

# ANNUAL REPORT

## 2018-2019

REPORT FOR PRESENTATION TO PARLIAMENT  
Pursuant to section 83 of the Industrial Relations Act, Chapter 88:01

## **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.

## **Our Core Values**

Integrity  
Justice  
Honesty  
Equity  
Respect  
Accountability  
Teamwork  
Discipline  
Loyalty

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## **FUNCTIONS OF THE INDUSTRIAL COURT OF TRINIDAD AND TOBAGO**

The Industrial Court of Trinidad and Tobago was established on 20<sup>th</sup> March 1965 by section 5(1) of the Industrial Stabilization Act. This Act was repealed and replaced by the Industrial Relations Act, Chapter 88:01 on 31<sup>st</sup> July 1972. The purpose of the Act is to make better provision for the stabilization, improvement and promotion of industrial relations.

The Industrial Court is a superior Court of record. As a superior court of record, it has a status that is equivalent to that of the High Court of Justice. It is a specialized court with its own peculiar jurisdiction; it is responsible for dispensing social justice.

In addition to its inherent powers as a superior court of record, the Court has 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 this Act;
- to hear and determine any other matter brought before it, pursuant to the Act.

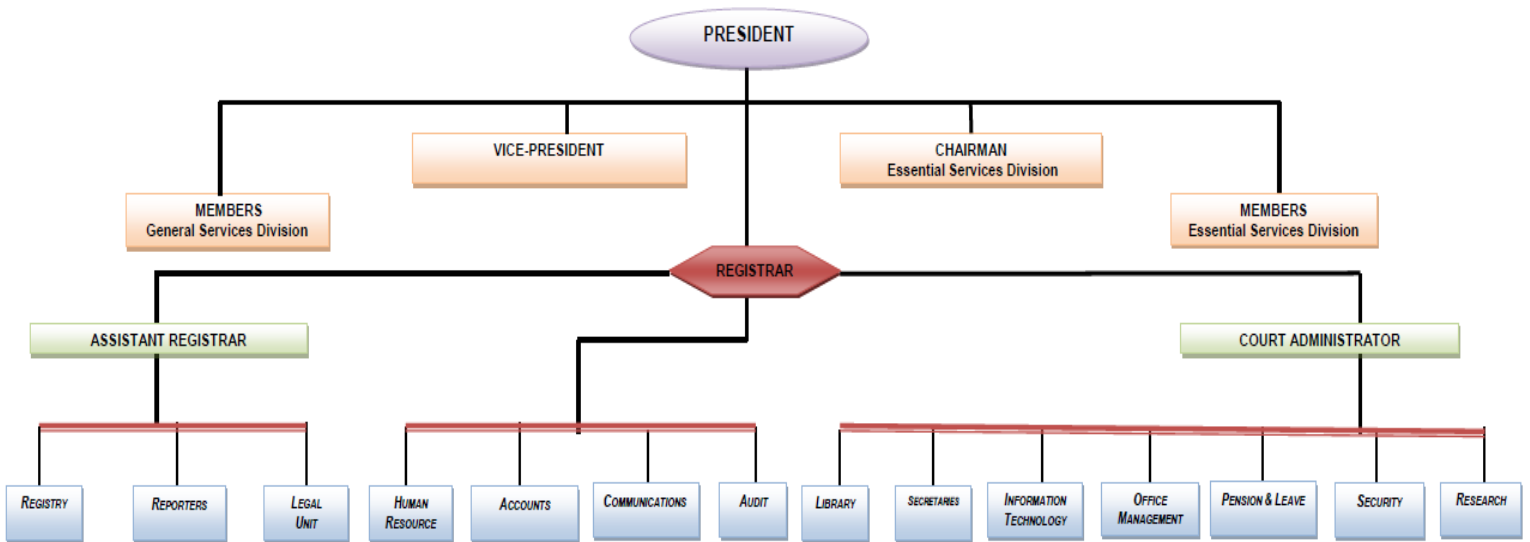
The principal role of the Court is to settle unresolved disputes and other matters which arise between employers and trade unions representing the workers employed by the employers under the Industrial Relations Act, Chapter 88:01 (I.R.A.), the Retrenchment and Severance Benefits Act, Chapter 88:13, the Maternity Protection Act, Chapter 45:57 and the Minimum Wages Act, Chapter 88:04 and the Occupational Safety and Health Act, Chapter 88:08.

The Court sits in two Divisions:

- a) The General Services Division which exercises the jurisdiction of the Court as set out in section 7 of the Industrial Relations Act, Chapter 88:01 with respect to services other than essential services; and
- b) The Essential Services Division which exercises the jurisdiction of the Court as set out in section 7 of the Industrial Relations Act, Chapter 88:01 with respect to essential services.

The Special Tribunal established by the Civil Service Act, Chapter 23:01 hears and determines disputes in the Civil Service, the Police Service, the Fire Service, the Prison Service, the Teaching Service, the Supplemental Police and the Central Bank.

# ORGANISATIONAL CHART



## PRESIDENT'S MESSAGE



Since the last opening of the law term there have been several developments internationally which I believe may have direct impact on the workplace globally and in Trinidad and Tobago.

One such development is the new International Labour Organisation's (ILO) Convention which was adopted in Geneva, Switzerland, in June this year. As with all conventions, this convention will enter into force twelve (12) months after two Members States have ratified it.

The Convention, Convention 190 titled Violence and Harassment Convention 2019 along with the Violence and Harassment Recommendation No. 206, speak to the elimination of violence and harassment in the world of work. For the first time, violence and harassment in the world of work are covered together in international labour standards.

This year the ILO, marks one hundred (100) years as an organisation. The adoption of Convention 190 with its Recommendations together with ILO's Centenary Declaration for the Future of Work are central to its centenary celebrations. These two initiatives are very important developments in the world of work and the hope is that they will assist to guide the transformational changes that are occurring globally in the workplace.

There are some key features of Convention 190 which I will like to discuss.

In the past, there has not been a universal definition of sexual harassment. However, in Convention 190 the term "violence and harassment" in the world of work is defined as "a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment." The term "gender-based violence and harassment" is defined as "violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and include sexual harassment".

In my respectful view, these definitions potentially cover physical abuse, verbal abuse, bullying and mobbing, sexual harassment, threats and stalking, among other things. The Convention also takes into account the fast-changing nature of the world of work, the erosion of the traditional employment contract and the fact that nowadays work does not always take place at a physical workplace; so, for example, it covers work-related communications,

including those enabled by Information and Communications Technology. Moreover, this Convention protects persons in the world of work, including employees as defined by national law and practice, persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and individuals exercising the authority, duties or responsibilities of an employer. The Convention applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas.

The Convention's focus on inclusivity is very important. It means that everyone who works or is working a job is protected, irrespective of contractual status, and includes persons exercising the authority of an employer.

Interestingly, Convention 109 applies to violence and harassment in the world of work occurring in the course of, linked with or arising out of work: (a) in the workplace, including public and private spaces where they are a place of work; (b) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities; (c) during work-related trips, travel, training, events or social activities; (d) through work-related communications, including those enabled by information and communication technologies; (e) in employer-provided accommodation; and (f) when commuting to and from work.

We know that some groups, and workers in certain sectors, occupations and work arrangements are acknowledged to be especially vulnerable to violence and harassment; for example, persons working in education, domestic workers, those working at night for example workers in casinos and fast food outlets, in the health sector or those who work in isolated areas.

Gender-based violence and harassment is specifically highlighted in the Convention, and the approach also takes into account third parties (e.g. clients, customers, service providers and patients) because they can be victims as well as perpetrators.

A very interesting and important feature of this Convention is the impact of domestic violence on the world of work. The Convention has taken a significant step to treat with the issue of domestic violence and how it has impacted not only on life in the personal capacity, but also in the workplace by setting out practical measures to protect the victim including leave for victims, flexible work arrangements and awareness raising although the violence may not have occurred in the workplace.

This is a significant step in bringing domestic violence out of the shadows, and encouraging a change of attitude towards this problem.



I remember in my past incarnation when I presided upon domestic violence cases, one of the first ingredient which a victim has to establish was that there existed a degree of relationship between the victim and the offender which constituted a domestic relationship to qualify for protection under the Act. For victims who are in “visiting” relationships in this country, they must first establish that the visiting relationship was subsisting for a period exceeding twelve months before they can obtain an Order of Protection from the Court. Many of us have spoken out on this issue in the past but this provision has not been amended.

Now that domestic violence is brought out of the shadows, and it is included in a Convention which deals with issues at the workplace, one wonders if the prescribed period for a visiting relationship, as defined by our Domestic Violence Act, will be repealed to afford every victim of domestic violence protection under the law. Further, if this country ratifies Convention 109, one can only hope that new legislation emerges which addresses all issues related to violence and harassment in this society. It is very important, that we deeply consider the debilitating effect of violence and harassment at all levels, and how violence can affect productivity, economic stagnation and lead to social discord, whether it is violence in the workplace, at the home, or in the street.

I pause to say, that if we as a nation seek to address the problem of violence and human security in the country, we may want to examine the issue of inclusion. Inclusion is the only sure and safe pathway to a peaceful Trinidad and Tobago; exclusion, on the other hand, is a dangerous path which can only lead to a violent and chaotic society.

The second initiative which is of importance to us, is the ILO’s Centenary Declaration for the Future of Work, 2019.

It has been stated that this Declaration draws inspiration from the ILO’s founding principles to renew the social justice mandate and reinvigorate the ILO to shape a future of decent work for all.

As we know, the world of work is experiencing transformative changes, driven by technological innovations, demographic shifts, climate change and globalisation. Those changes together with labour market fragmentation, the emergence of the GIG platform economy and crowdwork, the care economy and the green/blue economy are part of the future of work.

In response to these challenges, a Centenary Declaration for the Future of Work was adopted in this year at the 108th session of the International Labour Conference. There are two approaches; a human centred approach and a call to action. The “human-centred approach” focuses on three areas of action namely: (i) increasing investment in people’s capabilities, (ii) increasing investment in the institutions of work, (iii) Increasing investment in decent and sustainable work.



The Declaration issues a call to action for all member States to: ensure all people benefit from the changing world of work, ensure the continued relevance of the employment relationship, ensure adequate protection for all workers; and promote sustained, inclusive and sustainable economic growth, full employment and decent work.

The other continuing international development which I want to address briefly is the issue of migration and its impact on the world of work. This country welcomed a large number of migrants this year. Permit me to repeat what I have stated on this issue before, which is that a “key national development issue that the Tripartite Council may wish to take notice of with a view to tabling it for an inclusive discussion and debate, relate to migrant labour.

The issue of labour migration and migrant workers is a very topical issue that affects us all. Tripartism will be a very useful way to approach this issue in its different dimensions. The reality is that workers may find themselves interfacing with new colleagues from a different country, business owners may now find that they are faced with a different workforce, and Union leaders may find themselves representing a transformed clientele with potentially diverse concerns, we will all bear witness to the effect of globalisation writ large.

In this modern era where people and information travel and move faster than ever before, it is incumbent upon all social partners to be proactive and to work in tandem with each other to address the various and complex challenges and the opportunities that may arise from cross-border labour migration. In this context, it is critical that we do so within the framework of well-crafted policies and creative mechanisms that will allow all social partners - Labour, Business and Government - to contribute and benefit from this phenomenon.”

## **INDUSTRIAL COURT'S YEAR IN REVIEW**

I will now turn to the work of the Court.

For the period September 2018 to September 2019, 1410 new cases were filed at the Industrial Court, 237 more cases than those filed for the same period in 2017/2018 which recorded 1173 cases. Additionally, the Court disposed of 858 matters in the year in review which was 213 less than the 1071 matters disposed of for the same period, 2017/2018.

Of the total matters filed at the Court for this year, 2018/2019, Trade Disputes remain the largest number of matters filed, followed by Retrenchment and Severance Benefits and Occupational Safety and Health.

### Financial Challenges

For the 2018-2019 financial year, the Industrial Court requested TT\$65 million in recurrent expenditure and was allocated TT\$40 million which is - 38% less than the amount needed for the Court to function optimally. The allocation of TT\$40 million comprises of TT\$26 million for salaries and TT\$14 million for goods and services to operate the Court which includes payment of security services and utilities. Further, to exacerbate an already difficult situation, the release of these funds has been inconsistent and inadequate. There were times when there was no release of funds with respect to goods and services for months at a time. Even after the funds have been released, approval is sometimes required to print cheques for payment. This situation has been ongoing for the past few years and it is becoming increasingly difficult for the Court to meet its financial and service obligations and to have basic supplies such as ink and paper. The reduction in the Court's budget and the lack of funds have impacted negatively the Courts ability to deliver key initiatives including our flagship stakeholder event 'Meet With the Court Symposium, the hearing of disputes in Tobago, which has assisted in alleviating the expense and inconvenience for access to justice for Tobagonians. Also affected have been training for Judges to continuously improve capacity and efficiency in the determination of disputes and the production of key publications by the Court such as the Trends in Labour and Industrial Relations Bulletin, the Industrial Court Law Report and the Court's Annual Law Report. With respect to the 'Meet with the Court' Symposium and the training for Judges, it is the first year that the Court has been unable to deliver these critical initiatives for our internal and external stakeholders.

On behalf of the Judges of the Industrial Court, I wish to thank the staff of the Industrial Court for their unwavering support and service especially in these difficult times.

### Shortage of Court Reporters

The ongoing problem of shortage of court reporters continues to plague the Industrial Court. To date, there are 20 vacant Verbatim Reporter 1 positions, out of a total of 22. The Court has attempted to meet this huge shortfall by engaging the services of retired Reporters, however, financial constraints limit the number of persons the Court can contract to serve. This continuous lack of an adequate complement of Court Reporters to meet the increasing demand by Judges and stakeholders for notes of evidence and outstanding judgments, poses a daily challenge for the Court. As expected, the situation has become increasingly difficult as the volume of work continues to increase and this has hindered the Court's ability to fulfil requests for notes and judgments in a timely manner. For example, this year a total of 399 judgments were reserved for decision by the Court. Of these reserved judgments 214 remain outstanding due to the fact that Notes cannot be prepared and given to Judges for their decisions and the backlog which was cleared in 2014 has returned.

### Establishment of Court in Tobago

The Court has not presided in Tobago for the past three years due to a lack of funds and it has been difficult for litigants from Tobago to attend Court in Trinidad. As stated in my previous reports, the Industrial Court is in the process of opening a Tobago branch at Sandy Hall Building in Scarborough.

National Insurance Property Development Company Limited (NIPDEC) has been retained as the Project Manager for the refurbishment work on the building and the Court has received and approved the architectural drawings. It is my hope that the Court will receive the necessary funds this financial year to complete this project in 2020.

### Towards an E-Court

Over the years, I have been giving you, the stakeholders, updates as the Industrial Court continues to work steadily to improve its court technology management system. This is a part of the initiative to transform the Court into an e-Court. Some key initiatives implemented thus far were:

- The introduction of electronic kiosks.
- Video Conferencing services from Port of Spain to San Fernando and outside of Trinidad and Tobago
- Expansion of the e-Court technology in all courtrooms such as For-the-Record, Real-Time transcription and Voice-to-Text Technologies.
- A file tracking software known as a Radio Frequency Identification system
- Scanning of all documents filed in the Registry
- Expansion of the storage space to manage the Court's data
- Installation of a wireless system to improve service to our stakeholders and allow Judges to communicate with our databases and court management software
- Digitization of judgments in the Library. Currently, 61.5% of the judgment collection from 1965 to present has been digitized.
- Upgrade of the Court's website

We have also been reviewing court management software systems with a view to adopt one that better meets the current demands and functionalities required by the Court.

