INDUSTRIAL COURT OF TRINIDAD & TOBAGO

FIAT JUSTITIA

• Towards 50 years of social justice •

Annual Report






2013-2014



• *Towards 50 years of social justice* •

Annual Report

2013-2014

Our Mission

We are an effective Court upholding the principles and practices of good industrial relations as pillars of industrial peace, economic and social development.

Our Vision

To be an Industrial Relations Court established under the constitution which is fair, equitable and expeditious in dispensing social justice.

Core Values

Integrity
Justice
Honesty
Equity
Respect
Accountability
Teamwork
Discipline
Loyalty

Industrial Court of Trinidad And Tobago

PRESIDENT'S CHAMBERS

Cor. Queen & St. Vincent Streets, Port of Spain, Trinidad & Tobago
PHONE: 623-1304/7 FAX: 627-1706

September 22, 2014

The Honourable Errol Mc Leod
Minister of Labour and Small and Micro Enterprise Development
Level 5 & 6, Tower C
International Waterfront Complex
1A Wrightson Road
Port of Spain

Dear Minister,

Re: Annual Report of the Industrial Court of Trinidad and Tobago

Pursuant to Section 83 of the Industrial Relations Act Chapter 88:01, it is my honour to present to you the Annual Report of the Industrial Court of Trinidad and Tobago for the period September 23, 2013 to September 22, 2014.

Yours Respectfully,

Deborah Thomas-Felix
PRESIDENT



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A publication of the Industrial Court of Trinidad and Tobago.

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President's Message



Her Honour Mrs. Deborah Thomas-Felix, President

It seems like it was just yesterday that we gathered in similar fashion, for the 2013 opening of the law term. However, it has indeed been one year. As globalisation continues to produce a new level of interdependence and integration among nations, it is fitting that we ponder on some of the key developments that have played out on the world and the domestic stage during the year in review, given their implications for economic and social policies, industrial relations and future actions for promoting industrial peace. In the June 2014 edition of its Global Economic Prospects, the World Bank indicated that:

> *"…The global economy is expected to ….expand by 2.8 percent this year, strengthening to 3.4 and 3.5 percent in 2015 and 2016, respectively. High-income economies [are expected to account for] about half of global growth in 2015 and 2016, compared with less than 40 percent in 2013."*

On the domestic front, the International Monetary Fund (IMF) in its September 2014 Article IV Consultation Report on the Trinidad and Tobago highlighted that:

> *"Trinidad and Tobago is embarking on sustained growth after several years of weak performance, attributable to the global [financial] crisis and energy sector supply-side slowdowns". …T&T's growth, which was estimated at 1.6 percent for 2013, was buoyed by 2.5 percent growth in the non-energy sector. Headline inflation dropped to 5.6 percent in 2013,[1] while core inflation remained within a narrow range of 2 to 3 percent. Recorded unemployment dropped to a record low of 3.7 percent in the first quarter of 2013 … although a substantial amount of underemployment still goes unreported."*

Certainly, the upward trajectory in the country's annual growth is a welcome achievement. However, the question is: how tangibly are these developments likely to contribute towards improving the social well-being of our citizenry now, and in the future? Apart from the red flag raised by the IMF with respect to the substantial underemployment that continues to go unrecorded and by extension, unaddressed by public policy, history has taught us that economic gains can be transitory. Positive advances in our economic performance have, and can again be adversely impacted by internal and external shocks - such as a decline in the price of petroleum and petrochemical products. Uncertainty in the global economy due to recent geopolitical developments, including tensions in US-Russian and EU-Russian relations and the fall-outs of the world financial crisis, are not without implications for the global economy and by extension, our Twin-Island Republic.

Recent developments on the world geopolitical stage serve as a constant reminder to us all, that political stability, the ability of institutions to provide

1 Partly due to a change in methodology that eliminated a significant upward bias to food price inflation as of April 2013.

a transparent and predictable climate for long-term investments, the rule of law and the integrity of our legal system are prerequisites for sustainable growth and people-centred development. However, are we any closer today to satisfying these preconditions for attaining sustainable and inclusive development?

If we look at the area of industrial relations, we see that a number of collective agreements have expired between September 2013 and September 2014, and negotiations are ongoing between employers and trade unions for new collective agreements. Over this review period, twenty-five (25) matters related to the breakdown of negotiations were filed at the Industrial Court, compared with 22 in the comparative period in 2013.

Indeed, it may be posited that the increase in the number of matters is possibly an indication that the demands of one or both parties to the negotiations have been unrealistic and unreasonable. Whatever the underlying reasons for the observed increase in the number of filings, it is difficult to escape the following facts:- (1) the industrial relations climate in Trinidad and Tobago remains volatile; (2) the global financial crisis continues to have adverse repercussions on labour markets in many parts of the world including the Caribbean region; and (3) more needs to be done to ensure that where there is economic growth, it is inclusive and creates productive enterprises and good job opportunities in the formal economy; this is critical for addressing the underemployment challenge, referred to, earlier.

It is important to note that the key prerequisites to achieving the long-term development objectives of our nation include, a harmonious industrial relations climate, institutional strengthening and adherence to the Rule of Law. In addressing the subject of the long-term development goals of our country, the Government of Trinidad and Tobago has indicated that it holds fast to:

> *"…… the attainment of sustainable development through the leveraging of resources and application of efforts in such a way that the country produces more than it consumes, that the fundamental principles of environmental sustainability are integrated into its development strategy, and that the well-being of the present generation is improved without severely undermining that of future generations...*[2]

Indeed the theme of the recent 2015 Budget Statement which was presented by Senator the Honourable Larry Howai, Minister of Finance and the Economy is ***"Empowering Our People through Sustained Economic Growth and Prosperity".*** It is noteworthy that this Budget Statement speaks to the importance of social justice and inclusiveness, among other things, as priorities identified for Trinidad and Tobago's social and economic development.

I subscribe to the view that as a country, we need to pursue policies and practices that promote sustainable development in its three dimensions – namely, the economic, the social and the environmental. This is essential if we are to build resilience to internal and external economic shocks and if we are to put the well-being of our people at the heart of our country's sustainable development objectives.

Our public policies must be inclusive, benefiting all groups, in particular, those that are most vulnerable. Our polices must lay the foundations for a legacy of hope and prosperity for future generations. The success we achieve in meeting these needs will depend on the coherence of our social, economic and environmental policies; they will depend on our collective actions, including by those of us involved in matters relating to the labour market and who have a key role to play in labour relations. Social dialogue and the effectiveness of our labour market institutions are critical for fostering an environment that is conducive to enterprise and job creation, respect for rights at work, productive investment and long-term sustainable development.

Good governance and the rule of law are prerequisites for attaining equitable economic growth and sustainable development in any country. Unfortunately, we continue to witness a progressive and wanton disregard for the rule of law by all sections of society. Little regard

2 Ministry of Planning and Economy, "Working for Sustainable Development in Trinidad and Tobago" June 2012.

or credence is paid to the old adage which states that there can be no development without peace and no peace without development.

The Secretary-General of the United Nations Mr. Ban Ki-Moon, in support of this philosophy declared that:

> *"Lasting peace and sustainable development cannot be fully realized without respect for human rights and the rule of law".*

It is clear that judicial institutions including this Court, the Judiciary and all the other Courts in this country, have a crucial role to play in maintaining that peace, stability and prosperity of our Twin-Island Republic. The rule of law is at the core of any effective judicial system, and is essential to ensuring a stable industrial relations climate. In addition, the effective and efficient administration of the rule of law is vital to reducing violence, ensuring accountability, and to addressing issues such as transnational crime, including drug trafficking and money laundering. Moreover, the rule of law provides the much needed avenues for alleviating poverty, as evidenced in the provisions of the Minimum Wages Act and the robust industrial relations framework in this country. This framework provides the basis for pursuing the principles of equity and fairness for all, inclusive, sustainable economic growth and development, and better employment opportunities. It ensures transparency, the regulation of the labour market and respect for rights at work as Human Rights.

It is incumbent upon us all to recognise that the fundamental role of the Industrial Court is to promote inclusive growth and social justice. It is in acknowledgment of this fact that I hereby remind all stakeholders, that strict observance of the Orders, the Rulings and the Judgments of the Court is critical to maintaining the rule of law in this country. The rule of law is important for addressing inequalities and empowering our citizens so that they can enjoy the fundamental human rights we possessively guard today.

What is more, an efficient, effective and impartial judicial system is a necessary precursor to securing social dialogue, industrial peace and the confidence of foreign and domestic investors, and inclusive economic growth.

The 2012 Declaration of the High-level Meeting of the United Nations General Assembly on the Rule of Law at the National and International levels emphasized that:

> *"The advancement of the rule of law […] is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realization of all human rights and fundamental freedoms, including the right to development, all of which in turn reinforce the rule of law."*

Any judicial institution committed to upholding the Rule of Law in a consistent and even-handed manner must operate within and support the key principles of independence, integrity, and competence. If the Industrial Court is to effectively perform its role in maintaining the Rule of Law, then it too must meet these three requirements. At this juncture therefore, it would be remiss of me if I failed to address you on a pressing matter.

At present, the Judges of the Industrial Court do not enjoy security of tenure and they have to endure "nail biting" moments, wondering if they will have a job at the expiration of the term of their contract. This is simply untenable.

The 2014 Publication of the Ministry of Labour and Small and Micro Enterprise Development "(MOLSMED) At Work", noted that, the Industrial Relations Advisory Committee has recommended *"strengthening the role of the Industrial Court and the tenure of its Judges."*[2] This has been the recommendation of many over the decades. However, we are yet to see this translate into reality.

3 Ministry of Labour and Small and Micro Enterprise Development, MOLSMED At Work, "Meeting and exceeding the expectations of our stakeholders"

It is my ardent hope that in 2015, when the Industrial Court will celebrate its 50th anniversary as an institution, the Members of this superior court of record will be accorded the security of tenure they deserve.

DEVELOPMENT AT THE COURT

Three years ago I shared with you my vision for the strategic development of the Industrial Court in a new century, so that it can continue to play that critical role in the socio-economic growth and the advancement of industrial relations in this country. I crave your indulgence to provide an update of where we are with respect to achieving this.

JUDGMENTS

When I assumed office in December 2011 there were several outstanding judgments that dated as far back as 2008. At the opening of the law term in 2012 I indicated that the clearing of this backlog was one of my main areas of focus. I have been providing stakeholders and the public with updates on the delivery of these judgments at each opening, and I am very happy to report that there are no reserved judgments at the Industrial Court for any period prior to 2014. The only matters for which judgments are yet to be delivered are matters which have been determined in 2014. I know that I had set what some may regard as stringent timelines for the delivery of judgments but I wish to thank all of the judges for their efforts in clearing the backlog. We have no example in our recent history where there were only outstanding judgments for a current year at the Court. The judges of the Court remain committed to working assiduously to deliver all judgments within the shortest possible timeframe, without of course sacrificing the quality of output.

REFORM OF PRE-TRIAL/DIRECTIONS PROCESS

Over the years, the process for the pre-trial Hearing/ Directions/Case Management Conference (Directions) at the Court was as follows:

The Union, Employer or Minister may refer a matter to the Court (in most cases by means of a Certificate of Unresolved Dispute) and the Registry would send a notice to the parties (Union and Employer) informing of the date for Directions.

At Directions, parties are given the timetable for the filing, exchange and replies of Evidence and Arguments and the filing of Witness Statements. This means that the parties would have to attend Court for Directions before any filing of documents can take place. I met with some of the stakeholders in February 2014 to explain the challenges of the Case Management System and to discuss proposals for improving it.

A new system was introduced, with effect from May 2014. Under this system, when parties refer a matter to the Court, they are required to fill out and submit a Case Management Form, on which they indicate, whether they are engaged in bilateral discussions, or whether parties wish to have a conciliation hearing at the Court.

Thereafter the Registry sends a notice to the parties providing the dates for the filing and exchange of the Evidence and Arguments and Witness Statements and a date is given in that notice for Directions hearing at the Court.

This new system allows for the matter to progress further before the parties meet at Directions; and it affords the Court the opportunity to examine the documentary evidence in the dispute before meeting with the parties.

BULLETIN

In my first speech as President I said that I believed that the collection of data and wages and productivity computation were important components of a Court such as the Industrial Court and that the issuance of a statistical Bulletin by the Court was important. I am proud to say that the Industrial Court has produced a Wage and Productivity Bulletin which will be made available to the public this month. My sincere thanks to Her Honour Mrs. Janice Christopher-Nichols, Her Honour Mrs. Kathleen George-Marcelle, Mrs. Diedra Clapham and the staff of the Court's Office of Economic and Industrial Research for their hard work in making this Bulletin a reality.

MEET WITH THE COURT

The Court held its second symposium at the Hyatt Regency Hotel on May 17th, 2014 as it continues its informal meetings with stakeholders. The Presenters were Dr. Leighton Jackson, Mr. Jefferson Cumberbatch, Professor Compton Bourne, Dr. Yuka Ujita, Mr. Mahindra Ramesh Ramdeen, Mr. Keston Nancoo, and Mr. Michael Annisette. I wish to express my sincere gratitude and thanks to the presenters for their contributions; thank you to the stakeholders for their attendance and support. The positive reviews which we have received with regard to the two symposia we have hosted have been very encouraging. We remain committed to hosting these types of events where important issues can be discussed by stakeholders in an inclusive and transparent manner.

TOBAGO

The Industrial Court held its third vacation sitting in Tobago, once again, the Honorable Chief Justice Mr. Ivor Archie has graciously allowed us the use of the Supreme Court building in Scarborough. His Honour Mr. Lawrence Achong, Her Honour Miss Bindamattie Mahabir and I presided over the hearing of Trade Disputes for three days from 3rd to 5th September 2014. We completed hearings and delivered judgments in nine (9) Trade Disputes.

Chief Justice, we thank you for your continued support. Thanks to His Honour Mr. Lawrence Achong and Her Honour Miss Bindamattie Mahabir for foregoing part of their vacation to preside at these sessions in Tobago. Special thanks to Attorneys-at-Law – Mr. Derek Ali, Ms. Fayola Cooper, Consultants – Mr. Codrington Winchester, Mr. Ken Davis, Mr. Anthony Wells, and Industrial Relations Officers – Mr. Gary Andrews, Ms. Valerie Philip-Paul and Ms. Nydia Joseph, for their attendance and contributions. Thanks to the staff of the Court for their continued support to this Tobago initiative. The Industrial Court remains committed to facilitating access to justice for the people of Tobago by convening Court regularly in Tobago.

BUILDING CAPACITY

The training of all Staff continues to be a priority for me as President as we strive to improve the level of competency and enhance our offering to stakeholders and to the public. During the period in review fifty-five members of the administrative staff were trained locally and abroad in their respective subject areas.

In August this year the third Judicial Education Retreat was held for all Judges, the Registrar and the Assistant Registrar. The area of study was Occupational Health and Safety. Special thanks to Dr. Leighton Jackson for his excellent presentation and his insightful contribution to this training.

