

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

UD/181/89

Between:

JOHN MANI

Applicant

and:

FLETCHER KWAIMANI JOINT VENTURE

Respondent

Hearing at Honiara on 8 November 1990 before:

H Macleman	Chairman
F Mahlon	Member
J Adifaka	Member

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F I N D I N G S

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Mr John Mani worked for Fletcher Kwaimani as a loader-driver from 3 August 1987 to 6 September 1989. The employer did not admit the dismissal so that was the first matter the applicant had to establish.

He told us of an incident in which he had been taken off driving duties and instructed to do other work. At the instigation of a workmate, who manifestly had no authority, he went back to driving. A supervisor told him to go to the office. He did, but left almost directly and went home. Next day he returned to work but was told he was finished.

The two expatriate staff involved in the incident have left Solomon Islands but the respondent produced their written contemporaneous accounts. In short, Mani had stormed off the job after being rightfully reprimanded for bad driving and insubordination. We found the written reports detailed and convincing. We were not impressed by the applicant's manner of giving evidence, and found many of the details he conceded were more consistent with the respondent's version. He has not persuaded us that he ever was dismissed and accordingly his application fails.

We dismiss the complaint.

There is a right of appeal, on a point of law only, within 14 days.

This decision is issued in writing, as agreed by parties at the hearing, on  
13 November 1990.

On behalf of the Panel



(Hugh Macleman)

CHAIRMAN/TRADE DISPUTES PANEL