The hope is that there will be E-filing and all the modern technology systems at the Industrial Court going forward. The Registrar of the Court, Mr. Noel Inniss and I returned from New Orleans on Saturday where we attended a National Center for State Courts Technology Conference. At the conference we examined software which can improve the Court's case management system and more importantly address the current transcriptionist problems which we have been experiencing for the past few years. I do hope we are granted the financial resources in this financial year to acquire the much-needed court technology.

## Training

Nineteen (19) members of staff benefited from the training services provided by the Public Service Academy of the Ministry of Public Administration in the year in review.

## Meet With the Court Symposium

When I became President of the Industrial Court, I instituted a stakeholder forum which is known as the annual “Meet with the Court Symposium”. The raison d'être of this symposium was to provide employers, Unions, and government representatives with a platform to meet with the Industrial Court and to examine the judgments, the processes and the working of the Court along with the jurisprudence and to have discussions on these and other issues in a more relaxed informal setting.

Each year the Court invites three hundred stakeholders to attend this symposium and to participate in the discussions. Those who have attended the symposium can testify that this forum is a useful platform to clarify issues affecting the social partners and to have transparent and healthy discussions on the judgments, the jurisprudence of the Court, and of economic trends and national issues.

Unfortunately, we have not been able to host the Symposium this year due to the budgetary constraints. However, the feedback we receive each year is extremely positive and I personally view it as a useful mechanism to facilitate healthy criticism and discussions among all the stakeholders.

Among the speakers at the symposium were specialists from the ILO in the persons of Mr. Shingo Miyake, Mr. Rainer Pritzer and Ms. Yuka Ujita, from the University of the West Indies were of Dr. Leighton Jackson, Dean of the Faculty of Law - Mona, Mr. Jefferson Cumberbatch, Law Lecturer - Cave Hill, Dr. Andrew Downes, Pro Vice Chancellor – Cave Hill, and Economists Professor Compton Bourne and Dr. Ralph Henry. I thank all presenters for their contributions over the years.

## Members at the Court

This year, six (6) new Members were appointed to the Industrial Court. They are Their Honours Ms. Wendy Ali, Mr. Vincent Cabrera, Mrs. Angela Hamel-Smith, Mrs. Indra Rampersad-Suite, Ms. Elizabeth Solomon and Mrs. Jillian Joy Bartlett-Alleyne. On behalf of the Industrial Court, I wish to welcome all the new Members and to wish each of them a successful career at the Court.

My sincerest congratulations to His Honour Mr. Herbert Soverall on his elevation to Vice President of the Industrial Court.

Over the past year, the terms of office came to an end for former Vice President, His Honour Mr. Ramchand Lutchmedial, and His Honour Mr. Mahindra Maharaj. I take this opportunity

to thank them for their service and contribution to the work of the Court and wish them all the best in their future endeavours.

### **The Industrial Court of Trinidad and Tobago**

In this part of my speech today I could not help but to recall the words of John Adams the second President of the United States of America which were quoted by President Barack Obama and these words are “Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence.”

In the year in review, several questions have been raised in the public domain about the impartiality of the Industrial Court, the relevance of the institution, the Court's judgments and interestingly, on what the composition of Judges at the court should look like. I wish to remind stakeholders and the public in general that the Industrial Relations Act provides that the Judges of the Court must be qualified Economists, Attorneys at Law, Accountants and Industrial Relations experts. There is no provision in the Act for the Judges to be selected from the employer group or from the trade Union movement. I have spoken to some of these issues in the past, and I do not intend to revisit them. However, I have noted with interest that the thinking which has been very public lately is the thinking that the Industrial Court does not allow employers to “fire” workers. This in my mind shows a lack of understanding of the work of the Court.

From time to time there are employers who may decide to bring an end to the employment relationship, with a worker, for one reason or another, to use layman's language the employer fires the worker.

However, these employers would afford the worker the opportunity to be heard, they would allow the worker a fair hearing on the particular issue, and they would also follow the process stipulated by the laws of this country. The worker is then dismissed as a result of their findings. The decision to dismiss workers in these circumstances are routinely upheld by the Industrial Court, time and time again. This is not an exception, it is the norm. When the dismissal of a worker is regular, lawful and it is done in accordance with the principles and practice of good industrial relations and the laws of the country, the Court always upholds these decisions.

As a matter of fact, some of these cases do not always reach to the open Court for hearing. The Industrial Court may direct the Union and the employer to resolve these matters bilaterally or they may be resolved in Case Management or at Conciliation at the Court. In some of these cases the Court renders written judgments, others are disposed of by oral judgments or by Orders and additionally, due to the guidance from the Court the Union may withdraw its case against the employer. It is therefore very misleading to say that the Industrial Court does not allow employers to ‘fire’ workers.

Then there are employers who simply do not take part in the process. These employers ignore the several Summonses and Orders sent by the Court. They will not attend Case Management hearings nor do they attend open Court hearings. As a result, these cases are heard in the absence of the employers and the Court renders its judgment. When the judgment is rendered, if it is in favour of the union, the union has to take steps to enforce it. In some instances, the Union may go to the Supreme Court to have the Order enforced or they may return to the Industrial Court with an application for contempt against the employer. These instances where the employer does not participate and the case is determined in their absence are not a few isolated instances, this is a regular occurrence at the Industrial Court.

The Industrial Relations Act provides for decisions of the Industrial Court to be appealed to the Court of Appeal on points of law. Anyone who is aggrieved with a decision of the Court, has the right to appeal that decision to the Court of Appeal, and to further appeal to the Privy Council for final determination.

However, and I have said this in the past, while I believe that criticisms about the operations of the Industrial Court are healthy as we continue to develop as a nation fifty-seven (57) years after attaining independence, what I will not accept is that someone can stand and say publicly that “there is corruption, the Union is in co-hoots with the Industrial Court and the going price is seventy-five thousand dollars”. Those types of comments are disturbing, they are alarming and simultaneously sad. Sad because it shows a lack of understanding of the work of the Industrial Court and also because they are direct attacks on the integrity of the institution.

If the popular view is that there is need to look at the Industrial Court – with a view to implement reform, to strengthen it, to change it, to change it to adapt to the times, to amend the laws, to adopt different procedures or to remove it entirely, then that is a very healthy debate with which I think the public is entitled to be engaged.

However, when the criticism impugns the integrity of the Judges and staff of the Court – that is not only sad but dangerous and disingenuous. I have said in the past that when we criticise, we have to be very careful that we do not dismantle institutions.

I will repeat my statement that “in seeking to advance the arguments regarding the orientation of the Court that have been put forward, it is critical that we also take stock of the importance of independent institutions. Constructive criticism is always welcomed but an overarching concern is that the boundary between criticising and seeking to influence outcomes may become blurred far too often and far too quickly. This, we must all guard against. One may disagree with some rulings of the Court, but to seek to impugn its impartiality, its integrity or to diminish the importance of its role and function, is simply not the way to go.”



It is noteworthy, that former Prime Minister, Dr. Eric Williams, in the 1960s lamented the numbers of strikes, lock outs and sit outs and some cases violence which characterised the industrial relations landscape of this country at the time. Dr. Williams and the government of the day, thought that it was wise to establish a regulatory framework to resolve disputes in a formal setting instead of the informal setting where Unions and employers resolve issues on their own. As a result, the Industrial Court was established 54 years ago. The regulatory framework which was established acknowledged the need to balance the competing interests of employers, workers, and trade unions within the broader framework of the national interest to prevent strikes, lockouts and industrial unrest that would impede productivity and economic growth.

That was 54 years ago, presently, it may well be that the prevailing view is that there is no need for the Industrial Court and that unions and employers should return to the model which existed in the 1960s where unions and employers resolved issues on their own. Whatever is contemplated or conceptualized for a new industrial relations framework in Trinidad and Tobago, we the members of the Industrial Court will accept and embrace it. However, until a new framework is fashioned, the Judges of this Court will collectively continue to uphold the principles of good industrial relations without fear or favour, malice or ill will.

No system is perfect. In fact, each system reflects societal norms at a given time. In my view, Courts are not designed to create a perfect system. Courts are designed to remove injustice, they are designed to protect citizens from injustice. The Industrial Court as I said in the past, will continue to uphold and adhere to international best practices in the workplace. We will not support practices which are contrary to the principles of good Industrial Relations in Trinidad and Tobago. We certainly will not subscribe to the flagrant abuse and violation of the rights of any one of the social partners. We will continue to be steadfast in our duty to contribute to the national efforts for realising social justice and inclusive, equitable growth to improve the quality of life of all citizens.

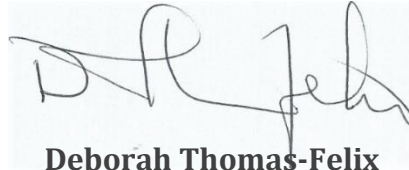
This is the time for the social partners to stop the finger pointing and the blaming and to assist in taking this country forward. It is important to recognise that we are all doing different jobs for the same common purpose, which is, to assist in the sustainable development of Trinidad and Tobago.

I urge that stakeholders not forget that the employers, the workers and the unions have an underlying common purpose, which is, to ensure the success of businesses, so that employees can get decent wages and pensions and business owners can make profits while they both simultaneously assist in the building and development of the economy. This common purpose can only be successful in an atmosphere of collaboration, tripartism and mutual respect; as the African saying goes “one head cannot hold all wisdom”.



As we begin a new law term I reaffirm my commitment to the ideals and the tenets of the Industrial Court resolute in my love for this country and resolute in my love for all its people.

May God bless you all and thank you for listening.

A handwritten signature in black ink, appearing to read 'D. Thomas-Felix', is centered on the page. The signature is written in a cursive style with a large initial 'D'.

**Deborah Thomas-Felix**

PRESIDENT

## JUDGES OF THE INDUSTRIAL COURT OF TRINIDAD AND TOBAGO



*Seated from left:*

His Honour Mr. Patrick Rabathaly, His Honour Mr. Herbert Soverall (Vice President), Her Honour Mrs. Deborah Thomas-Felix (President), His Honour Mr. Lawrence Achong (Chairman, Essential Services Division)

*First Row Standing from left:*

Her Honour Mrs. Indra Rampersad-Suite, Her Honour Mrs. Wendy Ali, Her Honour Mrs. Janice Christopher-Nicholls, Her Honour Mrs. Heather Seale, Her Honour Ms. Bindimattie Mahabir

*Second Row Standing from left:*

His Honour Mr. Gregory Rousseau, Her Honour Mrs. Jillian Bartlett-Alleyne, His Honour Mr. Roger Jugmohan, Her Honour Ms. Elizabeth Solomon, His Honour Mr. Vincent Cabrera, Her Honour Ms. Michelle Ann Austin

*Back Row from left:*

His Honour Mr. Melvin Daniel, Her Honour Mrs. Angela Hamel-Smith, His Honour Mr. Kyril Jack, His Honour Mr. Neil A. Mohammed, His Honour Mr. Morton Mitchell, His Honour Mr. Azeem Mohammed, His Honour Mr. Andrew Stroude

*Missing:* Her Honour Mrs. Sandra Ramparas, Her Honour Mrs. Kathleen George-Marcelle

## REGISTRARS AND COURT ADMINISTRATOR OF THE INDUSTRIAL COURT OF TRINIDAD AND TOBAGO



Mr. Noel Inniss, Registrar and  
Mrs. Kathy-Ann Alexander-Fraser, Assistant Registrar



Mrs. Youland Robinson, Court Administrator

## ADMINISTRATION

For the period under review, the limited resources available to manage the Industrial Court's day to day operations have slowed our ability to build a well-functioning e-Court system. The Court is still working on selecting the best possible Judicial Enforcement Management Software that will capture all our prerequisites.

### REGISTRY

The Registry Department continues to fulfil its mandate to provide critical support to the Court. Resources are still limited but the Department continues to improvise amidst these challenges. Restructuring of the Registry is still ongoing. Most times we do not have a full complement of staff due to promotions and acting appointments throughout the public service.

### INFORMATION TECHNOLOGY

In this report, the Information Technology (IT) Department which comprises of two (2) staff members, will present the key achievements and contributions over the past year. We will highlight major projects such as email portal for stakeholders, expansion of servers and data security.

#### Implementation of an Email Portal

This year, one of the notable achievements of the IT Department was the successful implementation of an email portal designed to enhance collaboration and streamline communication between stakeholders and the Registry Department. The introduction of this email portal marked a significant milestone in improving the efficiency and effectiveness of information exchange.

The implementation of the email portal meant that stakeholders now had a convenient and secure platform to send additional information such as sound files or video clips directly to the Registry Department. This capability has greatly facilitated the submission process, allowing stakeholders to provide supplementary materials that were previously cumbersome to transmit.

Furthermore, the usage of the email portal has contributed to improved stakeholder satisfaction and engagement. The enhanced communication channel has fostered closer collaboration between stakeholders and the Registry Department, promoting a seamless exchange of information and fostering a stronger sense of partnership.

### Expanding Storage Capacity

Another significant achievement of the IT department was the successful expansion of the Court's storage capacity with the installation of additional Network Attached Storage (NAS) at the Port of Spain branch. This infrastructure upgrade marked a major turning point in enhancing the reliability, scalability, and performance of our IT systems.

This increase in the number of NAS at our Port of Spain branch has significantly enhanced data storage capabilities and accessibility. NAS provides a centralized storage solution that is directly connected to the network, enabling seamless and efficient data sharing and retrieval across the organization. This has facilitated better collaboration, data backup, and disaster recovery capabilities, leading to improved operational resilience.

### Daily Offsite Data Replication

This year the IT Department was also successful in the implementation of daily offsite data replication. This proactive measure ensures the continuous protection and availability of our data by creating regular copies in an offsite location.

By implementing daily offsite data replication, we have significantly enhanced our data resilience and disaster recovery capabilities. This practice safeguards our valuable information from unforeseen events or disruptions that could impact our primary data storage.

The implementation of daily offsite data replication reinforces our commitment to data integrity, business continuity, and the protection of sensitive information. It provides peace of mind knowing that our data is continuously safeguarded and can be efficiently restored, enabling us to quickly resume operations in the face of any unexpected events or emergencies.

The specialized nature of the software ensures that court files are effectively organized, reducing the risk of misplacement or delays in accessing crucial legal documents. With this system in place, we have experienced enhanced efficiency and productivity in handling court cases and providing timely information to relevant parties.

### Upcoming Projects

- Launching an intranet within the court is crucial for establishing efficient communication channels, promoting collaboration, streamlining processes, fostering knowledge sharing, and enhancing employee engagement. It ultimately contributes to a more efficient, informed, and cohesive court environment, benefitting both the staff and the overall functioning of the court.

- Equipping all courtrooms with projectors and screens will contribute to improved communication, transparency, efficiency, and the effective presentation of evidence if needed.