Her Honour Mrs. Heather Seale and His Honour Dr. Selwyn Samaroo received training in the area of Gender at the ILO's International Training Centre in Turin, Italy; I wish to thank the ILO for the opportunity which was afforded to these members.

As in 2013, four more Judges were trained in Judgment and Opinion Writing this year. His Honour Mr. Herbert Soverall and His Honour Mr. Kyril Jack received training in Logic and Opinion Writing at the National Judicial College in Nevada, USA and His Honour Mr. Brian Dabideen and Her Honour Mrs. Sandra Ramparas attended the said National Judicial College for Training in Judicial Writing.

SUPPORT TO THE GOVERNMENT OF THE BRITISH VIRGIN ISLANDS

The Government of the British Virgin Islands (BVI) is working to establish its first Labour Dispute Tribunal. To this end it has sought the technical support and advice of the ILO. On the invitation of the ILO, the Registrar and I visited with the authorities of the BVI to lend technical support and advice for this initiative.

There were also study visits from personnel of the BVI to Trinidad and Tobago; the first of these visits was in December 2013 by Mr. Ronald Smith-Berkeley,

Permanent Secretary of the Ministry of Labour. In July this year, we were pleased to welcome the newly appointed Chairman of the Labour Dispute Tribunal, Mr. Paul Barrington Dennis, Queen's Counsel and the Labour Commissioner, Mrs. Janice Rymer to Trinidad. Both the Chairman and the Labour Commissioner met with the Honourable Chief Justice of Trinidad and Tobago, the Honourable Minister and key officials from the Ministry of Labour, Small and Micro Enterprise Development, the personnel of the ILO and the staff and Members of the Court. I want to personally thank Dr. Giovanni Di Cola and his team for the role which the ILO has played in this initiative.

The Court is honoured to be a part of this important and pivotal milestone in the BVI's history and will continue to lend support whenever needed to our Caribbean neighbour.

STUDY VISIT TO THE ADVISORY CONCILIATION AND ARBITRATION SERVICES IN ENGLAND AND THE LABOUR RELATIONS COMMISSION IN IRELAND

Over the last few years, there has been an increase in the number of matters that have come to the Court for conciliation. This increased demand for the Court's conciliation services has driven the Court to seek out strategies and best practices that can be implemented to improve the existing services and effectively meet this growing demand.

As part of this ongoing exercise, the Registrar and I visited the Advisory Conciliation and Arbitration Services (ACAS) in England and the Labour Relations Commission (LRC) in Ireland to examine the operations, procedures and practices of these organisations. These organisations focus mainly on conciliation and mediation, and they offer advisory services and training. They also have a history of relationship and association with the Industrial Court of Trinidad and Tobago. The information which was gained and the observations which we made during this visit have been very useful. We have identified specific aspects of the operations which can be adapted to meet the unique needs of our Court and we intend to engage persons from the LRC in the near future to build the capacity of local staff in critical areas.

CONCILIATION

There is the perception by employers that the judgments of the Court are skewed to favour Trade Unions; Trade Unions argue to the contrary and say that the judgments are in favour of employers.

A large part of the work of the Court goes unnoticed because several disputes are resolved and withdrawn by parties, not at open Court hearings but in chambers behind closed doors. Apart from bilateral settlements, disputes are withdrawn when the Court advises parties that no useful purpose can be served in pursuing such action. Most of the matters are withdrawn by Trade Unions. These disputes are recorded in the Court's annual statistics as matters which have been withdrawn. Last year two hundred and seventy one (271) matters were withdrawn, and this year, so far, two hundred and fifty one (251) have been withdrawn. The withdrawal of matters bears testimony to the effectiveness of the mechanisms of the Court and the social dialogue processes that are available for dealing with them.

Conciliation is a very integral part of the Court's offering to stakeholders; it provides an amicable solution to disputes. More and more parties are requesting conciliation services from the Court. Currently there are one hundred and ninety six (196) requests for conciliation pending and this year we have been able to settle one hundred and twenty two (122) disputes by conciliation.

There is need to strengthen and formalise the Court's Conciliation services and in this regard establishment of a Conciliation Unit at the Court may be worth considering.

The data on disputes which are withdrawn combined with that of disputes which have been determined by conciliation and open court hearings provide a more complete picture of the disposal of disputes at the Court.

NEW MEMBERS OF THE INDUSTRIAL COURT

The complement of judges at the Court has increased from 22 to 25. This increase allows for the San Fernando branch of the Court to be operational on a daily basis beginning from this term. My thanks the Honourable Attorney-General for his support for efforts in this regard.

The new Members of the Court are: Their Honours Mrs. Janice Christopher-Nicholls, Mrs. Kathleen Geor ge-Marcelle, Mr. Mahindra Maharaj, Mr. Krishnendeo Narinesingh, Mr. Melvin Daniel, Mr. Roger Jugmohan and Mr. Neil Mohammed.

I wish to personally welcome each new member and to wish you great success in your career at the Industrial Court.

DEPARTURE OF MR. ASHBY

His Honour Mr. Vernon Ashby demitted office in December, 2013. Mr. Ashby joined the Industrial Court as a Member of the Essential Services Division on 17th April, 1989. On 8th February 2010 he was appointed the Chairman of the Essential Services Division and he served in that capacity until December 2013.

Mr. Ashby has delivered a record three hundred and fifty one (351) Judgments during his twenty-four (24) year tenure at the Court. On behalf of the Court I thank Mr. Ashby for the excellent and significant contribution he made to the Court and to the development of Industrial Relations jurisprudence in Trinidad and Tobago. I join the Members, management and staff of the Industrial Court to wish him a happy retirement.

TRIBUTE TO HER HONOUR MRS. VICTORIA HARRIGIN

On a sad note we mourn the passing of a sitting member of this Court, Her Honour Mrs. Victoria Harrigin. Her Honour Harrigin joined the Court in December 2003 and presided in the Essential Services Division until her untimely demise in December 2013. We, who have loved and respected her, honour her memory. On behalf of the Members and Staff of the Industrial Court I wish to extend our prayers and deepest condolences to her family.

CONCLUSION

The past three years I have focused on strengthening our processes and improving the competency at the Industrial Court so that we can deliver high-quality and timely services and demonstrate the continued relevance of this institution.

The ongoing initiatives to modernise the Library, Court Technology and the Registry and to provide training opportunities for Judges and staff, bear testimony to the commitment to enhance institutional capacity, improve the quality of services and ensure effective delivery and results. The positive feedback from users of the Court's services with regard to the changes made to date is encouraging. These are ongoing processes. I therefore seek your support as stakeholders, as we reinforce the changes made so far and pursue improvements in other areas, so that the Industrial Court can contribute to national efforts for realising social justice, and inclusive, equitable growth to improve quality of life in Trinidad and Tobago.

Thank you for listening, may God bless you all.



Her Honour Mrs. Deborah Thomas-Felix
PRESIDENT
Industrial Court of Trinidad and Tobago

Functions of the Industrial Court

The Industrial Court is a superior Court of record which was established under the Industrial Stabilisation Act, 1965; this Act was repealed and replaced by the Industrial Relations Act, 1972, Chapter 88:01 (the Act). The Court consists of two (2) divisions: the General Services Division and the Essential Services Division and there is a Special Tribunal which was established by the Civil Service Act, Chapter 23:01. The Special Tribunal consists of the Chairman of the Essential Services Division and two (2) other Members of that Division.

In addition to its inherent powers as a superior Court of record, Section 7 (1) of the Act provides the Court with the jurisdiction:

- **To hear and determine trade disputes;**
- **To register collective agreements and to hear and determine matters relating to the registration of such agreements;**
- **To enjoin a trade union or other organization or workers or other persons or an employer from taking or continuing industrial action;**
- **To hear and determine proceedings for industrial relations offences under the Act; and**
- **To hear and determine any other matter brought before it, pursuant to the provisions of the Act**

The Industrial Court also has jurisdiction to preside over matters under:

- **The Retrenchment and Severance Benefits Act, Chapter 88:13**
- **The Maternity Protection Act, Chapter 45:57**
- **The Minimum Wages Act, Chapter 88:04**
- **The Occupational Safety and Health Act, Chapter 88:08**

The Court's stated purpose is to make better provision for the stabilisation, improvement and promotion of Industrial Relations in Trinidad and Tobago.

