

TRADE DISPUTES PANEL, SOLOMON ISLANDS  
Under the Unfair Dismissal Act 1982

UD/104/89

Between: PETER HOUPANITA Applicant  
and: SOLOMON TAIYO LIMITED Respondent

Hearing at Honiara on 25 October 1990.

Hugh Macleman Chairman  
Francis Mete Member  
John Adifaka Member

For the applicant: C Waiwori and G Suri, Solomon Islands National Union of Workers.

No appearance for the respondent.

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F I N D I N G S

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Solomon Taiyo Limited employed Mr Peter Houpanita from 24 March 1986 until 21 September 1989. The Company admitted the dismissal but did not appear at the hearing and so did not begin to meet the burdens imposed by sections 4 and 6(6) of the Unfair Dismissal Act 1982. We found the dismissal unfair and assessed compensation at the equivalent of the redundancy payment to which the applicant would have been entitled, three months basic wages at \$128, and interest to date.

Applying the formula under s. 7 of the Employment Act 1981:-

24.3.86 - 21.9.89	=	182 weeks	
128 x $\frac{1}{26}$ x (128 x 12 + 52)	=		\$ 206.77
128 x 3	=		384.00
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			\$ 590.77
			=====

AWARD

The respondent unfairly dismissed the applicant and is to pay him compensation of \$590.77 plus interest at 15% from 21 September 1989 until payment (payable

immediately and recoverable as a debt under s. 10 of the Unfair Dismissal Act 1982).

EXPENSES

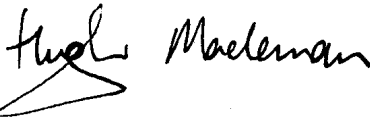
The Panel fixes a contribution of \$200 towards its expenses to be paid by the respondent to the Ministry of Commerce and Primary Industries within 14 days of this date.

APPEAL

- (1) There is a right of appeal to the High Court within 14 days on a question of law only: Unfair Dismissal Act 1982, s. 12; Trade Disputes Act 1981, s. 13; Trade Disputes Panel Rules 1981, r. 11; High Court (Civil Procedure) Rules 1964, O. 30 r. 3.
- (2) Any party aggrieved by the amount of compensation awarded may within one month of the date of the award appeal to the High Court: Unfair Dismissal Act 1982, s. 7(3).

Issued to parties on 29 October 1990.

On behalf of the Panel.



(Hugh Macleman)

CHAIRMAN/TRADE DISPUTES PANEL