### Challenges

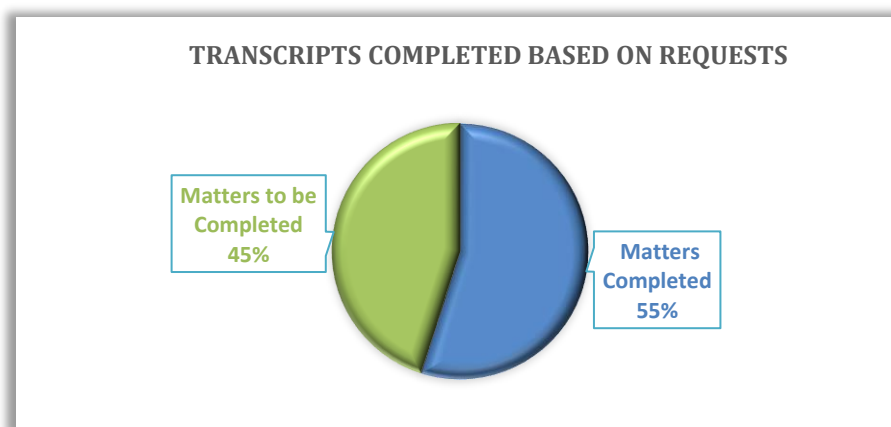
We have encountered financial challenges in our pursuit of achieving the set goals. These challenges have posed constraints on our ability to fully realize our objectives within the desired timeframe.

### COURT REPORTING

The Court Reporting Unit has had a perennial shortage of court reporters which has resulted in delays in the delivery of transcripts. At the Port of Spain branch, the Verbatim Reporting Section utilized the services of five retired Verbatim Reporters and one Stenographer to assist in the transcription of notes. In addition, one Transcriptionist was engaged. At the San Fernando branch, two retired Verbatim Reporters I were engaged. In the CAT Reporting Section, the CAT Reporter I vacancy was filled.

Over the review period, the Court Reporting Unit received two hundred and thirty-three (233) requests for transcripts. Of those, one hundred and twenty-eight (128) were completed. The table and chart below show a breakdown of the number of transcripts completed based on requests.

	No. of Transcripts Requested	No. of Transcripts Completed	No. of Transcripts To be Completed
<b>CAT Reporting</b>	88	60	28
<b>Verbatim Reporting</b>	145	68	77
<b>TOTAL</b>	<u>233</u>	<u>128</u>	<u>105</u>





## LIBRARY AND INFORMATION SERVICES

### SERVICE IMPROVEMENTS FOR USERS

The Library in its attempt to realize its vision to support the initiatives of the Industrial Court of Trinidad and Tobago, a superior Court of record and a critical institution of social justice in Trinidad and Tobago, has continued to work on the following service improvements for our users.

- Entering the meta-data and uploading the full text of cases, which were ruled upon in the Industrial Court and taken to the Court of Appeal, into our fee based “Judgment” database. The Library is working in partnership with the Legal Department to procure the appropriate Appeal judgments. Updating the print collection (1965 – to present) of relevant Appeal and High Court cases is also ongoing.
- Producing a main topic listing on all the 2018 and 2017 judgments delivered (both oral and written), which is eighty percent (80%) and sixty percent (60%) complete, respectively. It will be made available to the public via the Court’s website.
- Assiduously updating and working on making an e-copy of the Library’s comprehensive index of subject terms for the judgments of the Court.

Additionally, we have:

- Edited, indexed, and uploaded over one hundred (100) newspaper articles in the Library’s Information Files collection.
- Either uploaded the full text, created meta-data or composed judgment summaries for over one hundred and twenty (120) cases in our subscription “Judgment” database.
- Started using the “Gimlet” database to enter and store past queries digitally. The database’s intuitive searching features, makes the time taken to retrieve the responses/answers to previous requests very short, this should translate to a reduced waiting period for library customers.

### SPECIAL PROJECTS

Given its mandate to produce high quality library services, to meet the information needs of its internal and external users, the Library actively undertook the following special projects.

- Researched and produced a dossier of newspaper clippings between the years 2016 – 2019, where the public statement was made that the Court seemed to be ruling in favour of labour.



- Participated in the preliminary stages of the standardization of judgment topic descriptors for the Court.
- Researched and created selected annotated bibliographies on “Labour Day”, “World Day for Safety and Health at Work” and “World Day of Social Justice”.
- Prepared and submitted to the Director of Research, a comprehensive listing of Judgments Delivered at the Court for the period “1st October, 2017 – 30th September 2018 for its inclusion in the annual bulletin “Trends in Labour and Industrial Relations”.
- Hosted, exposed and trained two (2) secondary school interns about law library practices for one (1) week, as part of the Court’s “World of Work 2019” initiative.
- Analyzed all written and oral judgments delivered by the Court within the period (2015 – 2019) inclusive, to quantify the annual percentage of cases that went in favour of either the employer or the union.
- Participated in an in-depth question and answer session pertaining to the operations of the Industrial Court Library, to assist a “Hugh Wooding Law School” librarian who was using the Court Library as a case study.

## OUTREACH

Further, some engagement of the Library’s clients and the Court’s stakeholders was done via outreach initiatives, namely:

- Displays - Industrial Relations (A-Z) Topic Display (ongoing)  
The subjects completed were Fair Hearing, Guiding Principles of Good Industrial Relations Practices, Fixed Term Contracts, Abandonment of Job, Absenteeism (excessive), Demotion, Bankruptcy & Receivership, Bias in Appointment/Bypassed for Promotion, Health and Safety in the Workplace and In Limine.
- LABOUR DAY presentation.
- South Court 14th Anniversary Display.
- Library Tour for “Arthur Lok Jack” Industrial Relations students.

## HIGHLIGHTS

- Earned one hundred and ninety-nine thousand and four hundred dollars (\$199,400.00) solely from subscriptions to the Library’s “Judgment” database.
- The Library at the Port of Spain branch successfully re-opened its doors to the public on 17th September 2018. This was accomplished after clean up, repairs to sections of the ceiling and re-shelving of the law journals and monographs, which were damaged or in a disarray because of the 6.9 earthquake that struck Trinidad and Tobago on 21st August, 2018.

## STATISTICS

What does the statistics say about our performance? What type of resource is most popular and who are our main users?

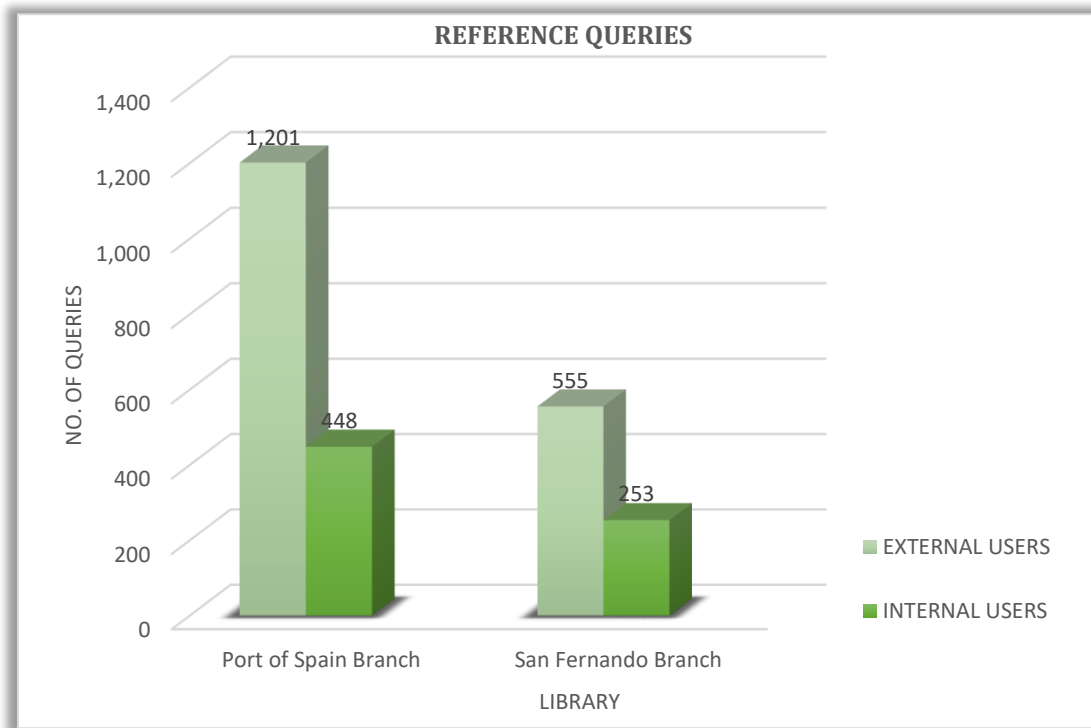


Figure (1)

Figure 1 above shows the number of internal and external users at the Port of Spain and San Fernando branches of the Library. Consistent with the trend over the past years, the largest group of users was external clients. This group of users was made up of trade union members, industrial relations practitioners, members of the public, Court libraries, private businesses, statutory organizations and government ministries. Notably, there was a fifteen percent (15%) and an eleven percent (11%) increase in the number of external and internal queries, respectively, recorded by the San Fernando branch as compared to last year.

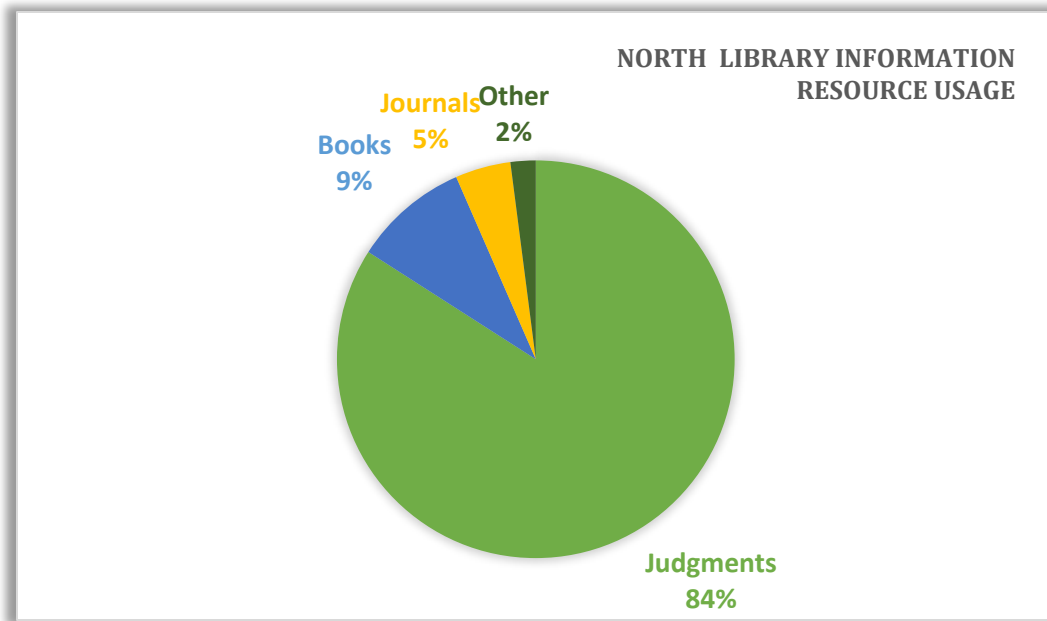


Figure (2)

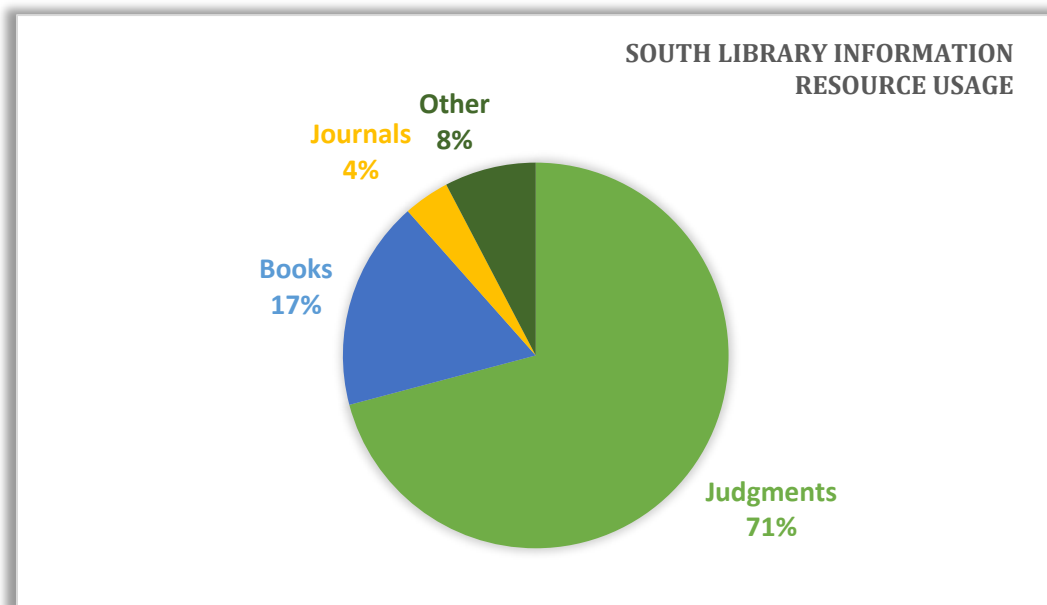


Figure (3)

Figure 2 and 3 display the type of resources used by stakeholders. The judgments of the Court, the heart of the library's collection, continued to be the most used resource followed by Books.

## **STAFFING**

The Port of Spain branch welcomed the temporary re-assignment of the Library Assistant I from the Office of the Attorney General to the Industrial Court team on 19th September 2019.

The San Fernando branch is still without its full complement of staff.

## **CONCLUSION**

To paraphrase John Muir: sometimes it is not necessary to reinvent the wheel, what is simply needed is to work on making it better than anyone else.

This saying reflects the Library's continuous and strenuous efforts to improve its user services in order to meet the legal information needs of its clients and become the premier repository of Industrial Court judgments.

## ECONOMIC AND INDUSTRIAL RESEARCH

During the review period, the Office of Economic and Industrial Research (OEIR), which was constituted by section 82 of the Industrial Relations Act, Chapter 88:01, maintained its commitment to support the Court in the exercise of its stated purpose - "to better provide for the stabilisation, improvement and promotion of industrial relations in Trinidad and Tobago." To this end, the OEIR, drawing on its strengths as an effective, reliable team, continued to manage all research requests and orders of the Court.