Judges and Registrars of the Industrial Court



Her Honour
Ms. Deborah Thomas-Felix
President



His Honour
Mr. Ramchand Lutchmedial
Vice President, ESD



His Honour
Mr. Lawrence Achong
Chairman, ESD



His Honour
Mr. Albert Aberdeen
Member, GSD



His Honour
Mr. Patrick Rabathaly
Member, GSD



Her Honour
Ms. Bindimattie Mahabir
Member, GSD



Her Honour
Mrs. Sandra Ramparas
Member, GSD



Her Honour
Mrs. Judy Rajkumar-Gualbance
Member, ESD



His Honour
Mr. Herbert Soverall
Member, GSD



His Honour
Mr. Gregory Rousseau
Member, GSD



Her Honour
Mrs. Heather Seale
Member, GSD



His Honour
Mr. Kyril Jack
Member, GSD



His Honour
Mr. Denish Rambally
Member, ESD



His Honour
Mr. Brian Dabideen
Member, GSD



His Honour
Mr. Nizam Khan
Member, GSD



His Honour
Mr. Robert Linton
Member, GSD



His Honour
Dr. Selwyn Samaroo
Member, GSD



Her Honour
Mrs. Janice Christopher-Nicholls
Member, GSD



Her Honour
Mrs. Kathleen George-Marcelle
Member, GSD



His Honour
Mr. Mahindra Maharaj
Member, ESD



His Honour
Mr. Krishendeo Narinesingh
Member, ESD



His Honour
Mr. Melvin Daniel
Member, GSD



His Honour
Mr. Roger Jugmohan
Member, GSD



His Honour
Mr. Neil A. Mohammed
Member, GSD

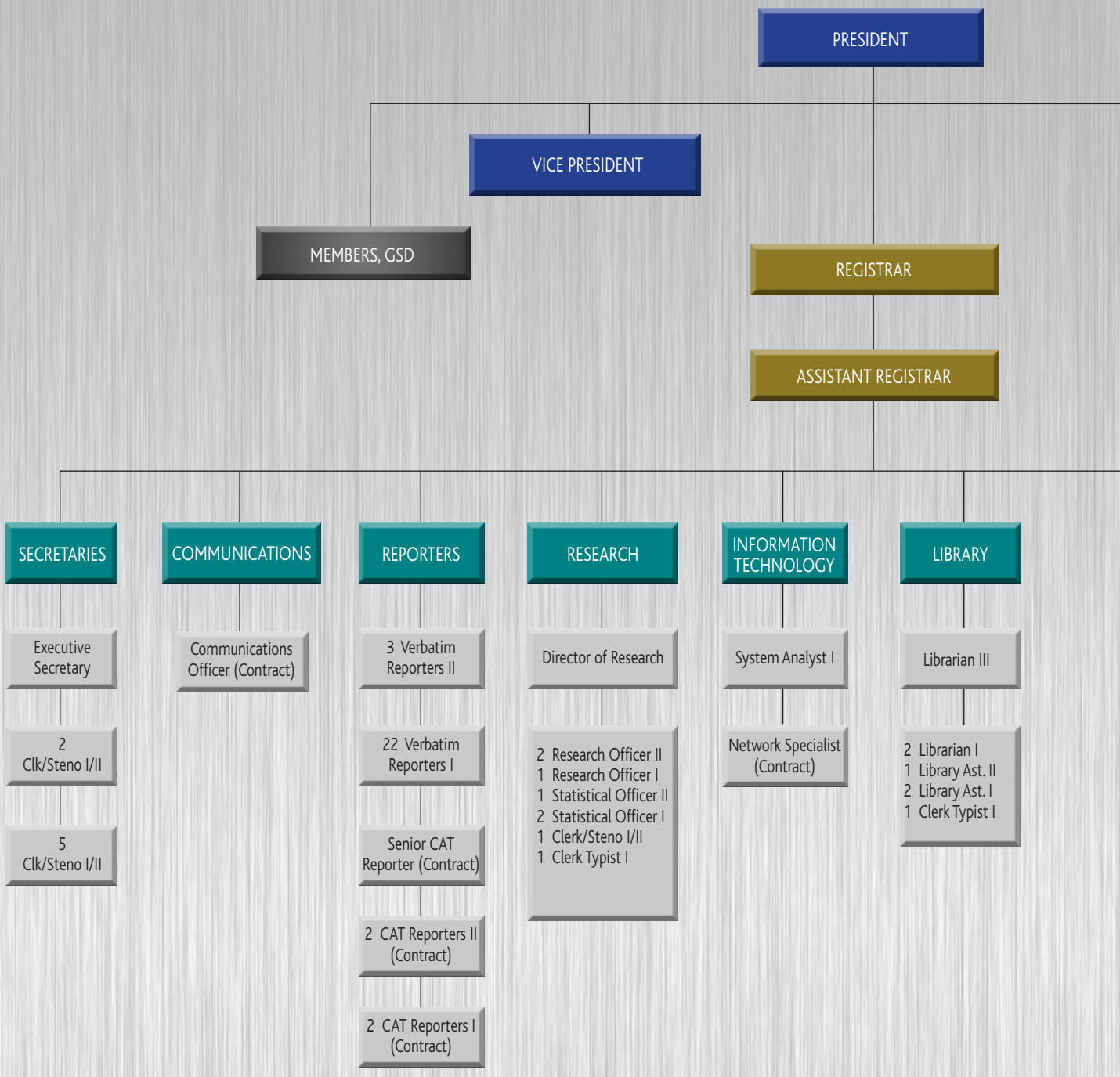


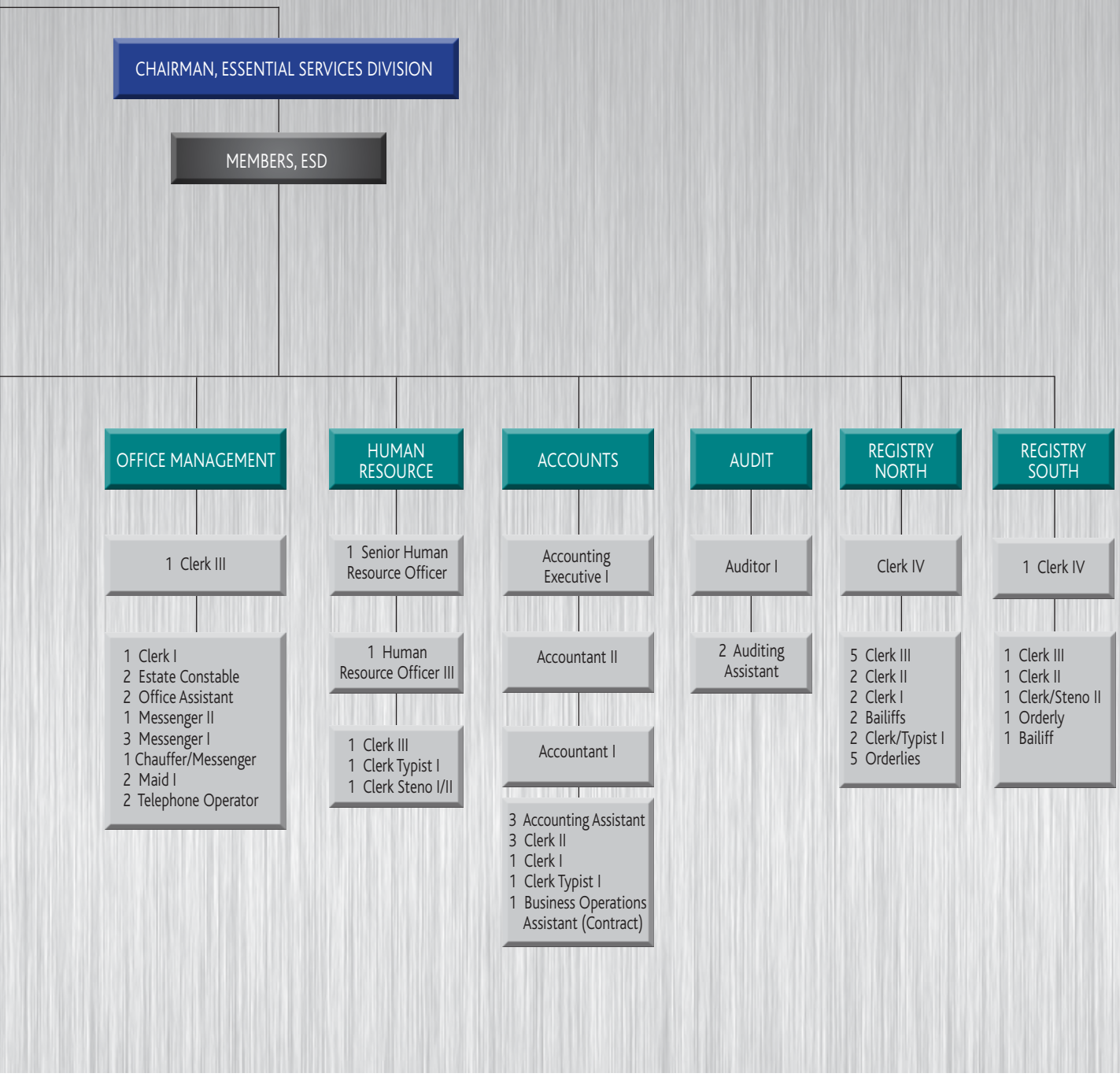
Mr. Noel Inniss
Registrar



Mrs. Kathy-Ann Alexander-Fraser
Assistant Registrar

Organizational Chart




CHAIRMAN, ESSENTIAL SERVICES DIVISION
MEMBERS, ESD
OFFICE MANAGEMENT
1 Clerk III
1 Clerk I
2 Estate Constable
2 Office Assistant
1 Messenger II
3 Messenger I
1 Chauffer/Messenger
2 Maid I
2 Telephone Operator
HUMAN RESOURCE
1 Senior Human Resource Officer
1 Human Resource Officer III
1 Clerk III
1 Clerk Typist I
1 Clerk Steno I/II
ACCOUNTS
Accounting Executive I
Accountant II
Accountant I
3 Accounting Assistant
3 Clerk II
1 Clerk I
1 Clerk Typist I
1 Business Operations Assistant (Contract)
AUDIT
Auditor I
2 Auditing Assistant
REGISTRY NORTH
Clerk IV
5 Clerk III
2 Clerk II
2 Clerk I
2 Bailiffs
2 Clerk/Typist I
5 Orderlies
REGISTRY SOUTH
1 Clerk IV
1 Clerk III
1 Clerk II
1 Clerk/Steno II
1 Orderly
1 Bailiff

Administration

EFFICIENT COURT ADMINISTRATION

Court Administration is the system whereby administrative support is provided for the Court which includes daily management of the court systems as well as the promotion of efficient improvements in the court systems. The Industrial Court in promoting effective improvements has begun re-organising its structure and re-examining its strategic position. The changing landscape of the industrial relations climate and the increase demand for speedy delivery is paramount for the Court to achieve its goal of "strengthening human resource capacity competencies and systems, to support effective Court Administration".

In order to achieve this goal, the Court has begun its restructuring and is in the process of recruiting a Court Administrator to manage the daily court processes and a Court Manager to oversee the San Fernando Office. These positions are necessary to facilitate the planning and implementation of a more effective method to harness the Court's resources and processes effectively. In addition, the Court is examining closely the registry department with a view of improving its delivery and service to the public. The aim is to have a closed department with specialised positions to reduce the fast turnover of staff and to allow for stability and consistency. Like the model adopted by the Judiciary of Trinidad and Tobago, the Industrial Court is in the process of enhancing the staff compliment at the registry to include positions such as, Court Managers, Registry Counter Clerk, Registry Filing Clerks, Conciliation Clerk, Collective Agreement Clerk, Diary Clerk, Case Management Officer I and II.

TRANSFORMATION TO AN E-COURT

The Court in realising its goal for E-Court transformation has noted the length of time which is taken for a matter to be determined. To achieve greater efficiency, a new system has been introduced by the President this year. This system provides parties with better options to hear and determine their disputes in the shortest possible time. This has resulted in the improvement in processes at the registry and information technology systems.

Registry

A new Case Management Form (Appendix B) was designed in May 2014 which requires the parties to a dispute to fill out information about the status of the dispute and the method they wish to adopt to resolve the dispute (that is, conciliation or open court hearings). With the advent of the new system, the Court now requires that parties file their evidence and arguments prior to their appearance at the Case Management Conference (CMC). The early filing of evidence and arguments allows the Registrar or Judge the ability to effectively guide the proceedings.

The Registry being the hub or nucleus of the Court where all matters being referred to the Court must pass through, have over the last year been inundated with more and more matters.



This has put some pressure on the registry's staff that has been hard pressed to file documents in time for the CMC. Consequently, due to the high turnover of staff there is continuous training which, at times, has made it difficult for the staff to keep up with the demands on the registry department. In a bid to reduce these problems the Court has reviewed the duties of the staff in the registry and has begun to restructure the department. Duties have been assigned and re-assigned were necessary. For example, the Counter Clerk is now assigned to only receiving, stamping and entering all documents in the document register as well on the Judicial Enforcement Management System (JEMS). The entry of all matters filed on the JEMS system will inform the Registrar, Judge or all interested parties of all the disputes which have been filed in the Court. Secretaries have also been given access to JEMS so they too can be aware of the status of any matter before their Judge.

The Court has ensured that all registry staff is conversant with the JEMS software and has conducted in-house training with members of the registry staff. By September 2014 the staff will be entering on the JEMS system all the return-of-service documents. The next major project is the scanning of all documents filed at the Court's registry. The project is scheduled to begin early in the new law term 2014 – 2015. The final phase towards to e-court transformation is the ability of the litigants to file documents on-line.

Information Technology

This Unit has supported the registry staff by performing maintenance works on both hardware and software. Both the secretarial staff and the statistical officers in research have been given access to JEMS. By the beginning of October 2014 JEMS access will also be given to the Judges and all senior staff in the Research and Reporting Department.

Furthermore, the Court introduced *For the Record Technology (FTR)* in two (2) of the Courtrooms. By the end of this law term (2013-2014) all four (4) Courtrooms in Port of Spain will be outfitted with FTR. This FTR system records the activities in the Court and allows for accuracy of information. This system has helped to buttress the Verbatim Reporting Section of the Court whose staff compliment have been depleted due to the retirement of officers and have not been replaced because of the lack of qualified verbatim reporters available. Currently there are eight (8) vacant positions for verbatim reporter in the Verbatim Reporting Section

WAY FORWARD

The Court in examining the way forward intends to improve in the following areas:

- Increase the Information Technology Staff so that they can manage the increased workload.
- Improve the technology at the South branch of the Court so that it can be on par with the North branch.
- Improve storage facilities.
- Equip all courtrooms with FTR technology.
- A more structured Registry Office.
- Video conferencing facilities in at least two courtrooms.
- Establish a Record Management System for the registry files.
- Wireless access to all litigants on a phased basis at the Industrial Court – Port of Spain, San Fernando and then Tobago.
- Develop a Tobago office to ensure that all Tobago matters are handled in Tobago.

Library Services

The Industrial Court Library department aims to be a premier as well as a dynamic evolving Industrial Relations library in the Caribbean. Our Mission statement states *"We are an Industrial Relations library dedicated to providing apt legal, managerial, psychological, sociological and historical information and documentation for research in a timely manner for a diverse clientele"*.

This report highlights some of the main developments during the period under review namely September 2013 – September 2014.

CATALOGUING & CLASSIFICATION [1]

The Library has continued its retrospective classification and cataloguing exercise at the Court. The south library has completed 85% of its collection and north library has completed 60% of its collection. Data entry and barcoding have been completed for those items and can be accessed via the Library's Online Public Access Catalogue (OPAC).

In an effort to make the Library's collection more accessible and searchable by our users, the Library has decided to adopt a new cataloguing standard – Resource Description and Access (RDA)[2]. All library material acquired from January 2014 would be catalogued according to this RDA standard.

E- JUDGMENTS

The Library strives to keep the Judgment database current, and in so doing, we currently present skeletal information about judgments, which includes, the trade dispute matter, the date, the parties involved and the quorum. Due to challenges of staffing, time and resources, there is a gap in the inputting of the descriptors, summaries and full text of judgments over the last year, amounting to approximately 30% of the 2013 judgments and 50% of the 2014 judgments not being fully entered.

In an effort to increase access to the judgments, and reduce the number of scanned judgments, the Library is collaborating with the Secretarial department, to source all e-copies of judgments for the period 2010 – 2014.

DIGITIZATION

i) Judgments:
The South library has been spearheading the digitizing of the judgments, which entails the typing, cleaning, editing and proofing as well as saving of the final output. Over the past year, the library has digitized the 2004 and 2003 judgments. A key output of the digitizing process was the eventual production (printing and binding) of the ICTT 2000 bound volumes of the Industrial Court judgments, which is available for sale to the Court's stakeholders and members of the public.

ii) Newspapers:
The library continues to index the daily newspapers for the articles relevant to Industrial Relations, Labour/Employment, Management, OSH, Judiciary and other notable subjects which are relevant to the Court. These articles as well as articles from the older information files are currently being entered in the Integrated Library System - EOS database and can be found via the Library's OPAC.

1 Classification, broadly defined, is the act of organizing the universe of knowledge into some systematic order. It has been considered the most fundamental activity of the human mind ("Cataloguing and Classification: An Introduction" Lois Mai Chan).

2 RDA is the new cataloguing standard intended to succeed Anglo-American Cataloguing Rules, 2nd edition (AACR2) as the preferred standard for library cataloguing. RDA goes beyond earlier cataloguing codes in that it provides guidelines on cataloguing digital resources and places a stronger emphasis on helping users find, identify, select, and obtain the information they want (RDA Toolkit (online), 2010)

DISPLAYS & OUTREACH

To highlight current events and raise awareness of the library resources, the following displays were done at the South Library throughout the year:

- Industrial Court (South) – 9th Anniversary
- World day of Social Justice – 20 February
- International Women's day – 8 March
- World Health day – 7 April
- World Book and Copyright day – 23 April
- World Intellectual Property Day – 26 April
- World day for Safety and Health at work – 28 April
- World day against Child Labour – 12 June
- Labour Day - 19 June

The North Library focused on one (1) display for the year – *World day for Safety and Health at Work* (Appendix A). Another outreach activity the Library participated in was the Court Symposium on the 17th of May 2014. It was titled *"Meet With the Court Symposium 2"* (peruse Appendix B). There the library was able to feature its "Judgment" database; display its bound judgments and other research related documents that are available for purchase as well as market its services and heighten awareness about the Industrial Court library.

COLLECTION DEVELOPMENT[3]

Due to budget cuts, the Library had to revisit its collection development policy, so as to identify the stock gaps and be better able to serve our clientele. An initial step was taken by the Library to better meet the information needs of the Library's internal users (judges and staff) by sending out Collection Development questionnaires to garner more relevant and up-to-date data. The information received would be analysed and used by the Library to formulate a Collection Development policy for the period 2015 - 2018.

The Library maintained a subscription service to the proprietary legal databases LEXISNEXIS and JUSTIS and regularly utilized them for many of its in-depth research queries.

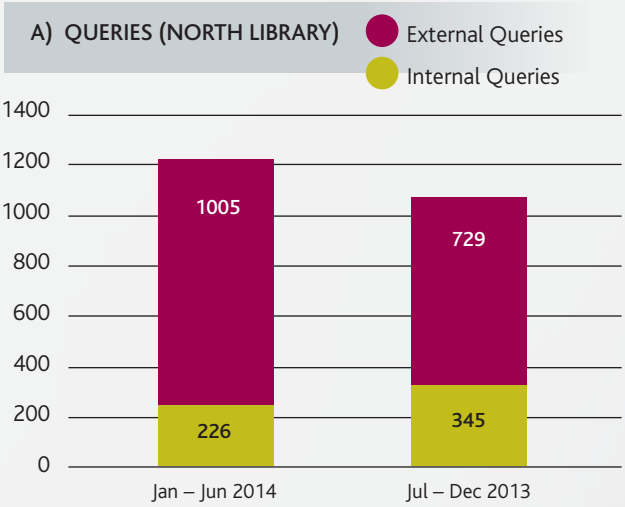
WEBSITE & SUBSCRIPTION SERVICES

The Library continues to update its webpage within the Industrial Court website by placing links to valuable legal research information that is often free and trustworthy. There has been a 30% increase in the number of queries submitted via the Court's website.

Additionally, there has been a steady increase in the subscription to the library's Judgment's database by the Court's diverse clientele. For the period under review – August 2013 – July 2014, there has been an 80% increase in the number of new subscribers for monthly access, and circa 25% increase for annual access.

LIBRARY STATISTICS

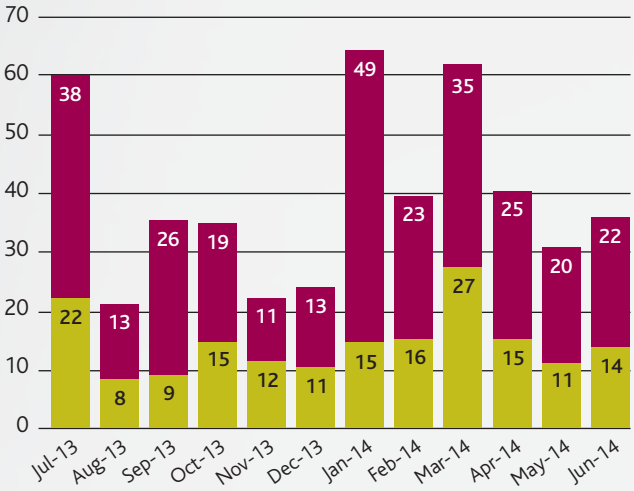
The Library statistics revealed that external queries at both libraries were at least twice as much as compared to internal requests. For example, during the period Jan-Jun 2014, the north library received 226 internal requests as compared to an overwhelming 1005 requests stemming from external sources. There is a similar pattern occurring during the time period Jul-Dec 2013 (View graphs A and B).



