

Exercising your fundamental Right

In this life, there are always tough conversations and discussions to be had, from which many would prefer to opt out. Apart from this, there are some hard decisions that are required to be made, and here again, many may choose not to be involved. While all of this is true, there is no hiding from the fact that politics influences the life of each citizen. The political decisions made are imposed upon the people, regardless if they are liked by them or not. It matters not, if an individual voted for or did not vote for the government of the day, or chose to exercise the right not to participate in the voting process. What is important, is the overarching fact that persons have the right of choice.

Just as much as the constitution provides for freedom of association, be it political, religious or otherwise, every citizen and worker has the right to join a trade union of their choosing. It is hard to understand why it is in the 21st century, that there are employers who despite the provision of the constitution, continue to find ways of threatening and denying the individual the right to join a trade union. It is disgusting to learn of employers who inform their employees that they don't support the unionization of workers. In this instance where the fundamental right of the individual is being abridged, it is left to wonder where the state draws the line. It would appear that there is an injustice being imposed on those who are denied the right to join a trade union and to become organized.

There are good grounds for the labour movement in any jurisdiction to press its demands for this injustice to be corrected. At this point, attention is turned to how this matter should be one of interest to politicians. There can be no misunderstanding that politicians, especially those elected to the office by the populace, have a responsibility to serve the interest of the people. Politicians are known to have an interest in ensuring that every individual has the right to vote. It is common practice for politicians and their agents to check to ensure that all eligible voters are registered and that their names appear on the voters' list. This is one aspect of the political experience which politicians do not take lightly or for granted.

It is difficult to understand why the same politicians, especially those who are elected to office, seemingly show no interest in addressing the denial by some employers, of the fundamental right of workers to join a trade union. Is it that it does not matter to them, or is it that the trade union movement has not been aggressive enough in championing this matter? It would be expected that those trade union leaders who aligned themselves with a political party, would have seen that this matter as one which should be placed high on the political agenda. It may be argued that in some jurisdictions, there is agitation being made for the introduction of a Trade Union Recognition Act. This is a necessary first step. Unless there is a legal obligation imposed upon the employer not to deny employment or dismiss an employee who exercises the right to be unionized, then the purpose of the process can certainly be questioned.

**Exercising your fundamental Right: Dennis de Peiza: Labour & Employee Relations Consultant:
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It is often said that organized labour represents a powerful lobbying force. However, for some questionable reasons, it sometimes appear that the perceived strength of trade unions is undermined by the political divide that existing within the global space. Some persons, regardless of merit of the cause, would not support an action of the trade union, which calls on their political party to take an action. This represents a genuine case of the exercising of the right of the individual, but it also highlights the fact, that trade unions can be as strong as their weakest link. Trade unions accept that they have an obligation to lobby and agitate for change, and in this case, for all workers to be protected against any act on the part of the employer to deny them the right to be unionized. It is reasonable that workers who are impacted, look to support the lobbying efforts being made on their behalf by trade unions.