For the period under review, the OEIR accomplished the following:

- Three (3) Research Notes - inclusive of a job for job comparative analysis of basic pay based on surveys in relevant industries, requested by the Court to inform the determination of trade disputes arising from a breakdown in negotiations, namely:
  - Trade dispute No. GSD-TD 520/2017 between Oilfields Workers' Trade Union and the University of Trinidad and Tobago for the bargaining period 1 December 2014 to 30 November 2017 to 2020, on behalf of monthly paid Bargaining Unit I. A two-part Research Note, which covered forty-six (46) unresolved articles to facilitate the conciliation process.
  - Trade dispute No. GSD-TD 344/2018 between Banking Insurance and General Workers' Union (BIGWU) and A. V. Knowles & Company Ltd. for the bargaining period 1 January 2018 to 31 December 2020, on behalf of monthly rated employees of Bargaining Units (BUs) I, II and III.
  - Trade dispute No. GSD-TD 582/2016 between Banking Insurance and General Workers' Union (BIGWU) and The Ministry of Foreign and CARICOM Affairs and The Chief Personnel Officer, with regard to the payment of Housing Allowance owed in the sum of \$54,000.00 on 31 October 2015.
- Publication entitled An Analysis of Wages and Salaries Extracted from Collective Agreements Registered in 2018. This report presented the findings of analyses of data and trends in wage settlements negotiated through the collective bargaining process across subsectors, including a three-year comparative review. The analysis centered around the fifty-four (54) Collective Agreements registered at the Court in 2018.
- Publication entitled An Analysis of Cost of Living Allowances (COLA) Extracted from Registered Collective Agreements for the year 2018. This report analysed the modal COLA negotiated on behalf of employees for specific bargaining periods, by sub-sector, identifying trends from comparative analysis of COLA for consecutive years.
- Analysis of fifty-nine (59) Collective Agreements received by the Court for registration. These Agreements were analysed for conformance with the relevant pieces of legislation, that is, Section 43 of the Industrial Relations Act (IRA), Chapter 88:01, in the main, and other relevant industrial relations legislation.

- Publication entitled *An Analysis of Percentage Pay Increases Extracted from Registered Collective Agreements for the Period 2012 - 2017, with a Focus on Union Representation and Sub-sector*. This report sought to determine whether there was any correlation between the wage increase, the sub-sector in which the company operated and the union involved.
- *Details of Pecuniary Allowances Extracted from Collective Agreements registered in 2016, by sub-sector*. This represents the ongoing development of a database of selected allowances negotiated on behalf of employees, as part of their terms and conditions of employment for the bargaining period. The analysis from the forty-three (43) Collective Agreements registered in 2016 allows a comparison of allowances among companies and includes, inter alia, the sub-sector, the union involved and is further categorized into public and private sectors.
- *Compilation of statistics on the number of disputes filed and disposed inclusive of judgments delivered at the Court for the period 15th September 2018 to 14th September 2019*. (Refer to Appendix C)

The demand for the services of the OEIR has increased considerably over the years, as the Department continued to cater to the needs of a wide cross-section of internal and external stakeholders, for its publications and customised research material. For the year in review, the Department has responded to enquiries from approximately one hundred and thirty-nine (139) clients, compared with one hundred and four (104) clients, a 34% increase, from the year before. Clients have accessed approximately six hundred seventy-six (676) documents and publications in comparison with approximately four hundred (400) such materials, a 69% increase, over the corresponding period in the previous year. The OEIR has also made presentations about its role and functions to several academic groups during their fact-finding visits to the Court.

## **CHALLENGES**

The Court, beset by the realities of the domestic recessionary climate, continued to function despite financial cutbacks in several areas, over the past year. The effects of these resource constraints continued to impact the execution of our daily operations. The ongoing issue of limited space in the Department remained a factor, compounded by the occurrence of mites and mould in the office, which sought to disrupt the flow of work. In addition, the lack of a heavy-duty binder coupled with limited in-house capabilities to bind voluminous research publications, essayed to militate against the timely production of deliverables from the Department. This notwithstanding, the OEIR, with a steadfast resolve, managed to surmount these obstacles to deliver on its Work Programme in a timely manner.

The implementation of the Department's Training Plan was stymied yet another year. Nevertheless, three (3) staff members benefitted from training offered by the Public Service Academy.

### **PROJECTIONS FOR THE NEXT YEAR, 2019 - 2020**

The implementation of its annual Work Programme will remain the focus of attention for the OEIR, together with the provision of dedicated service to its stakeholders, in the coming year. Apart from requests from the Court for Research Notes, major deliverables which could be expected include:

- Annual Bulletin on Trends in Labour and Industrial Relations 2019
- An Analysis of Wages and Salaries 2019
- Analysis of the Cost of Living Allowances 2019
- Details of Pecuniary Allowances Extracted from Collective Agreements Registered in 2018
- An Analysis of Percentage Pay Increases Extracted from Registered Collective Agreements for the Period 2013 - 2018.
- Analysis of Industrial Relations Offences (IROs) 2013 - 2017 extracted from GEMS
- Ongoing development of a formal database of labour and industrial relations information



## HUMAN RESOURCE MANAGEMENT

The Human Resource Management Unit (HRMU) ensures that the Court's most valuable assets, its employees, is nurtured and supported by fostering a positive work environment through effective employee – employer relations. The members of the HRMU are focussed on adding value to the strategic utilization of employees and ensuring that employees are impacting the Court's business in a positive and measurable way.

### STAFFING

There is a total of one hundred and sixty-three (163) positions at the Industrial Court. Of these positions twenty-six (26) are Members (Judges), one hundred and twenty-one (121) are established positions and seventeen (17) are contract positions. The breakdown is as follows:

#### Members (Judges) – 26

<b>President</b>	1
<b>Vice President</b>	1
<b>Chairman, Essential Services Division (ESD)</b>	1
<b>Members*</b>	19

\*There are three (3) Members who have received their Instrument of Appointment from the President of the Republic of Trinidad and Tobago but are yet to assume duties. Further, there are four (4) vacant positions.

#### Established positions – 121

<b>Positions Not Vacant</b>	51
<b>Vacant Positions</b>	70
<b>Amount of vacant positions with acting Incumbent</b>	46
<b>Vacant positions without incumbents*</b>	24

\*It should be noted that fifteen (15) of these positions are Verbatim Reporter I. The Service Commissions Department (SCD) is unable to obtain persons with the necessary qualifications. Five (5) of these positions are Cleaner I which were outsourced by The National Maintenance Training and Security Company Ltd. (MTS).

#### Contract positions – 17

<b>Positions not Vacant</b>	10
<b>Vacant Positions</b>	7

## PROMOTIONS AND APPOINTMENTS

During the period, promotions were made in the following offices by the Director of Personnel Administrator (DPA):

▪ Executive Secretary	1
▪ Clerk Typist I	2
▪ Clerk I	1
▪ Director, Office of Economic and Industrial Research	1

Acting Appointments were done with respect to the following offices by the DPA:

▪ Accounting Executive I	1
▪ Clerk Stenographer IV	1
▪ Accountant I	1
▪ Accounting Assistant	2
▪ Orderly	2
▪ Office Assistant	1
▪ Bailiff I	2
▪ Registrar	1

## DELEGATED AND DEVOLVED FUNCTIONS

The HRMU also performs delegated functions for the Public Service Commission (PSC) and devolved functions for the Chief Personnel Officer (CPO). These functions include further temporary officers, acting appointments, No pay leave, Extended sick leave, Noting of Retirement and Configuration of Appointment. A breakdown of the figures completed during the period under review is as follows:

▪ Further temporary appointment	117
▪ Acting appointment	202
▪ Noting of Retirement	5
▪ No pay leave	2
▪ Extended sick leave	20
▪ Confirmation of appointment	4
▪ Maternity leave	1

## PERFORMANCE MANAGEMENT AND APPRAISAL SYSTEM

Performance Appraisal is a crucial component in the assessment of officers. They are critical to officers who are in line for promotion, appointment, completion of appointment and processing of increments.

The HRMU has forwarded one hundred and seven (107) performance appraisal reports to the relevant supervisors for completion, however, eighteen (18) are still outstanding. Sixty-one (61) increments for officers were processed during the period.

### **TRAINING AND DEVELOPMENT**

The HRMU acknowledges that Training and Development is a vital tool to equip officers of the Court with necessary knowledge, skills and abilities to perform their duties. Despite the financial challenges, the HRMU continues to source training from the Ministry of Public Administration (MPA) through the Public Service Academy. During the period in review, twenty-six (26) persons were recommended for training to the MPA; twenty-two (22) were selected, four (4) were not selected, nineteen (19) attended and three (3) did not attend for various reasons. The training administered were:

- Strategic Management of Executive Development Programme for Public officers from – 19<sup>th</sup> September, 2018 to 21<sup>st</sup> September, 2018, 17<sup>th</sup> January, 2019 and 22<sup>nd</sup> July, 2019 to 23<sup>rd</sup> July, 2019;
- Introduction to Ethics and Values – 9<sup>th</sup> September, 2018 to 10<sup>th</sup> October, 2018;
- Human Resource for Non – HR professionals – 16<sup>th</sup> October, 2018 to 18<sup>th</sup> October, 2018;
- Office Etiquette for Administrative Support – 27<sup>th</sup> November, 2018 to 29<sup>th</sup> November, 2018;
- Training needs Analysis – 17<sup>th</sup> January, 2019;
- Ethics, Accountability for Good Governance – 3<sup>rd</sup> June, 2019 to 4<sup>th</sup> June, 2019;
- Modernisation and Standardisation of HRMU – 24<sup>th</sup> June, 2019 to 25<sup>th</sup> June, 2019;
- Communication for Effective Customer Service – 3<sup>rd</sup> July, 2019 to 4<sup>th</sup> July, 2019;
- Supervisor Management – 9<sup>th</sup> July, 2019 to 11<sup>th</sup> July, 2019; and
- Responding to Parliament Committee Queries – 18<sup>th</sup> July, 2019.

Voice Writing training commenced on February 2019 for the CAT Reporter I by the Senior CAT Reporter for certification at 180 words per minute. This was completed via Realtime Coach which is the body used by National Court Reporters Association (NCRA) for certification purposes. This is a new initiative in the CAT Reporting Section and it is being used in the Third Court and the Essential Services Division (ESD) Court.

### **EMPLOYEE ASSISTANCE PROGRAMME**

This is a confidential workplace service that is free for and available to all employees. It provides a safe space for employees to deal with work/life stresses, family issues, financial concerns, relationship problems and even drug abuse. During the period, three (3) members of staff accessed the programme.

**ON-THE-JOB TRAINING and WORLD OF WORK PROGRAMME**

The HRMU is interested in the development of our youth in the nation. The On-The-Job Training Programme (OJT) assists in the induction of participants in the world of work and focus on the acquisition of practical occupation skills. These trainees are paid by the Ministry of Labour and Small Enterprises Development. During the year in review, we received twelve (12) OJTs who were assigned to various departments.

Additionally, we received two (2) interns from the World of Work Internship Programme from St. Francois Girls' College. This Programme affords form four students the opportunity to participate in a two-week World of Work Internship. The students learn to develop a nexus between the world of study and the world of work.

**CONCLUSION**

The HRMU continues to work with all Departments including our external customers and Ministries for the achievement of the Court's goals and objectives.

## FINANCIAL REPORT

The Exchequer and Audit Act, Chapter 69:01, Financial Regulations Part 1, Paragraph 4 states that An Accounting Officer shall be responsible for ensuring:

- (a) That the financial business of the State for which he is responsible is properly conducted: and
- (b) That public funds entrusted to his care are properly safe-guarded and are applied only to the purposes intended by Parliament.

The Accounting Officer is head of the Accounts Department which he/she is responsible for ensuring that the proper system of accounting as prescribed by the Treasury is established and maintained by exercising supervision over the receipt of public revenue, guaranteeing its punctual collection and bringing promptly to accounts under the proper heads and sub-heads, whether as revenue or other receipts, all moneys for which he is accountable. His/her responsibility is also to ensure that all disbursements of the State are charged in the accounts under the proper head and sub-heads of the Estimates or other approved classifications by exercising strict supervision over all officers under his authority entrusted with the receipt and expenditure of public moneys, and to take precautions, by the maintenance of efficient checks, against negligence and fraud.

It is important to note that the following Sub Accounting Units are also managed by the Industrial Court.

- (a) Environmental Commission***
- (b) Public Service Appeal Board***
- (c) Tax Appeal Board***
- (d) Equal Opportunity Tribunal***

### REVENUE

The Revenue collected by the Industrial Court for the period October 2018 to September, 2019 is detailed as follows:

▪ Sale of Publications	\$ 274,781.25
▪ Fines	\$ 286,500.00

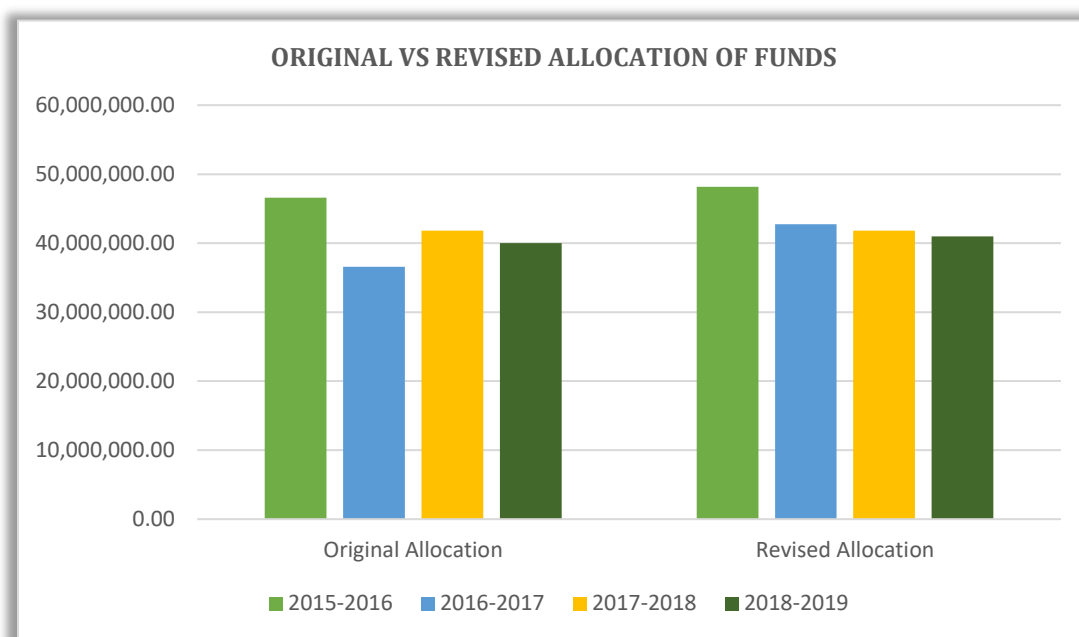
Fines are imposed on Companies and Unions which are found guilty of Industrial Relations Offences and breaching the Occupational Safety and Health Act (OSHA). There was an increase in Fines collected over the same period in the previous financial year.

## RECURRENT EXPENDITURE

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 30<sup>th</sup> September 2017 by January 31<sup>st</sup> 2018.

The final report of the Appropriation Accounts of Recurrent Expenditure and Statement of Receipts and Disbursement for the Industrial Court was prepared and submitted to the Auditor General and Comptroller of Accounts in a timely manner.

The Allocation and Expenditure of Funds for the Financial Year 2018 -2019 as at 30<sup>th</sup> September, 2019 are illustrated as follows:



Sub Head	Original Allocation \$	Revised Allocation \$	Expenditure \$
<b>Personnel Expenditure</b>	23,700,000.00	23,407,400.00	22,182,606.25
<b>Goods and Services</b>	16,100,000.00	17,468,600.00	14,599,546.68
<b>Minor Equipment</b>	200,000.00	124,000.00	70,654.03
<b>TOTAL</b>	<b>40,000,000.00</b>	<b>41,000,000.00</b>	<b>36,852,806.96</b>

## DEVELOPMENT PROGRAMME

For this fiscal year October 01, 2018 to September 30, 2019, the Industrial Court received an allocation of \$1,000,000.00 to meet expenditure under *Improvement works and Furnishing of the Industrial Court*, which was subsequently transferred to other votes to meet expenditure that was incurred. In addition, the Court received \$500,000.00 under *Accommodation for Tobago Office of the Industrial Court*, of which \$182,812.50 was used to pay NIPDEC for renovation and construction work at Sandy Hall Building, Tobago. No funds were provided under *Computerisation of the Industrial Court*.