3 "It does not matter how many books you may have, but whether they are good or not." — Epistolae Morale Lucius Annaeus SENECA (3 B.C.-65 A.D.)

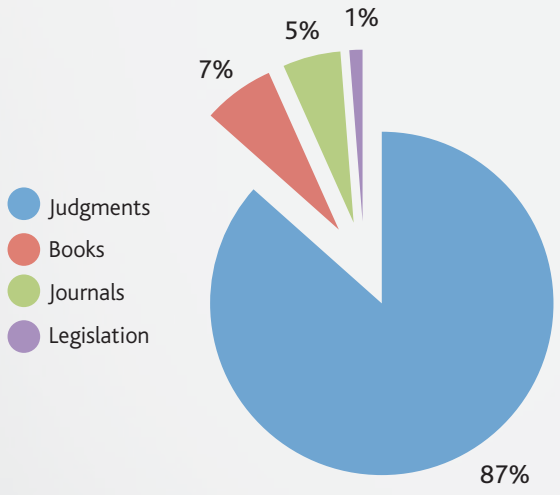
LIBRARY SERVICES *(continued)*

(B) QUERIES (SOUTH LIBRARY)

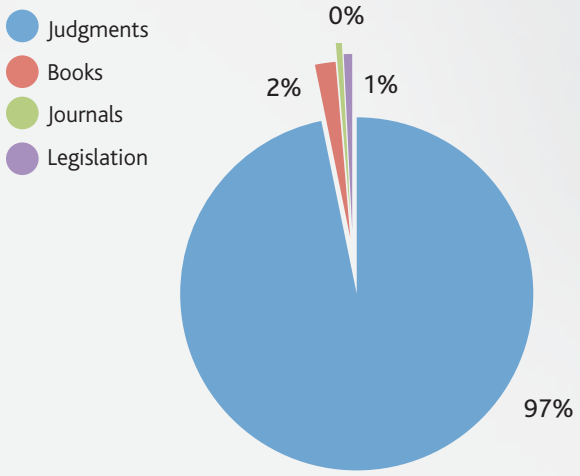


Additionally, the statistics revealed the most popular information resource utilized by the library's clients were the judgments, with monographs, law journals and legislation a long way behind in the usage race. This data can be seen in the graphs C, D and E.

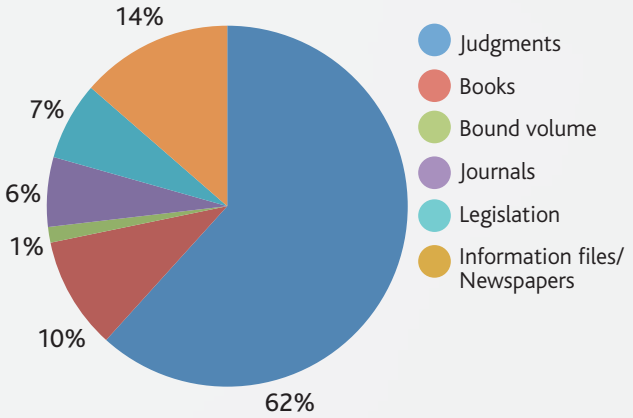
(C) RESOURCE USAGE (NORTH LIBRARY), Jul-Dec 2013



(D) RESOURCE USAGE (NORTH LIBRARY), Jan-Jun 2014



(E) RESOURCE USAGE (SOUTH LIBRARY), Jul 2013-Jun 2014



CONCLUSION

The Library is determined to be an instrumental tool in assisting the Court with its mandate of dispensing social justice and upholding the principles and practices of good industrial relations in Trinidad and Tobago. Despite the challenges of staffing, resources and limited space, the Library will continue to plot a way forward to provide effective access to authoritative industrial relations materials in both the online and print formats.

Human Resources

The high turnover of staff continues to be a challenge for the Human Resource Department and by extension, the Industrial Court. As a result, the Court does not have the full complement of staff to meet the increasing demands.

The court currently has a staff complement of 139 employees. Of these employees 121 are permanent positions on the Industrial Court establishment and 18 are contracted positions. Of the (121) permanent positions, (119) officers are employed by the Service Commission Department, while (2) officers are employed by the Judicial and Legal Service Commission. To date, (67) positions are filled and (35) positions are vacant with acting incumbents. The following (19) positions are vacant without incumbents:

- Director, Office of Economic and Industrial Research
- Research Officer I
- Executive Secretary
- Nine Verbatim Reporters I
- Five (5) Cleaners
- Clerk Typist I
- Bailiff I

Of the (18) contracted positions, (10) of these are short-term contract positions (i.e. less than one year) and (8) are long- term (3 years).

At present, the Court is still encountering difficulty in acquiring replacements from the Service Commission Department for the positions of Director, Office of Economic and Industrial Research and Verbatim Reporters I. Interviews were held for the positions of Business Operations Assistant I and two (2) Legal Officers. It is expected that these contract positions will be filled in September and October, 2014.

In an effort to provide the desired level of optimal service, the Court is still pursuing the creation of an additional 24 permanent positions on its establishment.

PERFORMANCE MANAGEMENT AND APPRAISAL SYSTEM

The concerted effort of employees at the Court is key to the attainment of organizational goals and objectives which can be realised through the performance management appraisal system. This system assists Supervisors in providing an impartial method of assessing employee performance. It identifies developmental needs which are addressed through training and also forms the basis for the payment of increments. For the period under review, over 85% of Annual Performance Appraisal Reports were completed on a timely basis and approximately 90% of increments were awarded.

TRAINING AND DEVELOPMENT

Training and Development is vital to equip employees of the Court with the relevant knowledge, skills and abilities required for the efficient execution of their functions. However, the primary goal is to remove deficiencies reflected in the Annual Performance Appraisal Reports. Not only does training maintain and improve intellectual capacity but also increases employee motivation and job satisfaction.

During the period under review, a total of Seven Hundred and Forty Thousand Dollars ($740,000.00) was allocated by the Ministry of Finance for the training of judges and staff of the Industrial Court. A total of twenty-one (21) judges and fifty-five (55) members of staff were trained in subject areas, which undoubtedly, will enhance their work performance. It should be noted that in January 2014, eighteen (18) supervisors were trained in Performance Management. Appendix C shows a detailed list of the training and developing initiatives undertaken during the financial year 2013-2014.

EMPLOYEE ASSISTANCE PROGRAMME

The Employee Assistance Programme (EAP) continues to be a valuable resource available to staff. The main goal of the EAP is to promote the health and wellbeing of the staff of the Industrial Court which is an essential factor in achieving maximum performance. During the period under review, four (4) members of staff accessed the programme. The employees have expressed their satisfaction with the professionalism and confidentiality observed in the internal and external services rendered.

EMPLOYEE AND INDUSTRIAL RELATIONS

The Court continues to be committed to building and maintaining stable and resilient relationships with employees which is essential to achieve the organization's goals and objectives. The Court engaged in several activities that were a testament to this commitment over the past year.

Sports and Family Day and Staff Christmas Party

In April 2014, the Court held its Sports and Family Day at the WASA Grounds in St. Joseph. This event brought together staff and their families not only from the Industrial Court but also from agencies to which the Court provides auditing and accounting services. These agencies include the Environmental Commission, the Equal Opportunities Tribunal, the Tax Appeal Board and the Public Service Appeal Board. Staff of the Registration, Recognition and Certification Board were also present at the event. Special mention must be made of the staff of the Environmental Commission who came out in full force and became the overall Sports and Family Day champions. It was a very exciting, fun-filled day and we certainly look forward to an even bigger and better event in our 50th anniversary year, 2015.

Our Annual Staff Christmas Party was another exciting and enjoyable event that fostered camaraderie among staff. The event was held at the Petrotrin Staff Club in Point-a-Pierre. Guests were greeted to the sweet sounds of parang. Outstanding staff members were awarded for their contribution to the Court with the Employee of the Year awards and retirees were honoured for their years of service. The event also included competitions among and entertainment by staff. The evening culminated with an invigorating performance by Shurwayne Winchester.

Other Staff Events

Other team building events held at the Court include the relaxing End-of-the-Year Lime on Old Year's Day where staff and Judges alike enjoyed each other's company and our Fantastic Friday Carnival Lime where staff celebrated the season at the Industrial Court Building in Port of Spain.

Occupational Safety and Health (OSH) and Industrial Relations

As part of the Court's continuing efforts to ensure that staff work in a comfortable and safe environment, the air-condition vents of the Industrial Court in Port of Spain were cleaned and the building was fumigated.

At present, there is no active Joint Consultative Committee to enable Management and Union to resolve matters. This is a consequence of very few financial members in the Public Service Association. All work-related issues are currently addressed by the Registrar and Senior Human Resource Officer.

DELEGATED AND DEVOLVED FUNCTIONS

In accordance with Section 127 of the Constitution, the Department also carried out the functions delegated by the Public Service Commission together with the devolved functions from the Chief Personnel Officer. The actual functions performed under delegated authority include:

- Continued temporary appointments – 35;
- Acting appointments up to Range 68 – 32;
- Confirmation of appointments – 5;
- Change of name – 2;
- Early and voluntary retirement – 1;
- Compulsory retirement – 4

The Court also executed the following functions devolved from the Chief Personnel Officer during the period under review:

1. Extension of sick leave – 10;
2. Contract employment – 9;
3. Travelling allowance –5

Economic and Industrial Research

The Office of Economic and Industrial Research (OEIR) is established by the Industrial Relations Act Chapter 88:01 Section 82.

The OEIR under its mandate is required to compile data collected and furnish to any person, trade union or other organization requesting such information.

As a result, the OEIR is at the core in the development and propagation of the Court's jurisprudence. The Unit continues to collect and compile information extracted from registered Collective Agreements for the period 2013- 2014 and produced the following research notes:

Registered Collective Agreements for the period 2013- 2014:

Research Notes	Status
Trinidad and Tobago Electricity Commission (TTEC)	Completed
ANSA Mc Al Chemicals Limited	In progress
Telecommunicaitons Services of Trinidad and Tobago (TSTT)	In progress

The OEIR continues to play a vital role in the dissemination of industrial relations information for the Court to stakeholders, various companies, workers and the trade union movement. Information such as trend of percentage movements of pay, and other terms and conditions of services listed in Collective Agreements were provided to stakeholders. The OEIR continues to give advice on the current industrial relations issues.

One of the main functions of the OEIR is to provide comments on all Collective Agreements coming before the Court. The main problem with the Collective Agreements for this period was that the parties continue to violate the **Maternity Protection Act, Chap. 45:57 (as amended)** namely by ignoring the amendment which provides for women to now receive fourteen (14) weeks Maternity Leave. Most of the collective agreements for this period still provide for a 20 week period of a maternity leave, contrary to the provisions of the law.

Stakeholders can access Collective Agreements for the years 2011 to 2014 at the Library of the Industrial Court, San Fernando. The OEIR continues to provide all collective agreements to stakeholders.

Some of our main clients have been Central Bank of Trinidad and Tobago, Employers Consultative Association (ECA), Ministry of Labour, Small and Micro Enterprise Development, Central Statistical Office (CSO), Chief Personnel Officer as well as trade union officials and industrial relations consultants.

Thus far, ninety-five (95) clients have requested and accessed collective agreements from the OEIR to gather information relating to terms and conditions provided by various companies for their respective employees.

One of the main challenges encountered by the Division is the position of the Director which became vacant when the former Director of the Division resigned last year. Since then, the Department has been without a Director. This vacant position as well that of a Research Officer I are necessary to effectively deliver on the increasing demands of Court.

The OEIR will continue to serve its clients and to provide a more efficient service developing a database of collective agreements and research notes.

Financial Review

The Accounting Unit ensures that the financial resources of the Industrial Court are prudently managed in keeping with the Court's mandate and in accordance with the Exchequer and Audit Act Chapter 69.01. It also ensures that proper procedures are maintained in adherence to the Financial Regulations and Instructions 1965, together with other relevant circulars issued from time to time.

The Industrial Court is also responsible for providing accounting and auditing services to the following entities:

a. Environmental Commission
b. Public Service Appeal Board
c. Tax Appeal Board
d. Equal Opportunity Tribunal

A report from the Audit Department is attached as Appendix D.

REVENUE

The revenue collected by the Industrial Court for the period October 2013, to July 2014 is detailed as follows:

I. Sale of Publication – $ 122,137.50
II. Fines – $ 14,000.00

There was a marked increase in the sale of publications due to two (2) main factors:

- An increased awareness by the public of the services offered by the Court; and
- The promotion of a new edition of Bound Volumes of Judgments in respect of the year 2000.

The fines collected were from orders made by the Court to companies or unions committing Industrial Relations offences.

RECURRENT EXPENDITURE

The Court utilized 82% of its total recurrent expenditure allocation. The allocation and expenditure of funds for the financial year 2013-2014 can be seen in the table below.

A supplementary warrant was approved by the Ministry of Finance and the Economy for payment of Arrears

Allocation and Expenditure of Funds for the Financial Year 2013-2014

Sub-Head	Original Allocation (TT$)	Revised Allocation (TT$)	*Expenditure to Date (TT$)
Personnel Expenditure	21,801,500.00	34,253,310.00	27,235,633.00
Goods & Services	17,808,100.00	20,906,600.00	17,932,217.00
Minor Equipment	726,450.00	726,450.00	614,655.00
Total Recurrent Expenditure	**40,336,050.00**	**55,886,360.00**	**45,782,505.00**

Figures as at September 15, 2014

of Salaries and Allowances for the period April, 2011 to May, 2014 in accordance with the Salaries Review Commission Circular, resulting in an increase in the original allocation.

In accordance with section 24 (1) (b) of the Exchequer and Audit Act, chapter 69.01, Accounting officers were required to submit Appropriation Accounts for the Financial Year ended 30th September 2013 by 31st January 2014. The Appropriation Accounts of Expenditure and statement of Receipts and Disbursements for the Industrial Court were prepared and submitted to the Auditor General and Comptroller of Accounts on 22 January, 2014.

DEVELOPMENT PROGRAMME

The Industrial Court continued its projects under the Development Programme which is a capital expenditure programme aimed at improving and enhancing development in different areas of Trinidad and Tobago. Approximately 2% of the Court's total allocation was assigned to the Development Programme for on-going projects in the areas of computerisation, improvements works and the establishment of an Industrial Court in Tobago.

Computerisation

Allocation – $ 400,000.00
Expenditure – $ 366,469.00

The court in its drive to become an E-court (electronic court) acquired two more For the Record Technology systems (FTR). FTR are recording systems which records the verbatim of judges, representatives of the parties and witnesses in the court room.

