Modules:   
Strengthening tripartite disputes process

### Consortium participants:

* Bipartite plus Danish labour market institutions (Industrial court)

### Partner participants:

* Tripartite

### Basis for concept:

* Project in Myanmar

### Maturity of Social Dialogue in partner country:

* Unstructured or structured

### Preconditions

* Dialogue established between national social partners and labour law structure in place
* Desire for improving the processing of the disputes resolution system

### Target group

* Union officers at national and regional level
* Employers and employers representatives at national and regional level
* Ministry of Labour (MOL) regional officers

### Objectives

* Strengthen the quality and speed of disputes handling
* Reduce the case load through improved social dialogue at company level to solve problems early.
* institutional capacity of organisations to engage in disputes handling
* Establish a fundamental understanding of the functioning of Rights conflict systems
* Help the national partners and the MOL personnel to establish a common understanding.
* Train participants in mediation and arbitration techniques

**Format:**

* 4 non-residential workshops -2-3-day - with partner organisations and MOL representatives.
* 1. workshop
  + General introduction to Social dialogue
  + General introduction of Disputes handling
  + Examples from other countries in the region
  + Basic exercises to bring participants together and illustrate the challenges
* 2. Workshop
  + Further training in social dialogue with focus on disputes handling and social dialogue at enterprise level
  + Training in good faith collective bargaining
  + Training in mediation
* 3. And 4. Workshop
  + Training in participation in official handling structures
  + Training in representing the involved parties
  + Training in mediation and arbitration techniques

### Focus of workshops:

* Negotiation skills and techniques for resolving disputes of interest, including how to prepare and present views.
* Mediation skills and techniques for resolving interest disputes
* The importance of sharing knowledge and perspectives on productivity and working conditions as part of reaching solutions in dispute settlement
* Increased understanding of the situation of the opposite side and the need to achieve a balanced solution

### Output and outcome

* Increase on the number of enterprise level collective agreements
* Decrease in the number of industrial disputes, which are not handled at interprise level
* Improved handling of disputes in public bodies, in particular a higher quality of the process so all interests are represented better.
* Improved understanding among key office holders on employers, trade union and MOL of the importance and usefulness of Social Dialogue
* Increased skill in disputes handling in all structures

### Participants

* 16-25 Participants per workshop
* Broad representation from all three sides
* Participants should be experienced officers, who have or will be getting an actual responsibility for these issues

### Trainers and consultancy

* Trainers must have practical experience with Social Dialogue
* Useful with a trainer, who has experience with similar systems in other countries – generally or in the region
* Follow up between workshops – preferably by regional or locally based representative.

### Material:

* PowerPoint presentations
  + Disputes resolution
  + Dialogue Negotiation and Mediation
  + Process of conciliation
  + Shared interest and conflict
* Cases
  + Cases for rights dispute
    - Rights dispute - Green Hill Brewery
    - Rights dispute - PTTEP International
  + Cases for interest dispute
    - Interest dispute - Kampala Coffee Processing Plant
    - Interest dispute - Garment factory Three Star
  + Cases for training of mediation and conciliation
    - Myanmar Solamoda Garment Factory workers case
    - KGG Garment Factory workers' case
    - Poppy Snack Factory worker’s case
    - South Bay Garment Factory workers’ case
    - Sein GabarYarn factory workers case
    - Myanmar Sincerece Co. Ltd (garment factory) workers case
    - Labour issue in production of fishing net and equipment
    - Labour Issue at Chi Chi Industry Co.
    - Labour Issue at woll textile factory
    - Labour Issue at woven bag (Penang) factory.
  + Note: Cases are in some respects specific to the country they come from. This should be adapted when they are used elsewhere. Local realities should be reflected in cases.
* Activity Sheets
  + 1.1 – Experiences with conciliation
  + 1.2 – Roles, rights and duties in conciliation
  + 1.3 – Preparation for a successful mediation – Interest dispute
  + 2.1 – Key learning points and expectations
  + 2.2 - Preparation for a successful mediation – Interest dispute
  + 3.2 – Capacity building
  + 3.3 - Preparation for a successful mediation
  + 3.4 – Perspectives and interests of your counterpart
  + 3.5 – Key learning points and recommendations
  + Role Plays: Preparation for a successful mediation
  + Role Play: Negotioation role play – An extra allocation