### Allocation of Expenditure of Funds for Financial Year 2018/2019 Development Programme

Sub Head	Sub Unit	Original Provision \$	Expenditure \$
<b>Administrative Services</b>	Computerisation of the Industrial Court	0.00	0.00
<b>Public Buildings</b>	Improvement Works and Furnishing of the Industrial Court	1,000,000.00	0.00
<b>Public Buildings</b>	Accommodation for the Tobago Office of the Industrial Court	500,000.00	182,812.50
<b>TOTAL</b>		<b>1,500,000.00</b>	<b>182,812.50</b>



## INTERNAL AUDITOR'S REPORT

The Internal Audit Unit of the Industrial Court endured that an approved Plan of Works was provided to the Registrars of the Industrial Court, the Tax Appeal Board, the Environmental Commission, the Equal Opportunity Tribunal and the Secretary of the Public Service Appeal Board.

The ongoing exercises were under taken as follows:

- Application for Credit on the Exchequer Account
- Pension and Leave Records
- Vouchers relating to Previous Years Payments
- Increment Certificates
- Application for Contract Gratuity
- Emolument Statements in respect of retiring Members
- Special Assignments (Equal Opportunity Tribunal - Disposal of unserviceable articles audited on January 25, 2019.)

During the fiscal year 2018/2019, two (2) new positions were added to the Internal Audit Unit, the positions of Auditor II and Auditing Assistant. There are now five (5) positions with four (4) officers being appointed to act.

The Sub-Accounting Units now have a full complement of staff but the Auditing Unit is still experiencing difficulty in obtaining records and documents when requested for verification.

The Internal Audit has been able to complete more than ninety percent (90%) of the work program on the approved Work Plan for fiscal 2018/2019.

## VISIT FROM THE CHIEF JUSTICE OF THE BAHAMAS



In August 2019, Vice President of the Industrial Court, His Honour Mr. Herbert Soverrall, welcomed the Chief Justice of the Bahamas, the Honourable Mr. Justice Brian M. Moree, and his delegation during a visit to the Industrial Court of Trinidad and Tobago.

The Bahamas delegation visited the Industrial Court to conduct a study tour of the automated case management systems utilised at the Court and to identify best practices and lessons learnt to improve the functionality of an Integrated Court Management System

which is to be developed for the Supreme Court in the Bahamas. After a briefing on the operations of the Court from the Vice President, the delegation was treated to a tour of the video conference rooms, the electronic kiosk and display screens, and the court reporting technology in the courtrooms.



In addition to the Industrial Court of Trinidad and Tobago, the Honourable Chief Justice Mr. Brian M. Moree and his delegation conducted study tours at the Judiciary of the Republic of Trinidad and Tobago and the Caribbean Court of Justice.



*Seated from left:* the Honourable Bernard Turner, Justice of the Supreme Court, Judiciary of the Bahamas; Chief Justice of the Bahamas, the Honourable Mr. Justice Brian Moree; His Honour Mr. Herbert Soverall, Vice President of the Industrial Court (IC) and the Honourable Ian Winder, Justice of the Supreme Court, Judiciary of the Bahamas

*Standing from left:* Mrs. Youland Robinson, Court Administrator, IC; Mr. Henryk Montygierd, Consultant, Inter-American Development Bank (IDB); Dr. Dorcas Cox, Project Coordinator, IDB; Ms. Camille Darville-Gomez, Registrar for the Supreme Court, Judiciary of the Bahamas; Mrs. Kathy-Ann Alexander-Fraser, Ag. Registrar, IC; Mr. Drazen Komarica, Information Technology Consultant, Bahamas; Dr. Sandra Dean Patterson, Director of the Crisis Centre, Bahamas and Mr. Vernal Collie of the Office of the Director of Public Prosecution, Bahamas.



## PUBLIC ENGAGEMENT AND EDUCATION



The Law Association of Trinidad and Tobago's Continuing Legal Education held a Seminar/Webinar on the Industrial Court of Trinidad and Tobago for young attorneys on the 16<sup>th</sup> October 2018.

His Honour Mr. Melvin Daniel dealt with the topic "*THE INDUSTRIAL COURT: More than a Court of Law: it is a Court of Industrial Common Sense*". In his presentation, he enlightened the upcoming lawyers on:

- The Jurisdiction of the Court
- The Functions of the Court
- The Membership and Structure of the Court
- The Definition of Trade Disputes
- Unfair Dismissal
- Retrenchment
- Industrial Relations Offences
- Interpretation of Applications
- Collective Agreements and Collective Bargaining
- The Services of the Library



On 25<sup>th</sup> October 2018, His Honour Mr. Morton Mitchell addressed participants on Health and Safety and Industrial Relations at AMCHAM's 22nd Annual H.S.S.E Conference and Exhibition held at the Hyatt Regency Trinidad. His Honour was among several international and local speakers in the area of Health and Safety, Security and the Environment

The Conference provided a platform for sharing information,

encouraging best practices and elevating national awareness, and attracted professionals, CEOs, technicians and human resource and industrial relations managers throughout the region.



(left to right) Ms. Diane Joseph, Chief Operating Officer, Co-operative Credit Union League of Trinidad & Tobago (CCULTT); Mr. Kerwyn Valley, CEO of KCL and Aspire Limited; His Honour Mr. Andrew Stroude; Ms. Natalie Willis, Permanent Secretary, Ministry of Labour and Small Enterprise Development; Mr. Joseph Remy, President, CCULTT and Mr. Wayne Cordner, Relationship Manager, Cuna Caribbean Insurance Society.

On 23<sup>rd</sup> January 2019, His Honour Mr. Andrew Stroude, Judge of the Industrial Court delivered the feature address at the Official Launch of the Calendar of Events 2019 of the Co-operative Credit Union League of Trinidad and Tobago (CCULTT).

His Honour addressed a cross-section of member credit unions' boards, committees and staff on the importance of continual growth and development as they help to create a culture of savings and investments among the membership.



(right to left) Facilitator - Ms Hilda Sanchez, ILO ACTRAV, Geneva; Mr. Emiliano Addisi, Regional Education Coordinator, International Transport Workers' Federation (ITF) Americas; Mr Vern Gill, President, St. Lucia Employers' Federation; Her Honour Mrs. Deborah Thomas-Felix and Ms Amanda Claribel Villatoro, Trade Union Policy and Education, Trade Union Confederation of the Americas (TUCA)

The International Labour Organization's (ILO) Bureau for Workers' Activities (ACTRAV) in coordination with the ILO Office for the Caribbean and Decent Work Team held a high-level sub-regional conference on "*The Future of Work We Want: Workers' Perspectives from the Caribbean*" from the 14<sup>th</sup> to the 15<sup>th</sup> February 2019.

The Conference brought together trade union leaders

and voices from UN agencies, academia, governments and employers from across the sub-region to discuss the profound transformations and challenges in the present and future world of work and how countries can develop appropriate strategies to face the expected changes.

On the second day of the Conference, Her Honour Mrs. Deborah Thomas-Felix, President of the Industrial Court of Trinidad and Tobago, was among a group of panellists to discuss the *“Challenges of effective governance in an increasingly globalized world: The role of Trade Unions.”* In her contribution, she highlighted some of the challenges trade unions face and some strategies they should consider for survival. She concluded that, “there can be no fair, equitable and inclusive future of work without trade unions effectively participating as an equal partner to social dialogue. How the trade union movement responds to today’s challenges and opportunities over the next few years will be crucial in determining their continued relevance, survival and overall level of influence”.



The International Labour Organization (ILO), through its Decent Work Team and Office for the Caribbean, in collaboration with the Ministry of Labour and Social Partnership Relations in Barbados, hosted the Eleventh ILO Subregional Meeting of Caribbean Ministers of Labour on the theme, *“Shaping a brighter future of work for the Caribbean”*. The Meeting

took place from 14<sup>th</sup> – 15<sup>th</sup> May 2019 in Barbados.

Her Honour Mrs. Deborah Thomas-Felix participated in this Subregional Meeting which celebrated the 100th Anniversary of the ILO and offered an opportunity for the Ministers of Labour to chart the way forward as they addressed issues around the Future of Work in the Caribbean.

The meeting was attended by heads of employers’ and workers’ organisations and Ministers of Labour from thirteen (13) ILO member States and nine non-metropolitan territories of the English-speaking and Dutch-speaking Caribbean.





His Honour Mr. Albert Aberdeen participated in the Pre-Conference Workshop hosted by The Ministry of Labour and Small Enterprise Development and the Division of Community Development, Enterprise Development and Labour of the Tobago House of Assembly in commemoration of the International Labour Organization's (ILO's) centenary year (1919 - 2019), on 16<sup>th</sup> July 2019, at the Cipriani College of Labour and Co-operative Studies, Tobago Campus.

The topic of the Workshop was The Governance of Work: - "Legislating the Decent Work Agenda" and the focus of His Honour Mr. Aberdeen's presentation was on the "*Exploration of Current Legislation Governing Work: Emerging Trends in Labour Relations*".



(left to right) Mr. Colin Bartholomew, Head of Department for Cooperative Studies Cipriani College of Labour and Cooperative Studies (CCLCS); Her Honour Mrs. Deborah Thomas-Felix, President of the Industrial Court; Professor Rhoda Reddock, Member of the International Committee for the Elimination of All Forms of Discrimination Against Women and Dr. Andre Henry, Director of CCLCS

On 10<sup>th</sup> August 2019, Her Honour Mrs. Deborah Thomas-Felix, President of the Industrial Court of Trinidad and Tobago, addressed participants at the Caribbean Workers Forum 2019 hosted by the Cipriani College of Labour and Co-operative Studies (CCLCS)/Elma Francois Institute for Research and Debate at the CCLCS' Valsayn Campus.

In a panel discussion with Professor Rhoda Reddock, Member of the International Committee for the Elimination of All Forms of Discrimination Against Women, Her Honour Mrs. Thomas-Felix discussed the theme "*Wealth, Productivity and Social Protection*" with a focus on social protection. The President drew attention to the disadvantaged and the vulnerable due to the socioeconomic realities of Trinidad and Tobago including those in the informal economy, those who have lost jobs due to retrenchment and migrants.

## APPOINTMENT OF MEMBERS



*(front row, from left)* HH Mrs. Indra Rampersad-Suite, HH Mrs. Deborah Thomas-Felix, President of the Industrial Court of Trinidad and Tobago, HH Ms. Wendy Ali. *(back row, from left)* HH Mr. Nizam Khan, HH Ms. Elizabeth Solomon, HH Mrs. Angela Hamel-Smith and HH Mr. Vincent Cabrera

In May 2019, five (5) new Members (Judges) were appointed by Her Excellency Paula-Mae Weekes, President of the Republic of Trinidad and Tobago, to the Industrial Court of Trinidad and Tobago. The new Members of the Court are:

**Her Honour Ms. Wendy Ali** who is an attorney-at-law, brings to the Court twenty-five (25) years of corporate law and senior management experience. Prior to joining the Court, she was the Chief Executive Officer at the North West Regional Health Authority. She has served on the executive of several state bodies including the National Insurance Property Development Company Limited (NIPDEC) and the National Insurance Board of Trinidad and Tobago (NIBTT). Her Honour Ms. Ali will preside as judge in the Essential Services Division.

**Her Honour Mrs. Indra Rampersad-Suite** is an attorney-at-law and a chartered accountant. She has served as State Counsel II in the Ministry of Finance, Inland Revenue Division since 2012 and has held several leadership positions over her twenty-four (24) year career at the Ministry. Her Honour Mrs. Rampersad-Suite will preside as a judge in the General Services Division.

**Her Honour Mrs. Angela Hamel-Smith** has over thirty-five (35) years of experience in the field of human resources and industrial relations. She was the Group Manager, Human Resource at Massy Limited for twenty (20) years and was also a member of the Industrial Relations Committee of the Trinidad and Tobago Chamber of Industry and Commerce. She



served on several boards including the Trinidad and Tobago Electricity Commission, the Statutory Authority Service Commission and the Government Human Resources Services Company. Her Honour Mrs. Hamel Smith will preside as a judge in the General Services Division.

**Her Honour Ms. Elizabeth Solomon** is a certified mediator and an attorney-at-law. She brings a wealth of experience in mediation and negotiations through her advisory and management work with international and regional organisations. Prior to joining the Industrial Court she served as the Executive Director at the Dispute Resolution Centre. She is a member of the board of the Mediation Board of Trinidad and Tobago, a Trinidad and Tobago representative for the Network of Women Mediators Across the Commonwealth and a member of the Unyoke Foundation for South Africa Peace Mediators Network. Her Honour Mrs. Solomon will preside as a judge in the General Services Division.

**His Honour Mr. Vincent Cabrera** has over forty-three (43) years of experience in industrial relations. Prior to his appointment as a member of the Court, he served as President of the Banking Insurance and General Workers Union, a position he has held for thirty-four (34) years, Labour Representative of the National Tripartite Advisory Council (NTAC), Labour Representative of the Industrial Relations Advisory Committee, Labour Representative of the International Labour Organisation (ILO) 144 Tripartite Committee and General Secretary of the National Trade Union Centre of Trinidad and Tobago. He is an adjunct lecturer at the Cipriani College of Labour and Co-operative Studies. His Honour Mr. Cabrera will preside as a judge in the General Services Division.



(from left to right) His Honour Mr. Herbert Soverall, Vice President; Her Honour Mrs. Deborah Thomas-Felix, President and Her Honour Mrs. Jillian Joy Bartlett-Alleyne

In July 2019, Her Excellency Paula-Mae Weekes appointed another Member to the Industrial Court, **Her Honour Mrs. Jillian Joy Bartlett-Alleyne**.

Her Honour Mrs. Bartlett-Alleyne who now presides as a judge in the General Services Division of the Court, served as General Secretary of the National Union of Government and Federated Workers (NUGFW) from 2011 to 2019. She held the position of President of NUGFW Women's Executive Committee and Executive Committee Member of the National Trade Union Centre. She is the Women's Titular for the Sub Caribbean Region of the Public Services International and a Member of the Caribbean Public Service Association's Education Committee.

**Congratulations to His Honour Mr. Herbert Soverall** who was appointed Vice President of the Industrial Court of Trinidad and Tobago. His Honour Mr. Soverall is an attorney at law and has been a Member of the Industrial Court for the past eighteen years.

## RETIREMENTS

**Mrs. Lilian Grace Cyrus-Harper** entered the Public Service on October 15, 1979 as a temporary Clerk I at the Customs and Excise Division, Ministry of Finance. She was given another appointment as Clerk I from November 1, 1979 to January 21, 1985, Ministry of Public Utilities. She worked at the Government Printery and General Post Office, Port of Spain.

Mrs. Cyrus-Harper was appointed as Clerk I, Ministry of Public Utilities with effect from November 22, 1985 and Clerk II, Office of the Prime Minister with effect from August 14, 2001 and Clerk III, Ministry of Public Administration on December 1, 2015.