The FTR's have been installed in all four courtrooms in Port of Spain. The San Fernando court will be the focus of this project in the next financial year (October 2014 to September 2015).

Improvement Works

Allocation – $ 100,000.00
Expenditure – $ 53,295.00

Due to the need for improved security, the Court acquired, installed and operationalized additional CCTV's throughout the building in Port of Spain. The level of monitoring throughout the building has increased in keeping with better security administration.

Financial Challenges

For the fiscal year 2013/2014, the Court's financial allocation was $55,886,360.00 – this sum represented recurrent expenditure whereas the sum of $700,000.00 was allocated for the Development Programme. The actual allocation was less than the draft estimates submitted to the Ministry of Finance and the Economy and as a consequence of the decrease in the financial allocation, a number of projects and activities at the Court could not be executed or had to be scaled down in respect of implementation.

Stakeholder Engagement

(From left to right):
Dr. Yuka Ujita, ILO
Dr. Leighton Jackson
Professor Compton Bourne
Mr. Jeff Cumberbatch
Mr. Martin Daly, S.C.

MEET WITH THE COURT SYMPOSIUM 2

After the tremendous success of the inaugural *'Meet With The Court'* Symposium in 2013 and the continuous call from stakeholders for industrial relations training, the Court hosted its second 'Meet With The Court' Symposium on May 17, 2014 at the Hyatt Regency Trinidad in Port of Spain.

The focus of the discussions was on Labour and the Economy which dealt with issues such as:

- The economic performance of the Caribbean and its impact on the labour market
- Managing severance and retrenchment
- The role of the workers' union
- Navigating the industrial relations climate – issues and challenges for small entrepreneurs; and
- The International Labour Organisation's approach to Occupational Safety and Health.

Some of the speakers included Professor Compton Bourne Executive Director of the Caribbean Centre for Money and Finance of the University of the West Indies (UWI), Dr. Leighton Jackson, Deputy Dean of Law at UWI, Mona Campus, Mr. Mahindra Ramesh Ramdeen, Chief Executive Officer of the Trinidad and Tobago Manufacturers' Association, Dr. Yuka Ujita, Specialist, Occupational Safety and Health (OSH) at the International Labour Organisation and Mr. Michael Annisette, President General of the Seamen and Waterfront Workers Trade Union & the National Trade Union.

The symposium was also the occasion carefully chosen by the President of the Court to pay special tribute to former Judge of the Industrial Court, His Honour Mr. Vernon Ashby who retired in December 2013. A very moving tribute was delivered by Mr. Martin Daly, S.C. which was warmly received with a standing ovation.

The 'Meet With the Court' Symposium continues to create an excellent platform for social dialogue among our stakeholders.


(1)


(3)


(7)


(8)









(From left to right):

(1) Ms. Marsha King, Her Honour Mrs. Janice Christopher Nicholls, Her Honour Mrs. Deborah Thomas-Felix and Karen Dhun
(2) Mr. Harry Sooknanan, Her Honour Ms. Bindimattie Mahabir and Mr. Lennox Marcelle
(3) Senator the Honourable Elton Prescott, S.C., the Honourable Mme. Justice Gillian Lucky and Senator the Honourable Anthony Vieira
(4) Attorney Stuart Young and Senator the Honourable Ian Roach
(5) His Honour Mr. Vernon Ashby
(6) Her Honour Mrs. Sandra Ramparas and Ms. Anjanie Advani
(7) Mr. Teddy Stapleton
(8) Mr. Dave Smith
(9) Panelists – Mr. Keston Nancoo, Mr. Michael Annisette and Mr. Mahindra Ramesh Ramdeen











Stakeholder Engagement *(continued)*


(10)

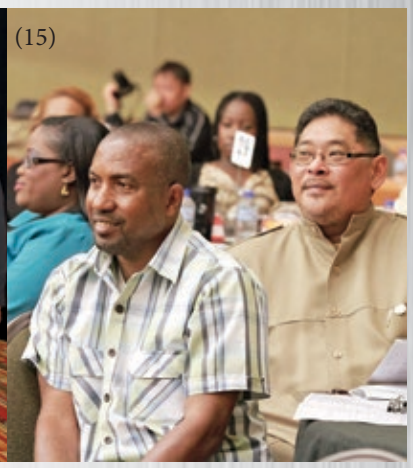

(11)


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(10) His Honour Mr. Herbert Soverall, Mr. Anthony Gafoor and Mr. Seenath Jairam, S.C.
(11) His Honour Ramchand Lutchmedial and Douglas Mendes, S.C.
(12) His Honour Mr. Lawrence Achong, Senator the Hon. Marlene Coudray, Minister of Local Government and Her Honour Mrs. Deborah Thomas-Felix
(13) Mr. Gewan Singh and Mr. Martin Daly, S.C.
(14) Staff of the Industrial Court
(15) Mr. Bryan St. Louis and Mr. Kimball Austin

VISITS



Study Visit to the Advisory Conciliation and Arbitration Services (ACAS) in England

Mr. Noel Inniss, Registrar; Ms. Anne Sharp, Chief Executive Officer of ACAS and Her Honour Mrs. Deborah Thomas-Felix, President.

Support to the Government of the British Virgin Islands (BVI)

The President and Registrar of the Court met with the Governor, Mr. Boyd Mc Cleary and Deputy Governor Ms. V. Inez Archibald during their visit to the British Virgin Islands (BVI).



Mr. Clive Pegus, Consultant; Her Honour Deborah Thomas-Felix; Mr. Boyd Mc Cleary, Governor of the BVI and Mr. Noel Inniss

The Chairman of the Labour Dispute Tribunal, Mr. Paul Barrington Dennis and the Labour Commissioner, Mrs. Janice Rymer from the BVI visited Trinidad in July, 2014.



Mr. Noel Inniss; Mrs. Janice Rymer; Dr. Giovanni Di Cola, Director of the International Labour Organisation (ILO) Sub Regional Office; Mr. Paul B. Dennis and Ms. Dagma Walter, Deputy Director ILO

Stakeholder Engagement *(continued)*

ANNUAL CHRISTMAS COCKTAIL RECEPTION

The President of the Industrial Court of Trinidad and Tobago hosted the Annual Christmas Cocktail Reception to celebrate the season with stakeholders of the Court. The event took place in the foyer of the Industrial Court Building in Port of Spain. Attorneys, judges, industrial relations practitioners as well as government officials were part of the celebrations to mark the end of another productive year for the Industrial Court.



















The Industrial Court Family

New Appointments

The Industrial Court welcomed seven (7) new Members in 2014.



(From left-right) H.H. Mr. Neil A. Mohammed, H.H. Mrs. Deborah Thomas-Felix , H.H. Mr. Roger Jugmohan and H.H. Mr. Melvin Daniel



H.H. Mrs. Deborah Thomas-Felix (centre) with Judges (from left-right) H.H. Mr. Krishendeo Narinesingh, H.H. Mrs. Kathleen George-Marcelle, H.H. Ms. Janice Christopher-Nicholls and H.H. Mr. Mahindra Maharaj

Farewell



Farewell to His Honour Vernon Ashby

His Honour Vernon Ashby was first appointed as a Member of the Industrial Court on the 17th of April, 1989. After twenty-one (21) years as a Member, he was appointed Chairman of the Division in April 2010 until he demitted office on 31st of December, 2013.

During his tenure Mr. Ashby delivered three hundred and fifty-one (351) judgments excluding oral judgments. He delivered on many landmark judgments. One of them, most notably, was trade disputes between Scotiabank of Trinidad and Tobago Limited and Bank Employees Union.

The Industrial Court staff bids farewell to one of our most memorable judges.

Tribute



The Passing of Her Honour Victoria Harrigin (1948-2013)

Her Honour Honour Mrs. Victoria Harrigin passed away in December 2013. She served as a Member of the Court from December 2003 until her untimely death.

We at the Court will remember her lovely personality and the contribution she has made to industrial relations in Trinidad and Tobago.

Retirements

Ms. Eugenia Thomas was the Verbatim Reporter II at the Industrial Court. She retired in March 2014. She served eighteen (18) years at the Court and thirty-six (36) years in the public service.

Mrs. Kathleen George-Marcelle, was the former Director of the Office of Economic and Industrial Research at the Industrial Court. Mrs. Marcelle worked at the Court for twenty-eight (28) years and retired from the public service on December 10, 2013. Mrs. Kathleen George-Marcelle has since been appointed as a Member of the Industrial Court.

Ms. Angela Hazell retired from the public service on April 25, 2014. She served as an Acting Verbatim Reporter I at the Court from May 1, 2002 to February 2, 2005. She was then appointed a Verbatim Reporter I at the Court on March 14, 2006. Mrs. Hazell retired after having served thirty-four (34) years in the public service.



Ms. Eugenia Thomas



(From left to right) Ms. Yasmin Baldeo, Ms. Gloria Mc. Kenzie-Medford and Ms. Shanti Deonarine

Ms. Yasmin Baldeo served her entire thirty-six (36) years in the public service at the Industrial Court. She retired in September, 2014.

Ms. Gloria Mc Kenzie-Medford began work at the Industrial Court on March 28, 2001. She was a Verbatim Reporter I and retired on September 2014 after thirty-three (33) years in the public service.

Ms. Shanti Deonarine was appointed as a Clerk II in the Industrial Court in May 11, 1984. She will retire from the public service in November 2014 after serving for thirty-seven (37) years.



Libary, North



Court Reporters



Research

Staff



Network Specialist, IT



Secretariat



Audit



Registry, North



Court Reporters



Office Management



Registry, North



Staff at South Branch



Office of the Registrar, (seated) Registrar and (right) Assistant Registrar



Human Resources Department



Accounts



Court Administrator, Clerk IV-Pension & Leave, Communications and Assistant Registrar

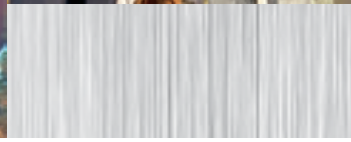
Staff Christmas Party













Industrial Court Celebrates 2013






Sports and Family Day

















JUSTIFIERS





SPORTS &
FAMILY DAY




SPOR
FAMI

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Appendix A Statistics on Matters Before the Court

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LIST OF ACRONYMS

A	Application
ESD	Essential Services Division
GSD	General Services Division
ICA	Interpretation of a Collective Agreement
IRO	Industrial Relations Offence
MPD	Maternity Protection Dispute
MWD	Minimum Wages Dispute
O	Opinion
OSHD	Occupational Safety and Health Dispute
R	Recognition
RC	Rescission of Contract
ST	Special Tribunal
TD	Trade Dispute

Appendix A

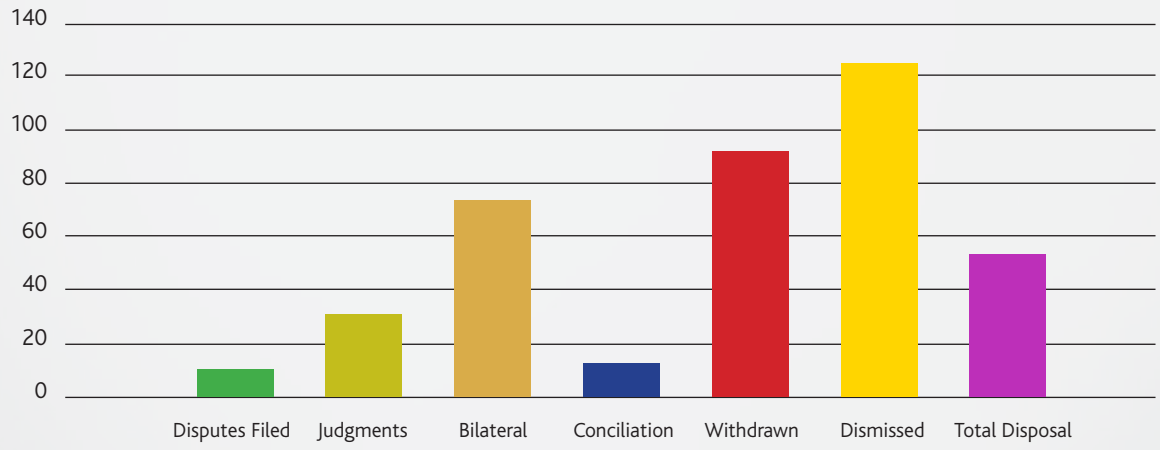
Statistics on Matters before the Court

The Industrial Court has the jurisdiction, power and procedural capacity to successfully implement its mandate to conduct just, equitable and expeditious hearings. The issue of expeditious hearings has plagued the Court from its inception. As a result, the current President has attempted through the training of Judges to initiate action to facilitate the expeditious settlement of disputes.

The filing of disputes has increased by eleven percent (11%) over the periods 2009-2011 and 2012-2014. The overall increase in the disposal rate of the Court over these periods was fifty three percent (53%). This is a direct result of the emphasis by the President on building the capacity of staff and judges through training. In addition, disputes are being disposed of bilaterally (that is by consent orders, terms of settlement and Memorandum of Agreements) in some cases due to the intervention of the Court. Over the same periods seventy-five percent (75%) have been disposed of bilaterally. Consequently, there is a ninety-one percent (91%) increase in withdrawals and a one hundred and twenty-four per cent (124%) increase in disputes which were dismissed and withdrawn. (View table and chart below.)

PERCENTAGE INCREASE OVER THE PERIODS 2009-2011 AND 2012-2014

		DISPOSAL					
PERIOD	DISPUTES FILED	JUDGMENTS	BILATERAL	CONCILIATION	WITHDRAWN	DISMISSED	TOTAL DISPOSAL
2009 - 2011	2351	424	212	261	337	42	1277
2012 - 2014	2608	554	370	292	645	94	1955
% INCREASE	**11%**	**31%**	**75%**	**12%**	**91%**	**124%**	**53%**



The following tables and charts provide further statistical details on matters before the Court.

Table 1.1: NUMBER OF MATTERS FILED AND SETTLED (E.S.D. & G.S.D.)

Industrial Court of Trinidad and Tobago, North

For the period January 2013 - 21st September 2014

MATTERS SETTLED								
YEAR	MONTH	TOTAL FILED	JUDGMENTS DELIVERED	MATTERS DISPOSED BILATERALLY (Consent Order/ Terms of Settlement)	MATTERS DISPOSED IN CONCILIATION	MATTERS WITHDRAWN	MATTERS DISMISSED / W.O.P	TOTAL MATTERS DISPOSED
2013	JANUARY	73	10	10	19	25	-	64
	FEBURARY	53	10	11	21	30	2	74
	MARCH	104	21	10	25	12	4	72
	APRIL	50	10	8	17	8	1	44
	MAY	53	10	16	9	25	1	61
	JUNE	92	19	17	20	15	7	78
	JULY	94	11	16	10	22	-	59
	AUGUST	98	-	2	-	10	-	12
	SEPTEMBER	95	12	12	3	12	-	39
	OCTOBER	90	23	19	18	32	12	104
	NOVEMBER	51	20	7	9	24	3	63
	DECEMBER	38	29	8	5	17	1	60
	TOTAL	891	175	136	156	232	31	730
2014	JANUARY	81	16	15	9	18	4	62
	FEBURARY	71	9	11	10	25	7	62
	MARCH	57	7	16	7	24	3	57
	APRIL	67	39	7	9	18	1	74
	MAY	86	17	16	23	26	2	84
	JUNE	49	14	10	15	27	2	68
	JULY	98	31	11	12	17	-	71
	AUGUST	48	5	4	2	21	-	32
	SEPTEMBER	16	14	6	-	1	-	21 *
	OCTOBER							
	NOVEMBER							
	DECEMBER							
	TOTAL	573	152	96	87	177	19	531

* This figures includes matters heard and delivered in Tobago

Table 1.2: NUMBER OF MATTERS FILED AND SETTLED (E.S.D. & G.S.D.)

