".

3. It is common practice in the Civil Service that employees belonging to the same bargaining unit are members of two or more trade unions. The advice of the State Law Office has therefore been sought as to whether those employees would have to abide by Section 29(1A) of the Act.

4. The State Law Office has advised that being given that Section 29(1A) of the Employment Relations (Amendment) Act 2013 came into force on 11 June 2013 by virtue of Proclamation No. 20 of 2013 with no retrospective effect, it would not apply to employees who were already members of more than one trade union prior to 11 June 2013.

5. Supervising Officers are being requested to stand guided by the advice tendered by the State Law Office accordingly.

(S. Seebaluck)
Senior Chief Executive

Copy 10: Secretary to Cabinet and Head of the Civil Service