She acted as Clerk IV, Administrative Assistant, Human Resource Officer I, Human Resource Officer II and Human Resource Officer III, Ministry of Public Administration during the period January 22, 1985 to August 9, 2017.

Mrs. Cyrus-Harper assumed duty at the Industrial Court on August 10, 2017 to act as Senior Human Resource Officer. She acted as Senior Human Resource Officer from August 10, 2017 to January 10, 2019. She was promoted as Clerk IV, Industrial Court with effect from April 1, 2019.

Mrs. Cyrus-Harper proceeded officially on vacation leave prior to retirement on January 11, 2019. She retired compulsory from the Public Service with effect from May 21, 2019.

Mrs. Cyrus-Harper served for forty (40) years in the Public Service including two (2) years at the Industrial Court.

**Mrs. Mahadai Harricharan-Samlal** entered the Public Service on August 16, 1978 as a temporary Clerk I at the Ministry of Works. She was appointed as Clerk I with effect from September 1, 1982 and promoted as Clerk II in the same Ministry with effect from December 30, 1991.

Mrs. Harricharan-Samlal was subsequently promoted as Clerk III, Ministry of National Security with effect from May 31, 2005 and was transferred to the Ministry of Education as a Clerk III with effect from April 1, 2006. There, she worked in different schools in the Victoria District from November 1, 2006 to January 9, 2010 and at the Victoria District Office from January 10, 2010 to September 30, 2014.

She was given an acting appointment as an Accountant I, Fire Service Division, Ministry of National Security from October 1, 2014 to October 4, 2015.

Mrs. Harricharan-Samlal assumed duty at the Industrial Court on October 5, 2015 to act as Accountant II. She acted as Accountant II from October 5, 2015 to August 31, 2017 and as Accounting Executive I from September 1, 2017 to December 5, 2019. She was retroactively promoted as Clerk IV, Industrial Court with effect from June 1, 2013.

Mrs. Harricharan-Samlal retired compulsory from the Public Service with effect from May 16, 2019. She served for thirty-nine (39) years in the Public Service including four (4) years at the Industrial Court.

**Ms. Beulah Dalrymple** entered the Public Service on April 14, 1981 as a temporary Clerk Typist I. She served in the Inland Revenue Department, Ministry of Finance. She was appointed as Clerk Typist I, Ministry of Health on October 8, 1985.

She acted as Verbatim Reporter I, Registration, Recognition and Certification Board from October 17, 1991 to October 28, 1991. Ms. Dalrymple assumed duty at the Industrial Court on October 29, 1991 to act as Verbatim Reporter I and was promoted as Verbatim Reporter I on March 14, 2006.

Ms. Dalrymple was granted leave of absence without pay on the Grounds of Public Policy to take up a contract as a CAT Reporter II and Senior CAT Reporter from November 11, 2011 to January 30, 2019.

Ms. Dalrymple retired voluntarily from the Public Service on January 31, 2019. She served for thirty-eight (38) years including thirty-two (32) years to date at the Industrial Court.

**Mrs. Eva Christopher-Stewart** entered the Public Service on July 5, 1983 as a Temporary Clerk Typist I at the Head Office, Ministry of Education. She began acting as Clerk Stenographer I/II with effect from July 29, 1985.

Mrs. Christopher-Stewart was given an acting appointment as Clerk Stenographer I/II, Office of the Prime Minister and she assumed duty there on April 27, 1988. She was subsequently promoted as Clerk Stenographer I and Clerk Stenographer II on December 14, 2001 and December 15, 2001 respectively.

She acted as Clerk Stenographer III, Public Service Appeal Board from April 2, 2004 to September 9, 2004 and at the Judiciary from September 10, 2004 to October 4, 2004.

Mrs. Christopher-Stewart was appointed to act as Verbatim Reporter I, Industrial Court from October 5, 2004. She was promoted as Verbatim Reporter I, Industrial Court with effect from March 23, 2006.

Mrs. Christopher-Stewart retired voluntarily from the Public Service with effect from March 27, 2019. She served for thirty-six (36) years in the Public Service including fifteen (15) years at the Industrial Court.

## LIST OF APPENDICES

**Appendix A** List of Acronyms

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**Appendix B** List of Tables and Charts

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**Appendix C** Statistics on Disputes

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# APPENDICES

**APPENDIX A**  
**LIST OF ACRONYMS**

<b>A</b>	Application
<b>ESD</b>	Essential Services Division
<b>EX-PARTE</b>	Heard in the Absence of One Party of the Dispute
<b>GSD</b>	General Services Division
<b>ICA</b>	Interpretation of a Collective Agreement
<b>IRA</b>	Industrial Relations Act
<b>IRO</b>	Industrial Relations Offence
<b>MPD</b>	Maternity Protection Dispute
<b>MWD</b>	Minimum Wages Dispute
<b>O</b>	Opinion
<b>OSHA</b>	Occupational Safety and Health Act
<b>OSHD</b>	Occupational Safety and Health Dispute
<b>PF</b>	Peremptory Fixture
<b>R</b>	Recognition
<b>RC</b>	Rescission of Contract
<b>RSBD</b>	Retrenchment and Severance Benefits Dispute
<b>ST</b>	Special Tribunal
<b>TD</b>	Trade Dispute

## APPENDIX C

### LIST OF TABLES AND CHARTS

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- Chart 5.2** Comparison of Matters Disposed by Category (North & South) – 2017/2018 and 2018/2019
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- Chart 5.5** Disposal Rate (North & South) – 2017/2018 and 2018/2019
- Chart 6.1** Percentage Change of the Total Number of Matters Disposed – 2015/2017 to 2017/2019

## APPENDIX C

### STATISTICS ON DISPUTES

#### INTRODUCTION

The Industrial Court of Trinidad and Tobago has been able to examine its data, which has been depicted in Appendix C using Tables and Charts. It is important to note, that disputes are disposed of in the following manner:

- Judgments; both oral and written;
- Ruling on preliminary points;
- By Conciliation;
- At the conclusion of bilateral discussions between the parties;
- A request by a party for leave to withdraw; and
- Dismissal of dispute

The data for the Industrial Court's fiscal year, that is, September 15, 2018 to September 14, 2019 includes statistics on disputes disposed of in both the North (Port of Spain Court) and South (San Fernando Court) branches of the Court; disputes relating to Tobago have been included in the North branch of the Court. The statistics include:

- The number of matters filed and disposed;
- The number of Judgments delivered;
- The number of disputes settled by conciliation;
- The number of matters disposed and method of disposal; and
- The percentage increase/decrease of matters filed and disposed over the periods 2014/2015 to 2018/2019.

For the period September 2018 to September 2019, **1310** new cases were filed at the Industrial Court, **137** cases more than those filed for the previous year, 2017/2018, which recorded 1173 cases. Additionally, the Court disposed of **845** matters which is **228** cases less than the **1073** matters disposed of for the same period in 2017/2018. The disposal rate in 2018/2019 is 64.5%, which is under 27 percentage points lower than the period 2017/2018 when the disposal rate was 91.5%. The 845 cases were disposed in the following manner: 185 judgments were delivered, 384 cases were withdrawn, 258 cases were settled through the conciliation and bilateral process and 18 cases were dismissed by the Court.<sup>1</sup>

Of the total matters filed at the Court for the year 2018/2019, Trade Disputes (**1020**) in both the General and Essential Services Division remain the largest number of cases filed followed by Retrenchment and Severance Benefits (**95**) and the Occupational Safety and Health (**55**) cases.

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<sup>1</sup> The Statistics given in the President Speech were provisional figures and have been amended to reflect the actual data for period under review.

A comparison of the periods 2015/2017 and 2017/2019 of matters filed revealed that there was a small increase of 0.7%. However, the percentage change in the disposal rate of 19.4% showed a minimal increase of matters being disposed bilaterally over the period 2017 to 2019 as compared to the period 2015 to 2017.

**TABLE 1.1: NUMBER OF MATTERS FILED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)  
FOR THE PERIOD 15th September 2018 to 14th September 2019**

YEAR	MONTH	TRADE DISPUTES	ICA	IRO	A	R	RC	O	RSBD	MWD	MPD	OSHA	ESD ICA	ESD IRO	ESD A	ESD	ESD MPD	ESD RSBD	ST	ST A	ST ICA	ST IRO	ST MPD	TOTAL FILED
2018	September	34	0	1	0	0	0	0	10	1	0	4	0	0	0	0	0	0	4	0	0	0	0	54
	October	98	0	8	2	0	0	0	7	2	1	2	0	2	0	18	0	0	4	0	0	0	0	144
	November	112	0	6	0	0	0	0	6	0	0	7	0	1	0	12	0	0	4	0	0	0	0	148
	December	167	0	4	0	0	0	0	4	1	1	1	0	0	0	7	0	0	0	0	0	0	0	185
	<b>Sub-Total</b>	<b>411</b>	<b>0</b>	<b>19</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>27</b>	<b>4</b>	<b>2</b>	<b>14</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>37</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>531</b>
2019	January	65	0	0	0	0	0	0	6	0	2	4	0	2	0	6	0	0	2	0	0	0	0	87
	February	72	1	3	0	0	0	2	17	0	1	5	0	0	0	6	1	0	1	0	0	0	0	109
	March	52	1	4	2	0	0	0	21	2	0	7	0	0	0	14	0	0	0	0	0	0	0	103
	April	55	0	4	0	0	0	0	4	0	0	5	0	0	0	13	0	0	3	0	0	0	0	84
	May	59	2	6	1	0	0	0	5	0	1	4	0	1	0	17	0	1	4	0	0	0	1	102
	June	50	0	4	0	0	0	0	5	0	2	3	0	0	0	9	0	0	1	0	0	0	0	74
	July	35	0	3	0	0	0	0	3	0	5	3	0	0	0	14	0	0	10	0	0	0	0	73
	August	65	0	15	3	0	0	1	7	0	0	9	0	0	0	10	0	1	1	0	0	0	0	112
	September	25	0	4	0	0	0	0	0	0	0	1	0	0	0	5	0	0	0	0	0	0	0	35
<b>Sub-Total</b>	<b>478</b>	<b>4</b>	<b>43</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>68</b>	<b>2</b>	<b>11</b>	<b>41</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>94</b>	<b>1</b>	<b>2</b>	<b>22</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>779</b>	
<b>TOTAL (2018-2019)</b>	<b>889</b>	<b>4</b>	<b>62</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>95</b>	<b>6</b>	<b>13</b>	<b>55</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>131</b>	<b>1</b>	<b>2</b>	<b>34</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1310</b>	

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

**TABLE 1.2: NUMBER OF MATTERS FILED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH)  
FOR THE PERIOD 15th September 2018 to 14th September 2019**

YEAR	MONTH	TRADE DISPUTES	ICA	IRO	A	R	RC	O	RSBD	MWD	MPD	OSHA	ESD ICA	ESD IRO	ESD A	ESD	ESD MPD	ESD RSBD	ST	ST A	ST ICA	ST IRO	ST MPD	TOTAL FILED
2018	September	29		1					10	1		4							4					49
	October	89		8	2				7	2	1	2		2		18			3					134
	November	98		6					6			7		1		10			4					132
	December	99							4	1	1	1				7								113
	<b>Sub-Total</b>	<b>315</b>	<b>0</b>	<b>15</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>27</b>	<b>4</b>	<b>2</b>	<b>14</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>35</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>428</b>
2019	January	59		0					6		2	4		2		6			2					81
	February	65	1	3				2	17		1	5				6	1		1					102
	March	37	1	4	2				21	2		7				14								88
	April	38		4					4			5				13			3					67
	May	48	2	5	1				5		1	4		1		16		1	2				1	87
	June	43		3					5		2	3				9			1					66
	July	25		3					3		5	3				14			10					63
	August	47		15	3			1	7			8				6		1	1					89
	September	20		4								1				5								30
<b>Sub-Total</b>	<b>382</b>	<b>4</b>	<b>41</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>68</b>	<b>2</b>	<b>11</b>	<b>40</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>89</b>	<b>1</b>	<b>2</b>	<b>20</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>673</b>	
<b>TOTAL (2018-2019)</b>	<b>697</b>	<b>4</b>	<b>56</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>95</b>	<b>6</b>	<b>13</b>	<b>54</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>124</b>	<b>1</b>	<b>2</b>	<b>31</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1101</b>	

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

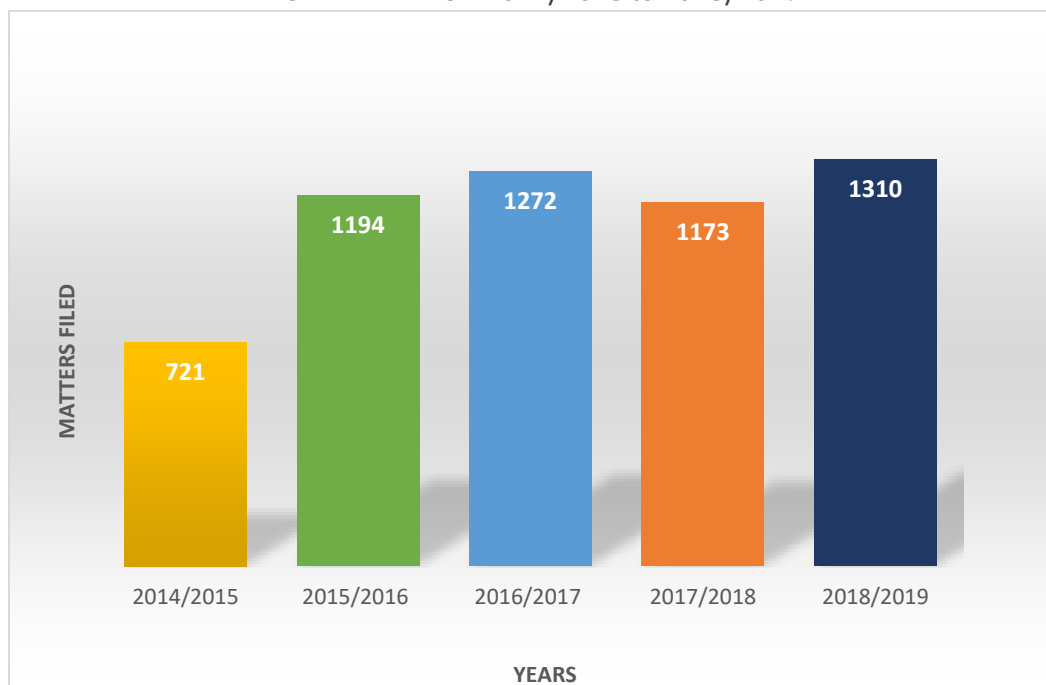
**TABLE 1.3: NUMBER OF MATTERS FILED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (SOUTH)  
FOR THE PERIOD 15th September 2018 to 14th September 2019**

YEAR	MONTH	TRADE DISPUTES	ICA	IRO	A	R	RC	O	RSBD	MWD	MPD	OSHA	ESD ICA	ESD IRO	ESD A	* ESD	ESD MPD	ESD RSBD	ST	ST A	ST ICA	ST IRO	ST MPD	TOTAL FILED
2018	September	5																						5
	October	9																	1					10
	November	14														2								16
	December	68		4																				72
	<b>Sub-Total</b>	<b>96</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
2019	January	6																						6
	February	7																						7
	March	15																						15
	April	17																						17
	May	11		1												1				2				15
	June	7		1																				8
	July	10																						10
	August	18										1				4								23
	September	5																						5
	<b>Sub-Total</b>	<b>96</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL (2018-2019)</b>		<b>192</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>209</b>