Industrial Court of Trinidad and Tobago, South

For the period January 2013 - 21st September 2014

MATTERS SETTLED								
YEAR	MONTH	TOTAL FILED	JUDGMENTS DELIVERED	MATTERS DISPOSED BILATERALLY (Consent Order/ Terms of Settlement)	MATTERS DISPOSED IN CONCILIATION	MATTERS WITHDRAWN	MATTERS DISMISSED / W.O.P	TOTAL MATTERS DISPOSED
2013	JANUARY	10	-	1	1	4	2	8
	FEBURARY	3	3	1	1	1	-	6
	MARCH	9	2	-	1	3	1	7
	APRIL	6	5	1	5	-	3	14
	MAY	7	-	-	1	4	1	6
	JUNE	5	2	-	-	1		3
	JULY	14	1	-	3	2	-	6
	AUGUST	7	3	-	-	-	1	4
	SEPTEMBER	18	-	2	-	-	1	3
	OCTOBER	9	1	-	-	12	1	14
	NOVEMBER	20	4	1	2	1	1	9
	DECEMBER	4	-	1	-	-		1
	TOTAL	112	21	7	14	28	11	81
2014	JANUARY	6	-	-	-	5	1	6
	FEBURARY	9	-	2	-	6	-	8
	MARCH	33	-	5	-	4	-	9
	APRIL	27	1	2	-	1	2	6
	MAY	0	-	3	-	2	-	5
	JUNE	12	-	1	-	-	-	1
	JULY	3	1	3	-	2	-	6
	AUGUST	6	1	-	-	-	-	1
	SEPTEMBER	1	-	-	-	-	-	0
	OCTOBER							
	NOVEMBER							
	DECEMBER							
	TOTAL	97	3	16	0	20	3	42

Table 2.1: NUMBER OF MATTERS FILED
Industrial Court of Trinidad and Tobago, North
For the period January 2013 - 21st September 2014

MATTERS FILED																					
YEAR	MONTH	TRADE DISPUTES	ICA	IRO	A	R	RC	O	RSBD	MWD	MPD	OSHA	ESD ICA	ESD IRO	ESD A	ESD	ST	ST A	ST ICA	ST IRO	TOTAL FILED
2013	JANUARY	59	-	2	3	-	-	-	2	-	-	-	-	-	-	3	5	-	-	-	74
	FEBURARY	36	-	1	2	-	-	-	8	-	-	-	-	-	-	3	4	-	-	-	54
	MARCH	91	-	3	2	-	-	-	2	-	-	1	-	-	-	3	1	-	-	-	103
	APRIL	35	-	-	1	-	-	-	-	-	-	1	-	1	-	8	-	-	-	-	46
	MAY	37	-	2	-	-	-	-	-	-	-	-	-	-	-	3	2	-	-	-	44
	JUNE	57	-	3	-	-	-	-	1	-	-	-	-	2	-	10	2	-	-	-	75
	JULY	84	1	10	2	-	-	-	3	-	-	1	-	1	-	5	3	-	-	-	110
	AUGUST	87	1	7	-	-	-	-	3	-	-	-	-	1	-	7	5	-	-	-	111
	SEPTEMBER	64	-	5	-	-	-	-	10	-	-	1	-	-	-	8	7	-	-	-	95
	OCTOBER	67	-	4	-	-	-	-	5	1	-	1	-	-	-	1	12	-	-	-	91
	NOVEMBER	44	-	1	-	-	-	-	1	-	-	1	-	1	-	2	-	-	-	-	50
	DECEMBER	29	-	3	1	-	-	-	2	-	-	-	-	-	-	2	1	-	-	-	38
	TOTAL	690	2	41	11	0	0	0	37	1	0	6	0	6	0	55	42	0	0	0	891
2014	JANUARY	62	1	1	2	-	-	-	2	1	-	2	-	-	-	8	2	-	-	-	81
	FEBURARY	61	-	2	-	-	-	-	4	-	-	-	-	-	-	2	2	-	-	-	71
	MARCH	46	-	3	-	-	-	-	2	-	-	1	-	-	-	4	1	-	-	-	57
	APRIL	57	2	3	-	-	-	-	2	-	-	-	-	-	-	2	1	-	-	-	67
	MAY	74	1	2	2	-	-	-	1	-	-	-	-	1	-	5	-	-	-	-	86
	JUNE	34	-	-	1	-	-	-	2	1	-	-	-	-	-	10	1	-	-	-	49
	JULY	77	-	1	3	-	-	-	-	1	-	1	-	2	-	10	3	-	-	-	98
	AUGUST	34	-	-	-	-	-	-	3	-	-	1	-	-	-	7	3	-	-	-	48
	SEPTEMBER	11	-	-	-	-	-	-	-	1	-	-	-	-	-	3	1	-	-	-	16
	OCTOBER																				
	NOVEMBER																				
	DECEMBER																				
	TOTAL	456	4	12	8	0	0	0	16	4	0	5	0	3	0	51	14	0	0	0	573

Source: Registry Department of the Industrial Court of Trinidad & Tobago

Table 2.2: NUMBER OF MATTERS FILED
Industrial Court of Trinidad and Tobago, South
For the period January 2013 - 21st September 2014

MATTERS FILED																					
YEAR	MONTH	TRADE DISPUTES	ICA	IRO	A	R	RC	O	RSBD	MWD	MPD	OSHA	ESD ICA	ESD IRO	ESD A	ESD	ST	ST A	ST ICA	ST IRO	TOTAL FILED
2013	JANUARY	7	-	-	2	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	10
	FEBURARY	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
	MARCH	6	-	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	9
	APRIL	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6
	MAY	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	7
	JUNE	3	1	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	5
	JULY	9	1	-	-	-	-	-	3	-	1	-	-	-	-	-	-	-	-	-	14
	AUGUST	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	7
	SEPTEMBER	17	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	18
	OCTOBER	8	-	-	-	-	-	-	1	-	-	-	-	-	-	-		-	-	-	9
	NOVEMBER	18	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	20
	DECEMBER	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	4
	TOTAL	92	3	1	3	0	0	0	5	0	1	0	0	0	0	1	6	0	0	0	112
2014	JANUARY	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6
	FEBURARY	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	9
	MARCH	32	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	33
	APRIL	27	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	27
	MAY	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
	JUNE	8	-	-	1	-	-	-	1	-	-	-	-	1	-	-	1	-	-	-	12
	JULY	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
	AUGUST	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	6
	SEPTEMBER	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
	OCTOBER																				
	NOVEMBER																				
	DECEMBER																				
	TOTAL	91	0	1	1	0	0	0	1	0	0	0	0	1	0	0	2	0	0	0	97

* - With effect from October 2012 ESD matters are now heard in the South Court of the Industrial Court of T&T
Source: Registry Department of the Industrial Court of Trinidad & Tobago

Table 3: NUMBER OF MATTERS FILED

Industrial Court of Trinidad and Tobago

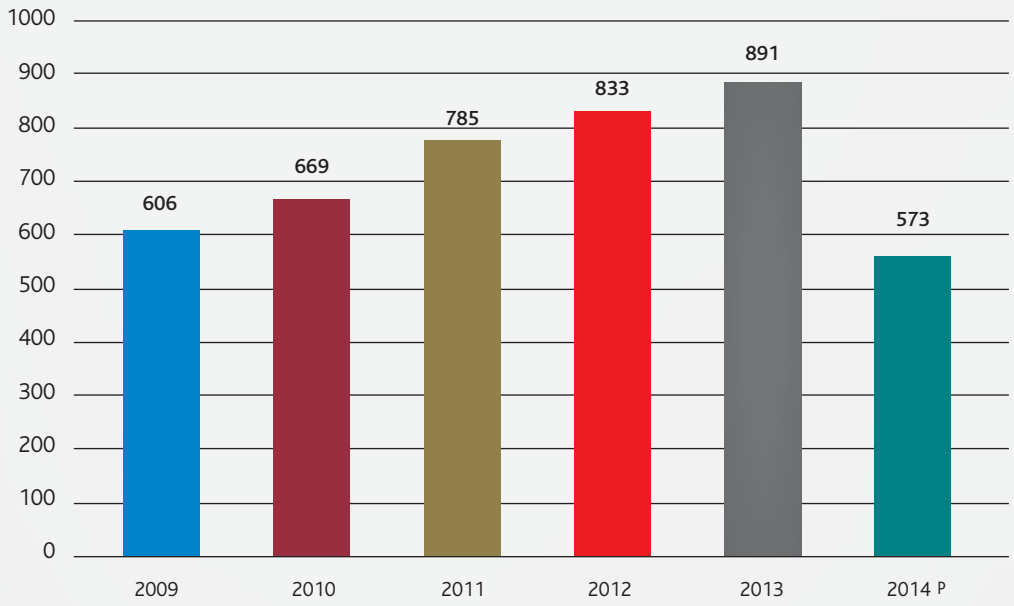
For the period January 2009 - 21st September 2014

NORTH		SOUTH		NORTH & SOUTH	
YEAR	MATTERS FILED	YEAR	MATTERS FILED	YEAR	MATTERS FILED
2009	606	2009	86	2009	692
2010	669	2010	112	2010	781
2011	785	2011	93	2011	878
2012	833	2012	102	2012	935
2013	891	2013	112	2013	1003
2014 P	573	2014 P	97	2014 P	670

Chart 1.1: TOTAL NUMBER OF MATTERS FILED

Industrial Court of Trinidad and Tobago, North

For the period January 2009 - 21st September 2014



P - This represents a Provisional figure

Chart 1.2: TOTAL NUMBER OF MATTERS FILED

Industrial Court of Trinidad and Tobago, South

For the period January 2009 - 21st September 2014

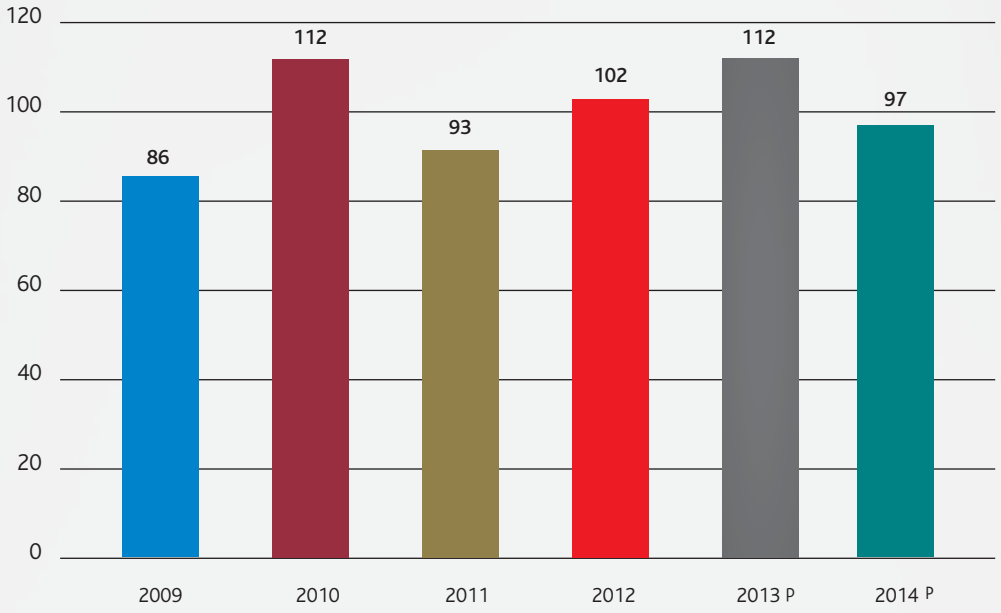
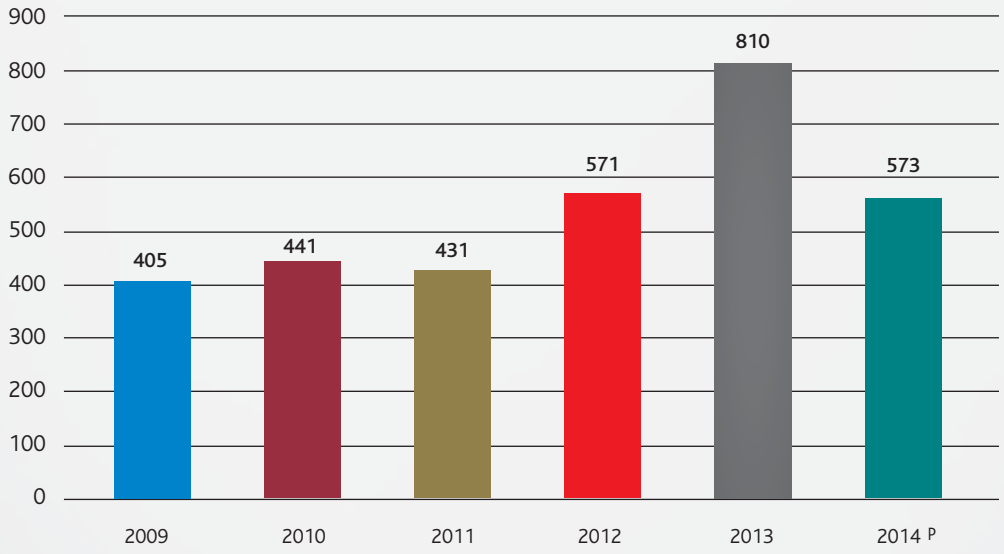


Chart 1.3: TOTAL NUMBER OF MATTERS FILED

Industrial Court of Trinidad and Tobago, North & South

For the period January 2009 - 21st September 2014



P - This represents a Provisional figure

Table 4.1: NUMBER OF MATTERS FILED AND SETTLED (E.S.D. & G.S.D.)

