

## **NFP Leader says Government trying to gain 100% control of ATS**

The National Federation Party says Government has used the management and board of Air Terminal Services to lock out ATS employees as part of a strategy to gain 100% control of the company.

NFP Leader Professor Biman Prasad calls on the Government and the ATS Board to inform the people of Fiji, whether Fijian Holdings Limited (FHL) is being earmarked to buy out 49% of employee shares in ATS.

Professor said ATS was a model company not only for Fiji but for the region since its formation in September 1981 because both Government and employees have almost equal status as shareholders.

“But this changed in the last 11 years. Employees who are co-owners of ATS are subservient to a Board that is not completely representative of the workers. This is completely unacceptable”.

“Therefore the lockout of ATS employees who are members of ATSET (Air Terminal Services Employees Trust) is a deceitful takeover tactic by Government, and the ATS Board and Management”.

“This deliberate move by Government through the Board and Management of ATS started a few years ago when the current Chairman, a few a few months after his appointment as Board Chair, warned the employees through the media, to ‘shape up or ship out’. He also said worker ownership may not be entirely applicable or useful in the modern business environment. We refute this naïve assumption because worker owned cooperatives are quickly becoming an approach worth considering by many countries—indeed NFP will be looking to encourage this mode of employer-ownership when we are in Government”.

“We are also aware that the size of the ATS Board has been reduced from 7 to 5 members. The Board now has only one employee representative instead of 3. We understand that this is now a matter before the Court. But this is a breach of the Deed of Trust laying the foundation for the formulation of ATS as a company”.

Professor Prasad said the action by the ATS employees should not be viewed as an industrial dispute or a matter started by their union.

“This is purely an issue of workers as shareholders of a private company exercising their right under the Deed to take resolutions for the welfare and safeguarding of the company in which they have a 49% stake. The employees are exercising their right and protecting their interests as members of ATS Employees Trust and shareholders”.

“But they find themselves locked out from their own company yet the management, who are technically employees of the ATS workers. The primary role of management and especially the Board should be to safeguard the rights of shareholders.

“But here they are at least seen to be colluding with another shareholder, which is Government, to get rid of another significant owner of the company, which are the workers”.

Professor Prasad said the Minister for Industrial Relations acted hastily in declaring the action of the ATS Employees as an illegal strike, without bothering to establish the facts.

“The other issue here is the conflict of interest of those dealing with the employees. Both the Attorney General and Board Chair are speaking the same dictatorial language. And everyone knows that both are brothers”.

“In the interest of transparency, they should not be dealing with this dispute together. It goes completely against the grain of good governance and accountability”.

“The last thing we want is for this stand-off to escalate and seriously compromise the rigid global aviation standards because of the deliberate intention of one shareholder to discriminate another in breach of the Deed of Trust between both parties”.

“The employees as shareholders must be allowed to return to work unconditionally and without loss of pay and benefits”.

Furthermore, the Board needs to be acutely aware of their legal responsibilities and the penalties prescribed in the new Companies Act.



**Professor Biman Prasad**  
**NFP Leader**