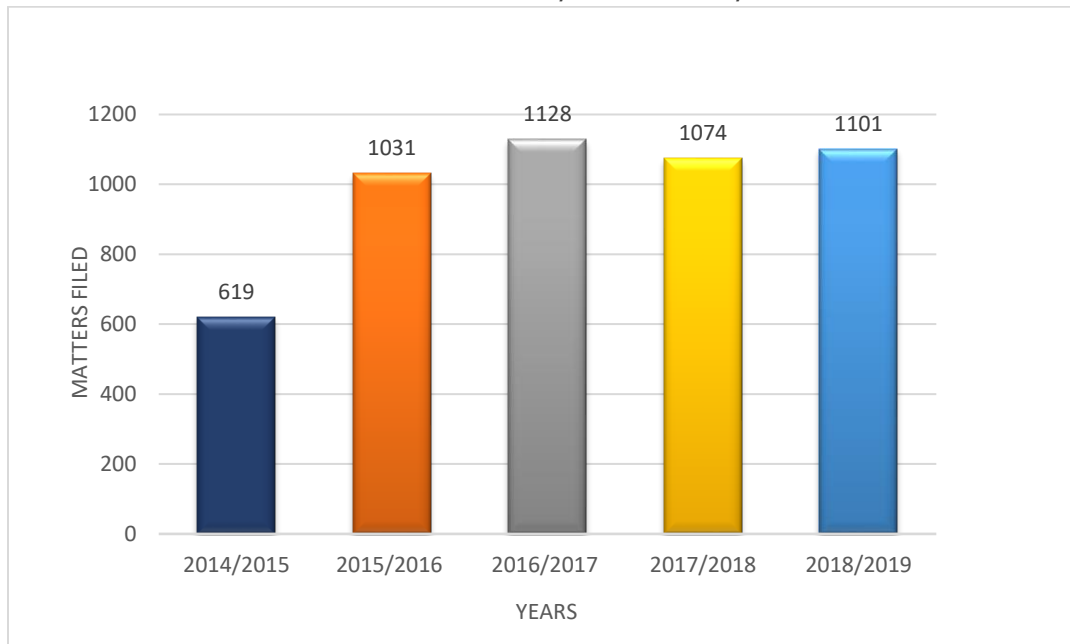
\*With effect from October 2012, ESD matters are now heard in the South Court of the Industrial Court of T&T

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

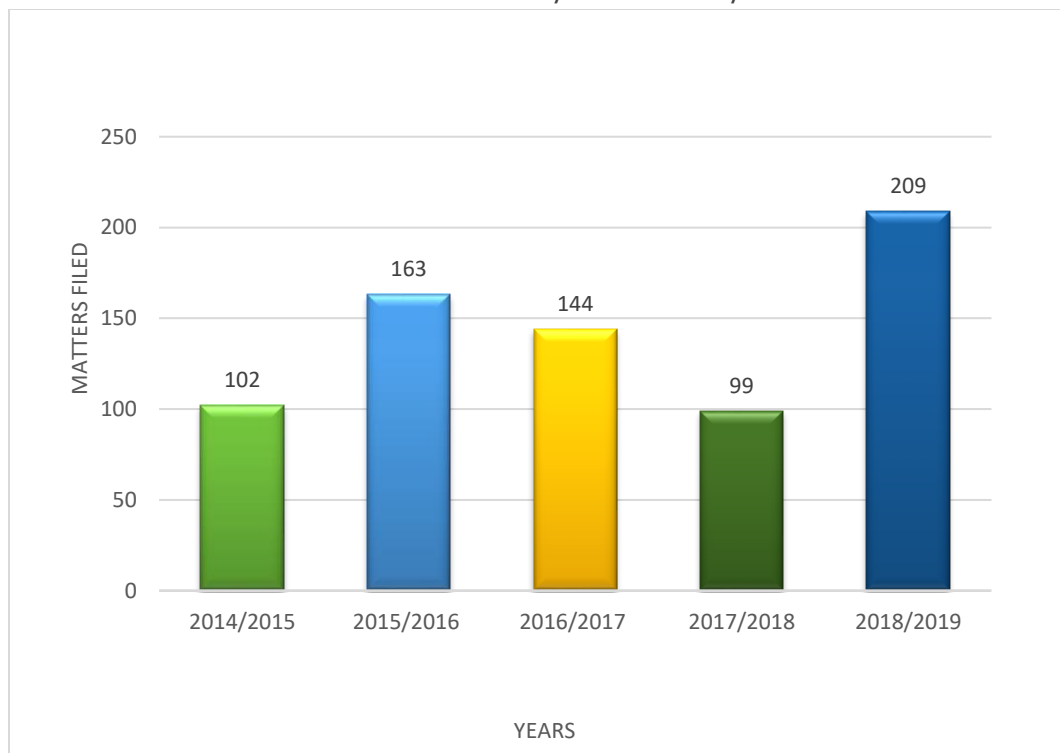
**CHART 1.1: MATTERS FILED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)  
FOR THE PERIOD 2014/2015 to 2018/2019**



**CHART 1.2: MATTERS FILED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH)**  
**FOR THE PERIOD 2014/2015 to 2018/2019**



**CHART 1.3: MATTERS FILED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (SOUTH)**  
**FOR THE PERIOD 2014/2015 to 2018/2019**



**TABLE 2.1: NUMBER OF MATTERS DISPOSED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
**FOR THE PERIOD 15th September 2018 to 14th September 2019**

YEAR	MONTH	TOTAL FILED	MATTERS DISPOSED						TOTAL MATTERS DISPOSED
			JUDGMENTS DELIVERED	MATTERS DISPOSED BILATERALLY (Consent Order/Terms of Settlement)	MATTERS DISPOSED IN CONCILIATION	MATTERS WITHDRAWN	MATTERS DISMISSED/ W.O.P	OPINIONS	
2018	September	54	3	2	1	17	0	0	23
	October	144	17	25	12	51	2	0	107
	November	148	20	12	15	44	1	0	92
	December	185	15	12	5	11	0	0	43
	<b>Sub-Total</b>	<b>531</b>	<b>55</b>	<b>51</b>	<b>33</b>	<b>123</b>	<b>3</b>	<b>0</b>	<b>265</b>
2019	January	87	20	16	5	38	4	0	83
	February	109	15	10	12	45	3	0	85
	March	103	13	7	14	42	1	0	77
	April	84	16	14	16	14	1	0	61
	May	102	17	8	11	61	2	0	99
	June	74	24	11	5	27	0	0	67
	July	73	23	25	16	23	4	0	91
	August	112	2	1	1	8	0	0	12
	September	35	0	2	0	3	0	0	5
<b>Sub-Total</b>	<b>779</b>	<b>130</b>	<b>94</b>	<b>80</b>	<b>261</b>	<b>15</b>	<b>0</b>	<b>580</b>	
<b>TOTAL (2018-2019)</b>	<b>1310</b>	<b>185</b>	<b>145</b>	<b>113</b>	<b>384</b>	<b>18</b>	<b>0</b>	<b>845</b>	

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

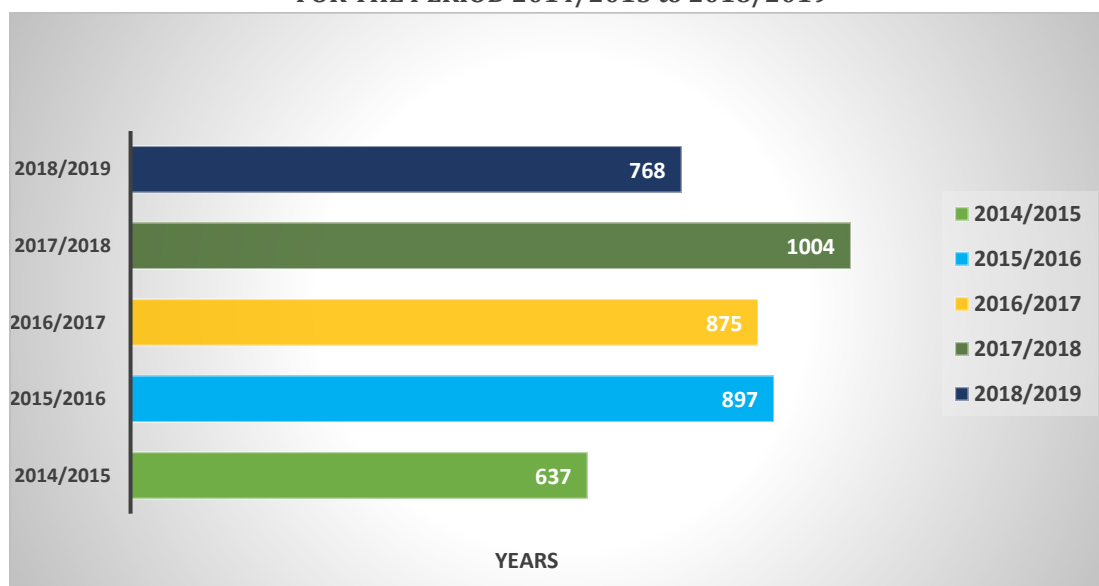
**CHART 2.1: DISPOSALS**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
**FOR THE PERIOD 2014/2015 to 2018/2019**



**TABLE 2.2: NUMBER OF MATTERS DISPOSED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH)  
FOR THE PERIOD 15th September 2018 to 14th September 2019**

YEAR	MONTH	TOTAL FILED	MATTERS DISPOSED					TOTAL MATTERS DISPOSED	
			JUDGMENTS DELIVERED	MATTERS DISPOSED BILATERALLY (Consent Order/Terms of Settlement)	MATTERS DISPOSED IN CONCILIATION	MATTERS WITHDRAWN	MATTERS DISMISSED/ W.O.P		OPINIONS
2018	September	49	3	2	0	17	0	0	22
	October	134	17	24	11	48	2	0	102
	November	132	15	12	13	41	0	0	81
	December	113	12	9	5	11	0	0	37
	<b>Sub-Total</b>	<b>428</b>	<b>47</b>	<b>47</b>	<b>29</b>	<b>117</b>	<b>2</b>	<b>0</b>	<b>242</b>
2019	January	81	16	11	4	33	4	0	68
	February	102	14	8	11	38	3	0	74
	March	88	12	7	14	40	1	0	74
	April	67	16	14	15	10	1	0	56
	May	87	16	6	9	57	1	0	89
	June	66	23	9	5	26	0	0	63
	July	63	21	25	15	20	4	0	85
	August	89	2	1	1	8	0	0	12
	September	30	0	2	0	3	0	0	5
<b>Sub-Total</b>	<b>673</b>	<b>120</b>	<b>83</b>	<b>74</b>	<b>235</b>	<b>14</b>	<b>0</b>	<b>526</b>	
<b>TOTAL (2018-2019)</b>	<b>1101</b>	<b>167</b>	<b>130</b>	<b>103</b>	<b>352</b>	<b>16</b>	<b>0</b>	<b>768</b>	

**CHART 2.2: DISPOSALS  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH)  
FOR THE PERIOD 2014/2015 to 2018/2019**

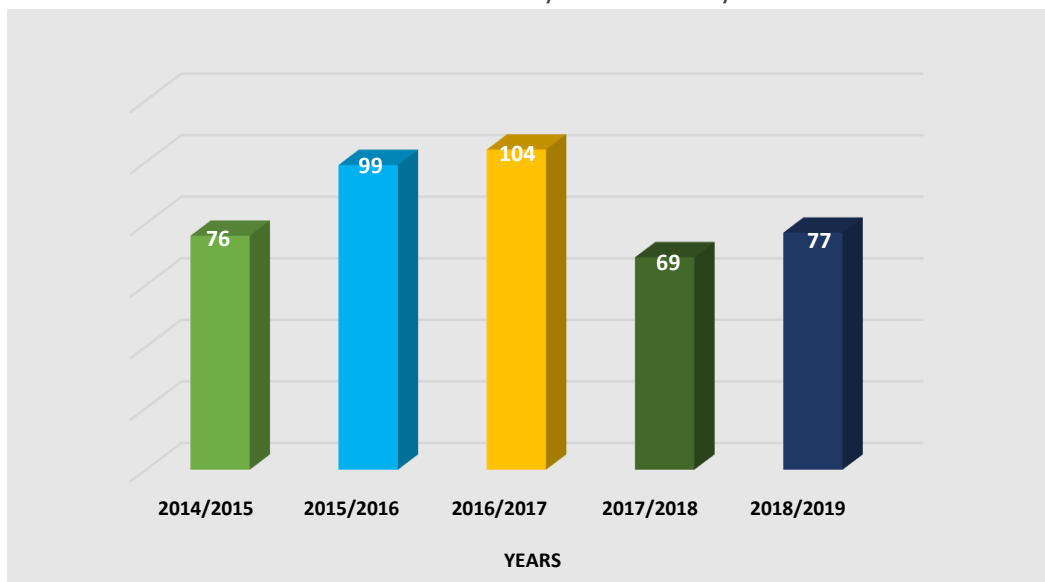




**TABLE 2.3: NUMBER OF MATTERS DISPOSED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (SOUTH)  
FOR THE PERIOD 15th September 2018 to 14th September 2019**

YEAR	MONTH	TOTAL FILED	MATTERS DISPOSED						TOTAL MATTERS DISPOSED
			JUDGMENTS DELIVERED	MATTERS DISPOSED BILATERALLY (Consent Order/Terms of Settlement)	MATTERS DISPOSED IN CONCILIATION	MATTERS WITHDRAWN	MATTERS DISMISSED/ W.O.P	OPINIONS	
2018	September	5	0	0	1	0	0	0	1
	October	10	0	1	1	3	0	0	5
	November	16	5	0	2	3	1	0	11
	December	72	3	3	0	0	0	0	6
	<b>Sub-Total</b>	<b>103</b>	<b>8</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>23</b>
2019	January	6	4	5	1	5	0	0	15
	February	7	1	2	1	7	0	0	11
	March	15	1	0	0	2	0	0	3
	April	17	0	0	1	4	0	0	5
	May	15	1	2	2	4	1	0	10
	June	8	1	2	0	1	0	0	4
	July	10	2	0	1	3	0	0	6
	August	23	0	0	0	0	0	0	0
	September	5	0	0	0	0	0	0	0
	<b>Sub-Total</b>	<b>106</b>	<b>10</b>	<b>11</b>	<b>6</b>	<b>26</b>	<b>1</b>	<b>0</b>	<b>54</b>
<b>TOTAL (2018-2019)</b>	<b>209</b>	<b>18</b>	<b>15</b>	<b>10</b>	<b>32</b>	<b>2</b>	<b>0</b>	<b>77</b>	

**CHART 2.3: DISPOSALS  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (SOUTH)  
FOR THE PERIOD 2014/2015 to 2018/2019**