Industrial Court of Trinidad and Tobago, North

For the period January 2006 - 21st September 2014

MATTERS SETTLED							
YEAR	TOTAL FILED	JUDGMENTS DELIVERED	MATTERS DISPOSED BILATERALLY (Consent Order/ Terms of Settlement	MATTERS DISPOSED IN CONCILIATION	MATTERS WITHDRAWN	MATTERS DISMISSED / W.O.P	TOTAL MATTERS DISPOSED
2006	646	92	94	36	62	36	320
2007	447	203	112	78	254	25	672
2008	500	141	82	54	145	27	449
2009	606	109	87	71	91	12	370
2010	669	123	53	80	113	17	386
2011	785	132	48	75	88	2	345
2012	833	190	95	23	176	17	501
2013	891	175	136	156	232	31	730
2014 P	573	152	96	87	177	19	531

Table 4.2: NUMBER OF MATTERS FILED AND SETTLED (E.S.D. & G.S.D.)

Industrial Court of Trinidad and Tobago, South

For the period January 2006 - 21st September 2014

MATTERS SETTLED							
YEAR	TOTAL FILED	JUDGMENTS DELIVERED	MATTERS DISPOSED BILATERALLY (Consent Order/ Terms of Settlement	MATTERS DISPOSED IN CONCILIATION	MATTERS WITHDRAWN	MATTERS DISMISSED / W.O.P	TOTAL MATTERS DISPOSED
2006	10	8	3	0	1	0	12
2007	34	9	5	5	4	2	25
2008	60	22	9	5	5	4	45
2009	86	10	7	12	3	3	35
2010	112	23	11	5	9	7	55
2011	93	28	6	18	33	1	86
2012	102	13	20	12	12	13	70
2013	112	21	7	14	28	11	81
2014 P	97	3	16	0	20	3	42

P - This represents a Provisional figure

Table 4.3: NUMBER OF MATTERS FILED AND SETTLED (E.S.D. & G.S.D.)

Industrial Court of Trinidad and Tobago, North & South

For the period January 2006 - 21st September 2014

MATTERS SETTLED							
YEAR	TOTAL FILED	JUDGMENTS DELIVERED	MATTERS DISPOSED BILATERALLY (Consent Order/ Terms of Settlement	MATTERS DISPOSED IN CONCILIATION	MATTERS WITHDRAWN	MATTERS DISMISSED / W.O.P	TOTAL MATTERS DISPOSED
2006	656	100	97	36	63	36	332
2007	481	212	117	83	258	27	697
2008	560	163	91	59	150	31	494
2009	692	119	94	83	94	15	405
2010	781	146	64	85	122	24	441
2011	878	160	54	93	121	3	431
2012	935	203	115	35	188	30	571
2013	1003	196	143	170	266	42	811
2014 P	670	155	112	87	197	22	573

Table 5: NUMBER OF MATTERS DISPOSED

Industrial Court of Trinidad and Tobago

For the period January 2009 - 21st September 2014

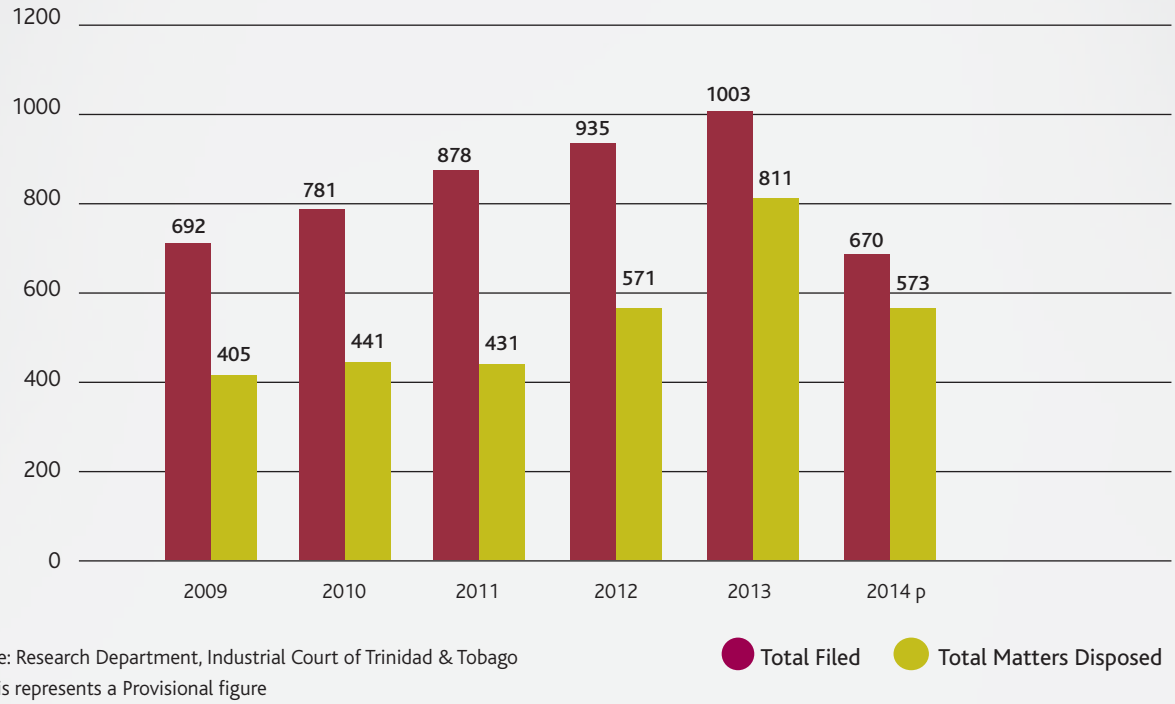
NORTH		SOUTH		NORTH & SOUTH	
YEAR	MATTERS DISPOSED	YEAR	MATTERS DISPOSED	YEAR	MATTERS DISPOSED
2009	370	2009	35	2009	405
2010	386	2010	55	2010	441
2011	345	2011	86	2011	431
2012	501	2012	70	2012	571
2013	730	2013	81	2013	811
2014 P	531	2014 P	42	2014 P	573

P - This represents a Provisional figure

Chart 2: TOTAL MATTERS FILED AND DISPOSED

Industrial Court of Trinidad and Tobago, North & South

For the period January 2009 - 21st September 2014



Source: Research Department, Industrial Court of Trinidad & Tobago

P - This represents a Provisional figure

Chart 3: TOTAL MATTERS DISPOSED BY CATEGORY

Industrial Court of Trinidad and Tobago, North & South

As at 21st September 2014

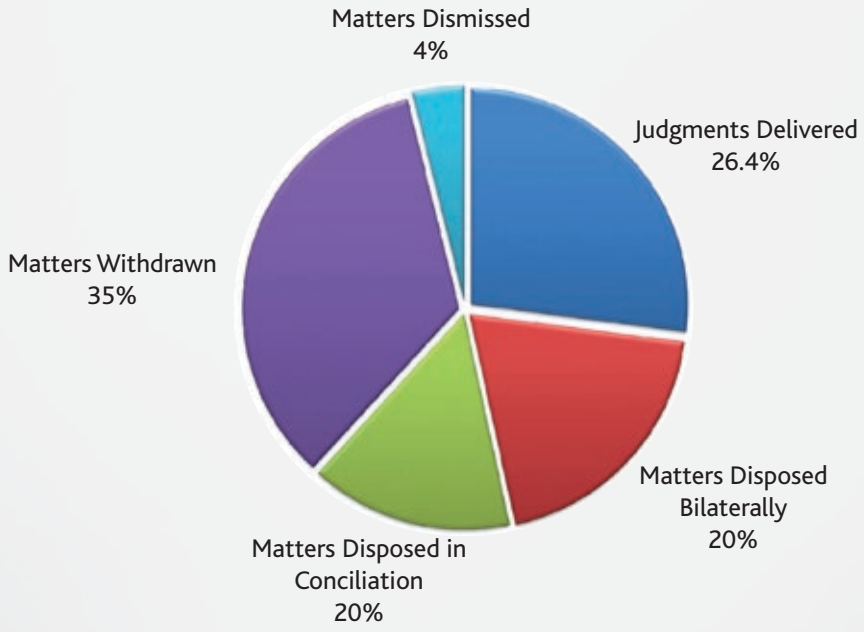


Chart 4.1: DISPOSALS

Industrial Court of Trinidad and Tobago, North

For the period January 2009 - 21st September 2014

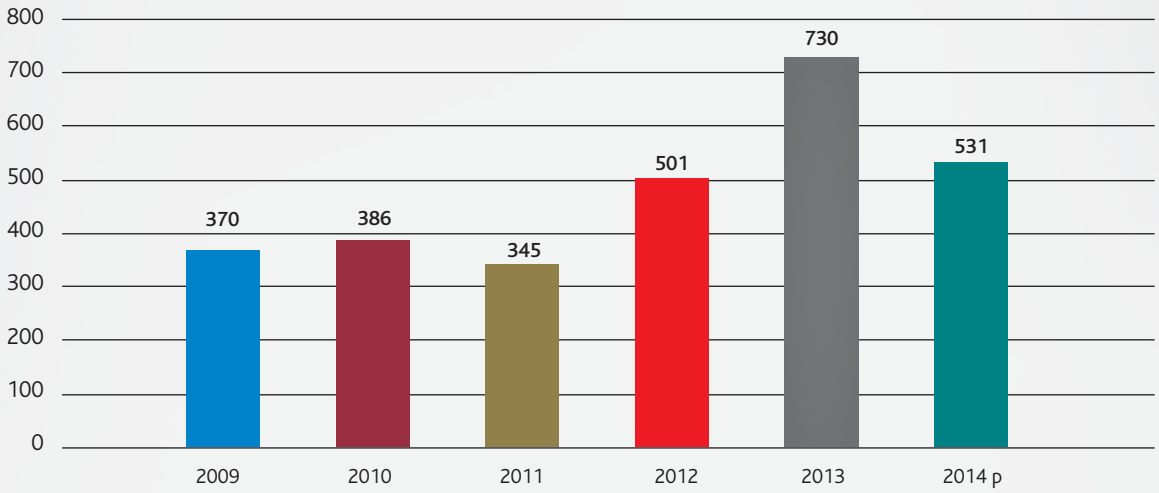
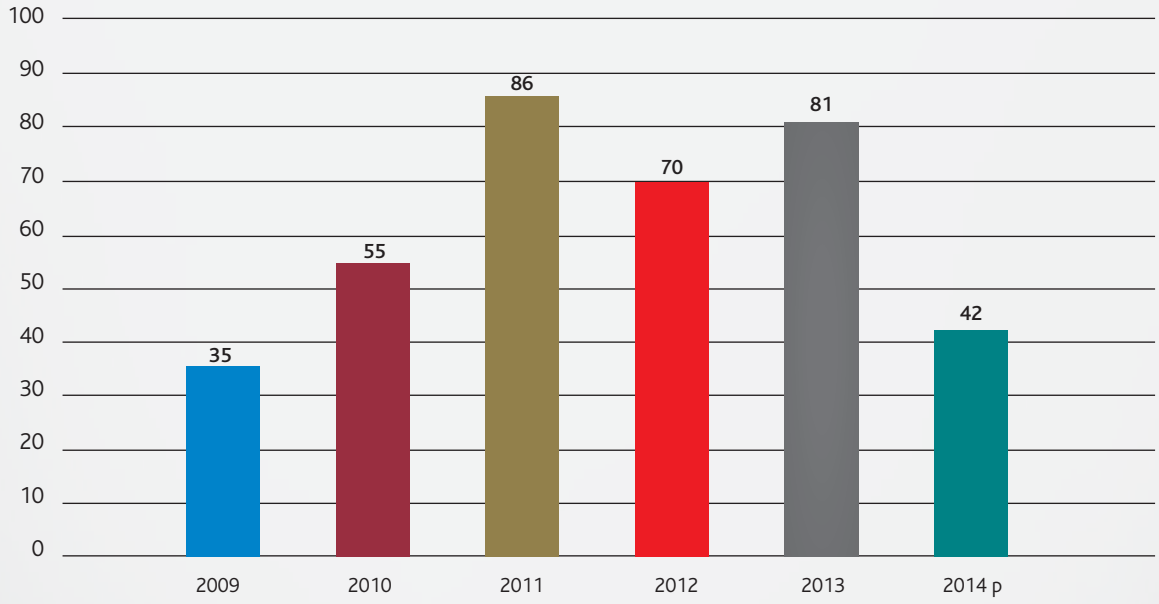


Chart 4.2: DISPOSALS

Industrial Court of Trinidad and Tobago, South

For the period January 2009 - 21st September 2014



P - This represents a Provisional figure

Chart 4.3: DISPOSALS

Industrial Court of Trinidad and Tobago, North & South

For the period January 2009 - 21st September 2014

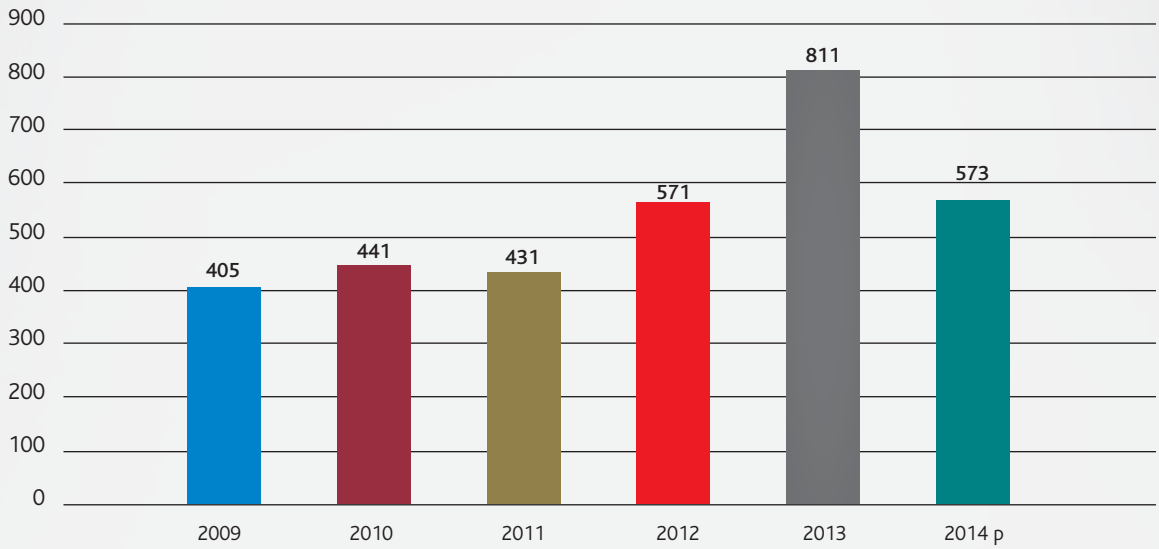
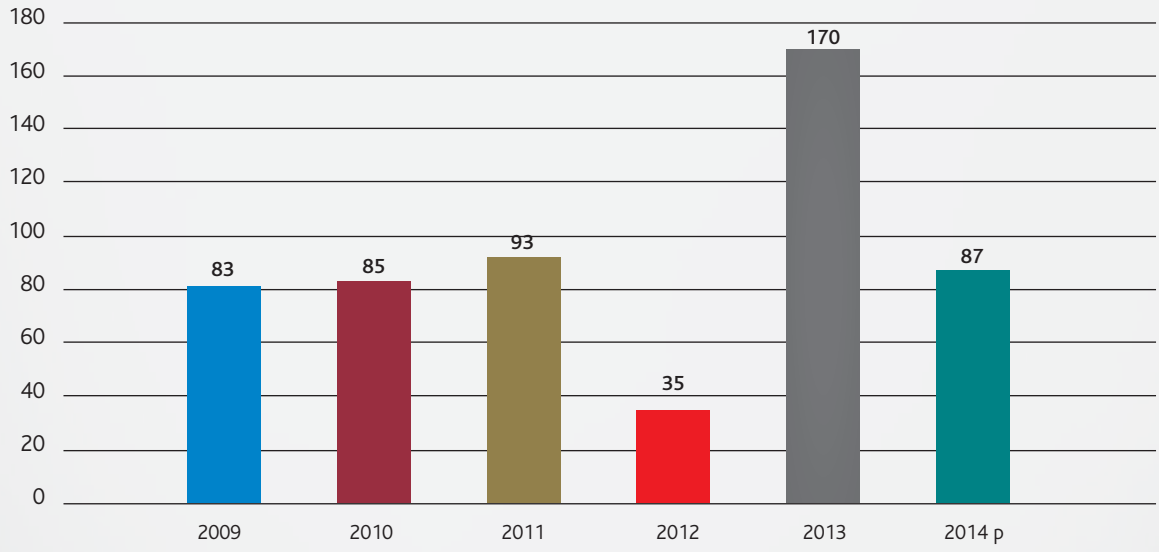


