

a secret ballot to be conducted so as to assist it to establish or dispel the Union's claim of majority support required under s.6(5)(a) of the Act.

4. On 9th September 1998 a secret ballot was conducted which showed that the majority of the Respondent's workforce opted to be represented by the Union. Results of the secret ballot was sent to the parties on 10 September 1998.
5. On 15 September 1998 the Panel held another hearing to allow the parties to address the results of the secret ballot as well as to address the issue of effective representation by the Union pursuant to section S.6(5)(b) of the Trade Disputes Act 1981. The Union accepted the results whereas the Respondent's representative disputed the results claiming that some of the workers did not understand the secret ballot and were advised by the Union supporters to vote in favour of the Union. This argument however was not substantiated. No submission was made in regards to the Union's capability of representing the workforce.
6. On the basis of these Findings and in the absence of any submissions pertaining to effective representation the Panel makes the following Awards:
 - 6.1 **The Respondent Party is to grant recognition to the Solomon Islands National Union of Workers as the Union legally representing a majority of the respondent's workforce;**
 - 6.2 **Upon signing of the Recognition Agreement the parties are to commence negotiations on the terms and conditions of employment of the Union's membership.**
7. Pursuant to section 11 of the Trade Disputes Act 1981, the Respondent is to pay the costs of the proceedings in the sum of Two hundred and fifty dollars, which sum is payable to the SIG within fourteen (14) days from receipt of this award.

Dated at Honiara this 15th day of September 1998

A. N. Tongarutu
CHAIRMAN/TRADE DISPUTES PANEL