Chart 5: MATTERS SETTLED BY CONCILIATION

Industrial Court of Trinidad and Tobago, North & South

For the period January 2009 - 21st September 2014



P - This represents a Provisional figure

Table 6: NUMBER OF JUDGMENTS DELIVERED

Industrial Court of Trinidad and Tobago

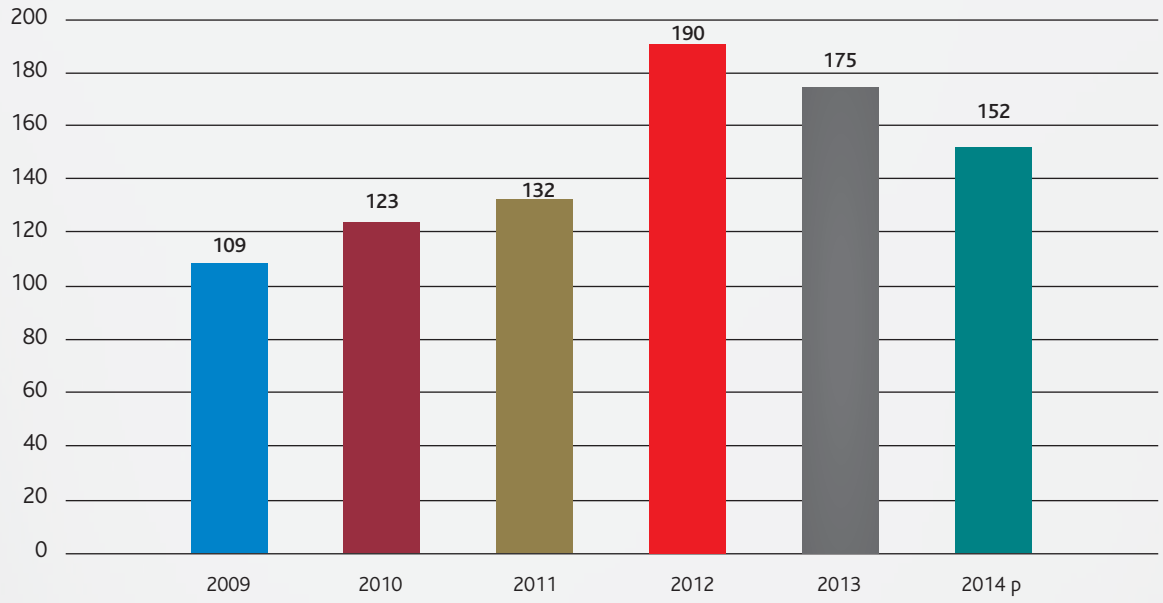
For the period January 2009 - 21st September 2014

NORTH		SOUTH		NORTH & SOUTH	
YEAR	JUDGMENT DELIVERED	YEAR	JUDGMENT DELIVERED	YEAR	JUDGMENT DELIVERED
2009	109	2009	10	2009	119
2010	123	2010	23	2010	146
2011	132	2011	28	2011	160
2012	190	2012	13	2012	203
2013	175	2013	21	2013	196
2014 P	152	2014 P	3	2014 P	155

Chart 6.1: JUDGMENTS DELIVERED

Industrial Court of Trinidad and Tobago, North

For the period January 2009 - 21st September 2014



P - This represents a Provisional figure

Chart 6.2: JUDGMENTS DELIVERED

Industrial Court of Trinidad and Tobago, South

For the period January 2009 - 21st September 2014

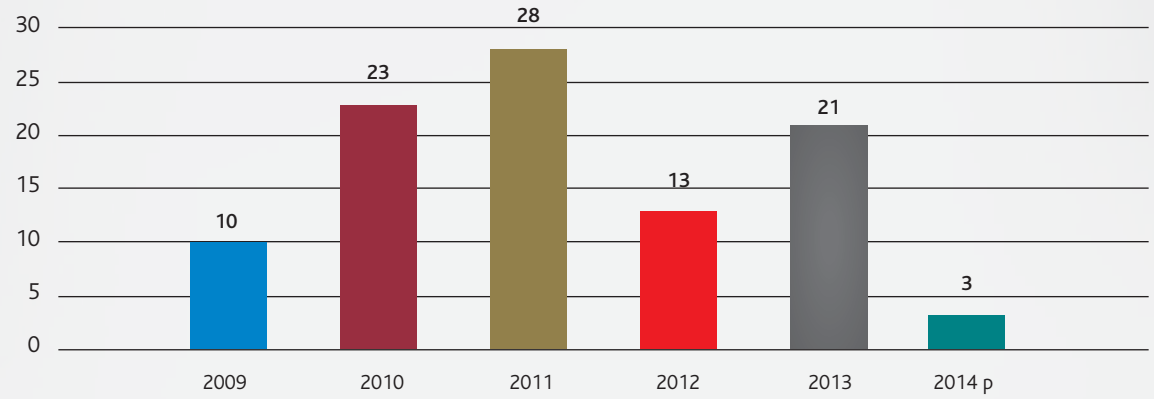
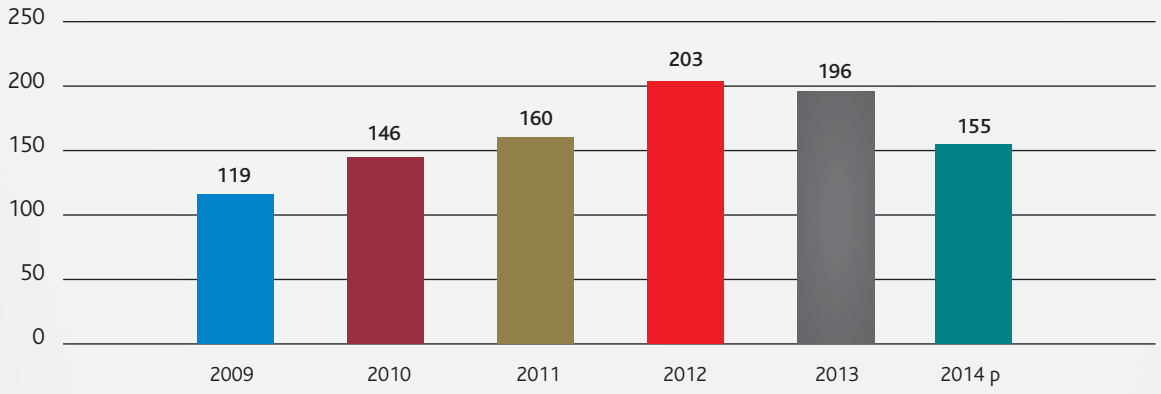


Chart 6.3: JUDGMENTS DELIVERED

Industrial Court of Trinidad and Tobago, North & South

For the period January 2009 - 21st September 2014



P - This represents a Provisional figure

Appendix B

THE INDUSTRIAL COURT OF THE REPUBLIC OF TRINIDAD AND TOBAGO

CASE MANAGEMENT FORM

DISPUTE NUMBER	

(1) Parties

i. Name of Union:_____

ii. Name of Company:_____

_____

_____

iii. Name of Filing Party:_____

(2) Contact number: *(work)*_____*(cell)*_____

(3) Email address:_____

(4) Are you at present engaged in bilateral talks with the other party before this dispute is listed? Yes ☐ No ☐

(5) Do you wish to have conciliation at the Court? Yes ☐ No ☐

Any other comments

_____

_____

_____

_____

Date _____ Submitted by _____

Please note if you have elected to have open court hearing you must file all documents pursuant to and in accordance with the notice attached hereto.

This form is to be returned within 10 working days to the Registry of the Court at:

#7 St. Vincent Street
Port of Spain
Tel: 623-1304 – 8
Fax: 623-6179

or

#6 Irving Street (North)
San Fernando
Tel: 653-5182/0652
Fax: 657-0965

The Registry office is open between the hours of 8:00 a.m. and 4:00 p.m., Mondays to Fridays except public holidays and Court holidays.

Appendix C

TRAINING AND DEVELOPMENT INITIATIVES

October 2013 – September 2014

NAME OF TRAINING	TRAINING PERIOD	TARGET	NUMBER TRAINED	TRAINING PROVIDER
A906059 "Gender Academy"	November 11-15, 2013	Judges	2	International Training Centre of the International Labour Organisation Turin, Italy
Machine Shorthand	January-March, 2014	Verbatim Reporters Clerk Stenographers Clerk Typist	7	Paul's Secretarial College
Written Shorthand	January-March, 2014	Clerk Stenographer Clerk Typist	2	Paul's Secretarial College
Performance Management	January 20-24, 2014	Supervisors	18	Roland Graham
Logic and Opinion Writing	March 17-20, 2014	Judges	2	National Judicial College, Reno, Nevada
Effective Supervision	March 19 & 21, 2014	Supervisors	12	Renne & Associates Incorporated
Machine Shorthand	April-July 2014	Verbatim Reporters Clerk Stenographers Clerk Typist	7	Paul's Secretarial College
Written Shorthand	April-July 2014	Clerk Stenographers Clerk Typist	4	Paul's Secretarial College
Judicial Writing	April 28-May 01, 2014	Judges	2	National Judicial College, Reno, Nevada
Developing Effective Policy	May 05-08, 2014	Research Officer II	1	Ministry of Public Administration
103rd ILO Conference	May 27-June 12, 2014	President Judges	2	International Labour Organisation, Geneva, Switzerland
Measuring Productivity	June 09-13, 2014	Research Officer II	1	Bureau of Labour Statistics, Washington
Protocol and Diplomatic Law: Rules and Procedures	June 30-July 04, 2014	Corporate Communications Officer	1	The Diplomatic Academy of the Caribbean (U.W.I.)
CARALL Conference	July 06-09, 2014	Librarians	2	Caribbean Association of Law Libraries, St. Lucia
Court Management Conference	July 13-17, 2014	Assistant Registrar	1	National Association for Court Management, Scottsdale Arizona, USA

Appendix C (continued)

TRAINING AND DEVELOPMENT INITIATIVES

October 2013 – September 2014

NAME OF TRAINING	TRAINING PERIOD	TARGET	NUMBER TRAINED	TRAINING PROVIDER
Internal Audit in the Public Service	July 14-17, 2014	Auditor I (Ag.)	1	Ministry of Public Administration
NCRA Convention	July 30-Aug 03, 2014	Reporters	1	The National Court Reporters Association, Nashville Tennessee, USA
Judicial Training Programme	August 03-05, 2014	Judges Registrar, Industrial Court Assistant Registrar	24	Facilitator from UWI, Mona Campus, Jamaica
Preparation of Estimates	August 04-07, 2014	Accountant I (Ag.)	1	Ministry of Public Administration
Contract Management and Administration – A Practical Experience	September 08-09, 2014	Systems Administrator	1	The Institute of Internal Auditors, Trinidad & Tobago Chapter
The Three Lines of Defense for Effective Governance, Risk Management, Controls & Compliance	September 09-10, 2014	Auditing Assistant (Ag.)	1	
Inventory and Materials Management	September 12, 2014	Auditor I (Ag.) Temporary Estate Constable Clerical Assistant	3	The Institute of Internal Auditors, Trinidad & Tobago Chapter

Appendix D

INTERNAL AUDIT

Internal Audit reports are prepared and submitted to the Registrar of the Industrial Court by the fourth working day of every month in respect of the Court and the aforementioned agencies. Reports are also submitted to the Registrar/ Secretary of the Equal Opportunity Tribunal, the Tax Appeal Board, the Environmental Commission and the Public Service Appeal Board.

In addition to the activities mentioned above, ongoing exercises were under taken on the activities listed here under, as they were submitted to the unit:

a. Application for Credit on the Exchequer Account (Monthly)
b. Pension and Leave Records
c. Vouchers relating to Previous Years Payments
d. Increment Certificates
e. Overpayment Reports
f. Special Assignment (May 2014) Audit Survey on the Stores Register of the Industrial. This assignment is ongoing.

Items 1-20 are relevant to the Industrial Court.
Items 1, 3-9, 11&13, 15-17& 19 are relevant to the Tax Appeal Board and The Public Service Appeal Board.
Items 1, 3-14, 16-17 &19 are relevant to the Environmental Commission and the Equal Opportunity Tribunal.

Areas of Examination identified in the following table was approved in the Projection of Work which was submitted for the financial years 2012-2013 and 2013-2014 to the Registrar of the Industrial Court, the Tax Appeal Board, the Environmental Commission, the Equal Opportunity Tribunal and the Secretary of the Public Service Appeal Board.

Areas of Examination
1. Expenditure Notifications
2. Register of Blank Cheque Forms
3. Daily Abstract of Payments
4. Reconciliation of Monthly Abstract of Payments and Lists of Unpaid Cheques
5. Release of Funds
6. Payment Vouchers/Schedules/Vote Book
7. Register of Invoice Order Books and Invoice Orders
8. Personnel Emolument Records Contract Employee Records Monitoring of the Operation of the IGP System (COA Cir. #2 August 16 2013).
9. National Insurance Records UNIMED payments

Appendix D (continued)

Areas of Examination
10. Motor Vehicle Advances Ledger
11. Overpayment Registers
12. Travelling Claims Register
13. *Appropriation Account
14. Vehicle Log Books
15. Imprest Cash
16. Inventory of Office Furniture Equipment and Computer Equipment
17. Stock Registers: Consumables & Stationeries Library
18. Revenue Account
19. Rent Register/Telephone Register/Electricity Register
20. Register of Counter foil Receipt Books

Notes

Notes

Design: The Art Bank Limited
Print: Caribbean Print Technologies Ltd



The Industrial Court of Trinidad and Tobago

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