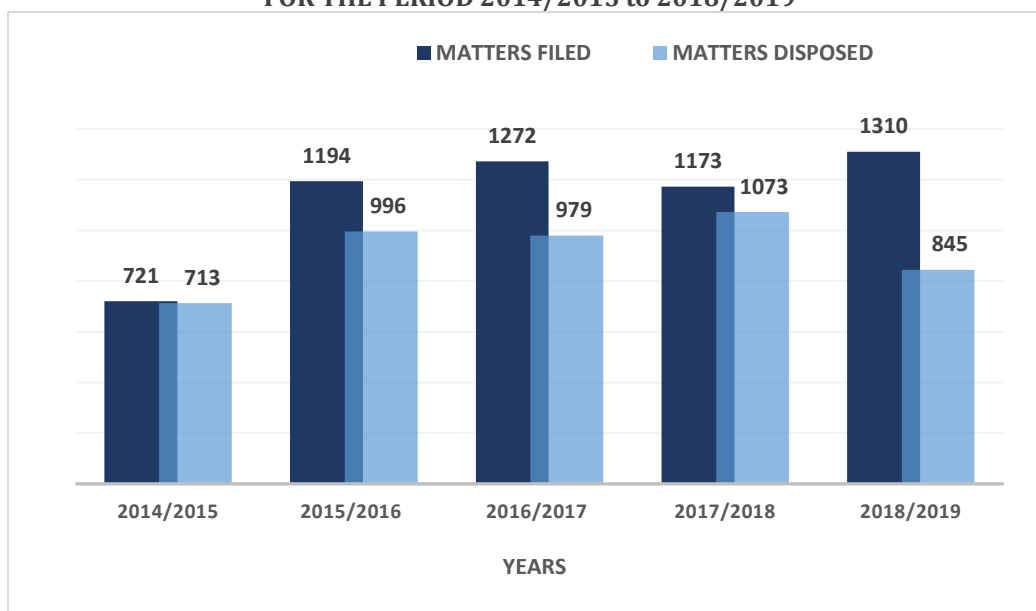
**TABLE 2.4: NUMBER OF MATTERS FILED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
**FOR THE PERIOD 2014/2015 to 2018/2019**

NORTH		SOUTH		NORTH AND SOUTH	
YEAR	MATTERS FILED	YEAR	MATTERS FILED	YEAR	MATTERS FILED
2014/2015	619	2014/2015	102	2014/2015	721
2015/2016	1031	2015/2016	163	2015/2016	1194
2016/2017	1128	2016/2017	144	2016/2017	1272
2017/2018	1074	2017/2018	99	2017/2018	1173
2018/2019	1101	2018/2019	209	2018/2019	1310

**TABLE 2.5: NUMBER OF MATTERS DISPOSED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
**FOR THE PERIOD 2014/2015 to 2018/2019**

NORTH		SOUTH		NORTH AND SOUTH	
YEAR	MATTERS DISPOSED	YEAR	MATTERS DISPOSED	YEAR	MATTERS DISPOSED
2014/2015	637	2014/2015	76	2014/2015	713
2015/2016	897	2015/2016	99	2015/2016	996
2016/2017	875	2016/2017	104	2016/2017	979
2017/2018	1004	2017/2018	69	2017/2018	1073
2018/2019	768	2018/2019	77	2018/2019	845

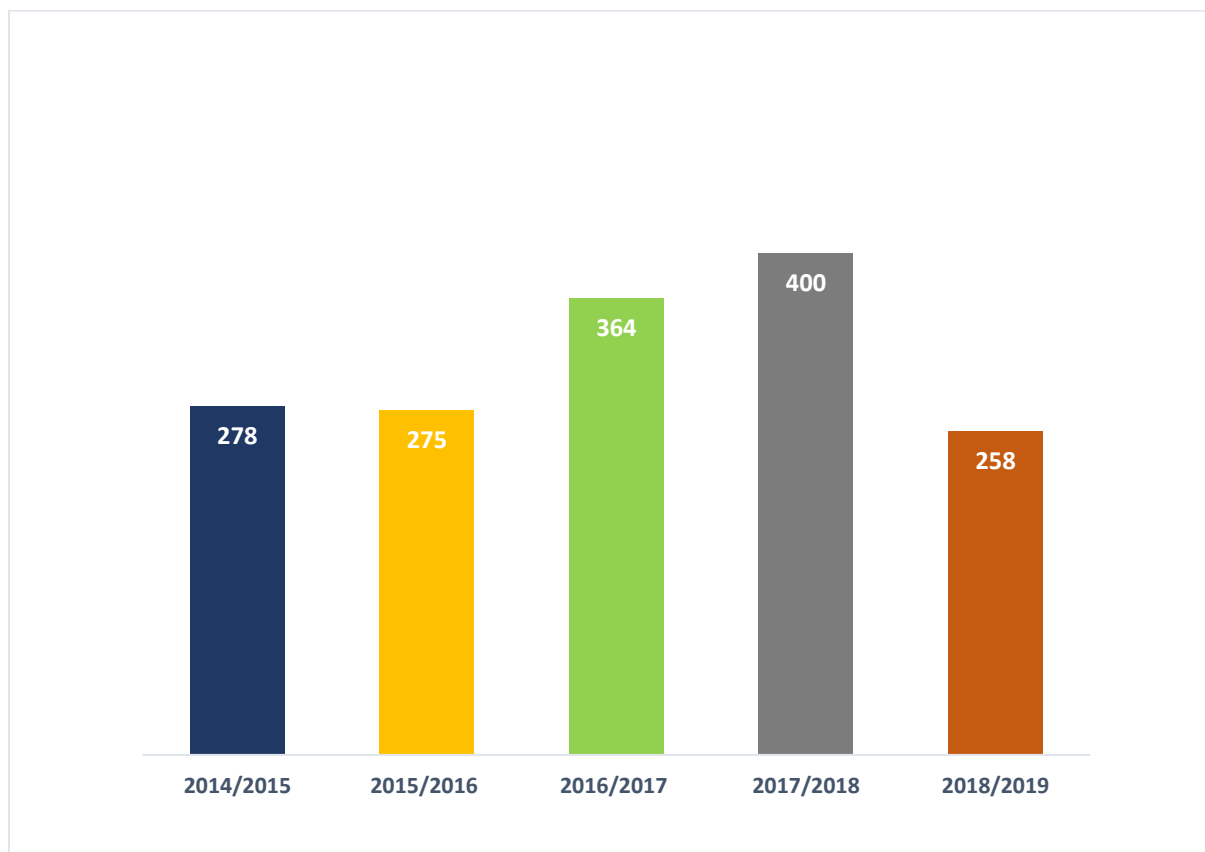
**CHART 2.4: NUMBER OF MATTERS FILED AND DISPOSED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
**FOR THE PERIOD 2014/2015 to 2018/2019**



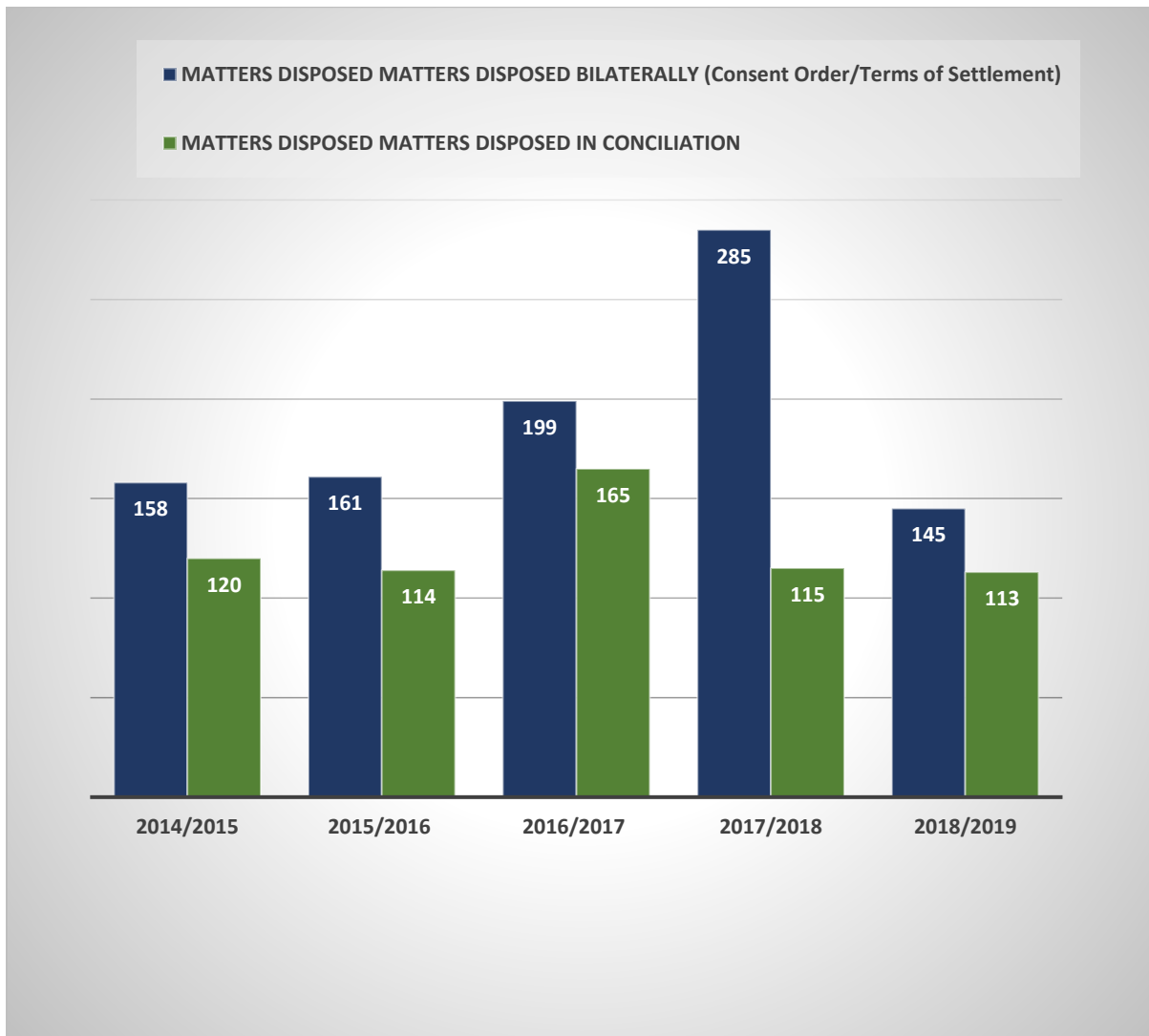
**TABLE 3.1: NUMBER OF MATTERS DISPOSED THROUGH THE CONCILIATORY PROCESS (BILATERALLY/CONCILIATION) INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH) FOR THE PERIOD 2014/2015 to 2018/2019**

YEAR	MATTERS DISPOSED		TOTAL
	MATTERS DISPOSED BILATERALLY (Consent Order/Terms of Settlement)	MATTERS DISPOSED IN CONCILIATION	
2014/2015	158	120	278
2015/2016	161	114	275
2016/2017	199	165	364
2017/2018	285	115	400
2018/2019	145	113	258

**CHART 3.1: NUMBER OF MATTERS DISPOSED THROUGH THE CONCILIATORY PROCESS (BILATERALLY/CONCILIATION) INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH) FOR THE PERIOD 2014/2015 to 2018/2019**



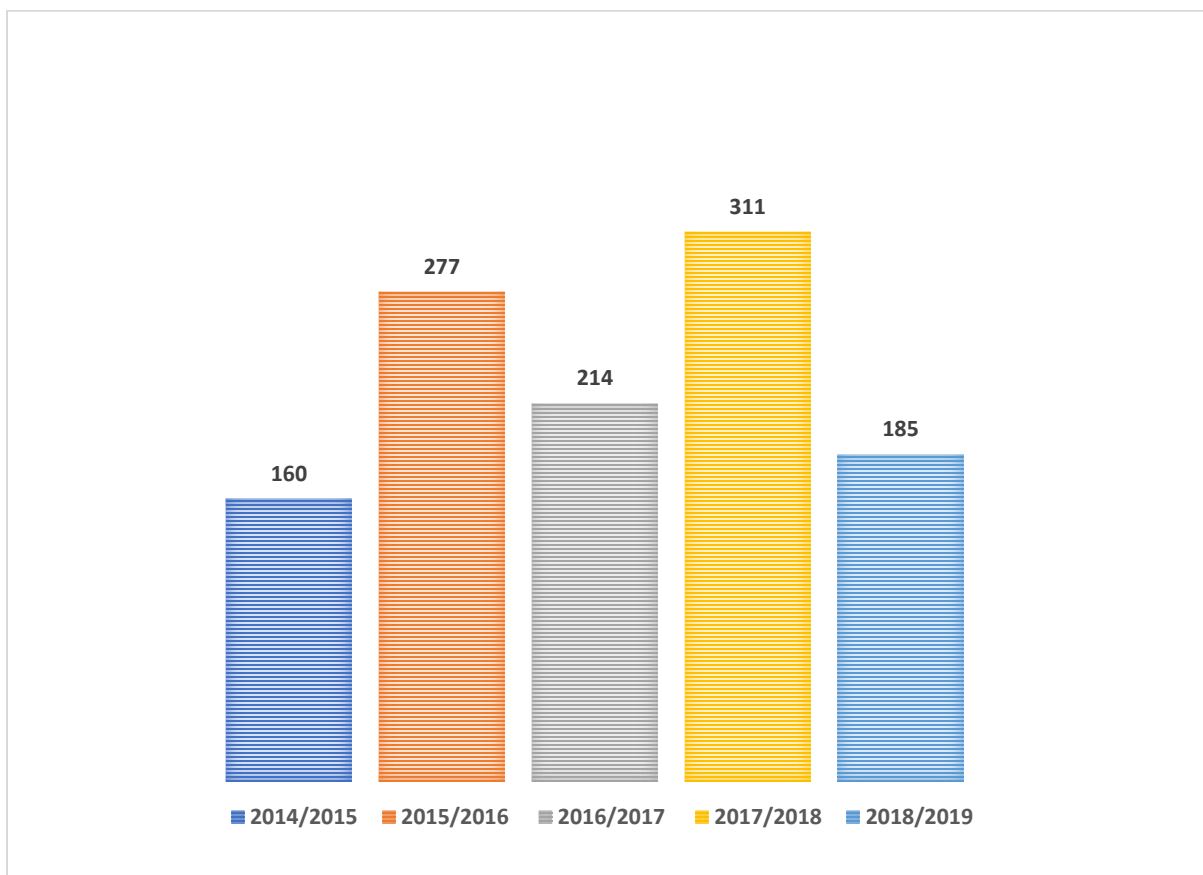
**CHART 3.2: COMPARATIVE CHART SHOWING MATTERS DISPOSED BILATERALLY AND THROUGH CONCILIATION  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)  
FOR THE PERIOD 2014/2015 to 2018/2019**



**TABLE 4.1: NUMBER OF JUDGMENTS DELIVERED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
**FOR THE PERIOD 2014/2015 to 2018/2019**

NORTH		SOUTH		NORTH AND SOUTH	
YEAR	JUDGMENT DELIVERED	YEAR	JUDGMENT DELIVERED	YEAR	JUDGMENT DELIVERED
2014/2015	138	2014/2015	22	2014/2015	160
2015/2016	246	2015/2016	31	2015/2016	277
2016/2017	201	2016/2017	13	2016/2017	214
2017/2018	282	2017/2018	29	2017/2018	311
2018/2019	167	2018/2019	18	2018/2019	185

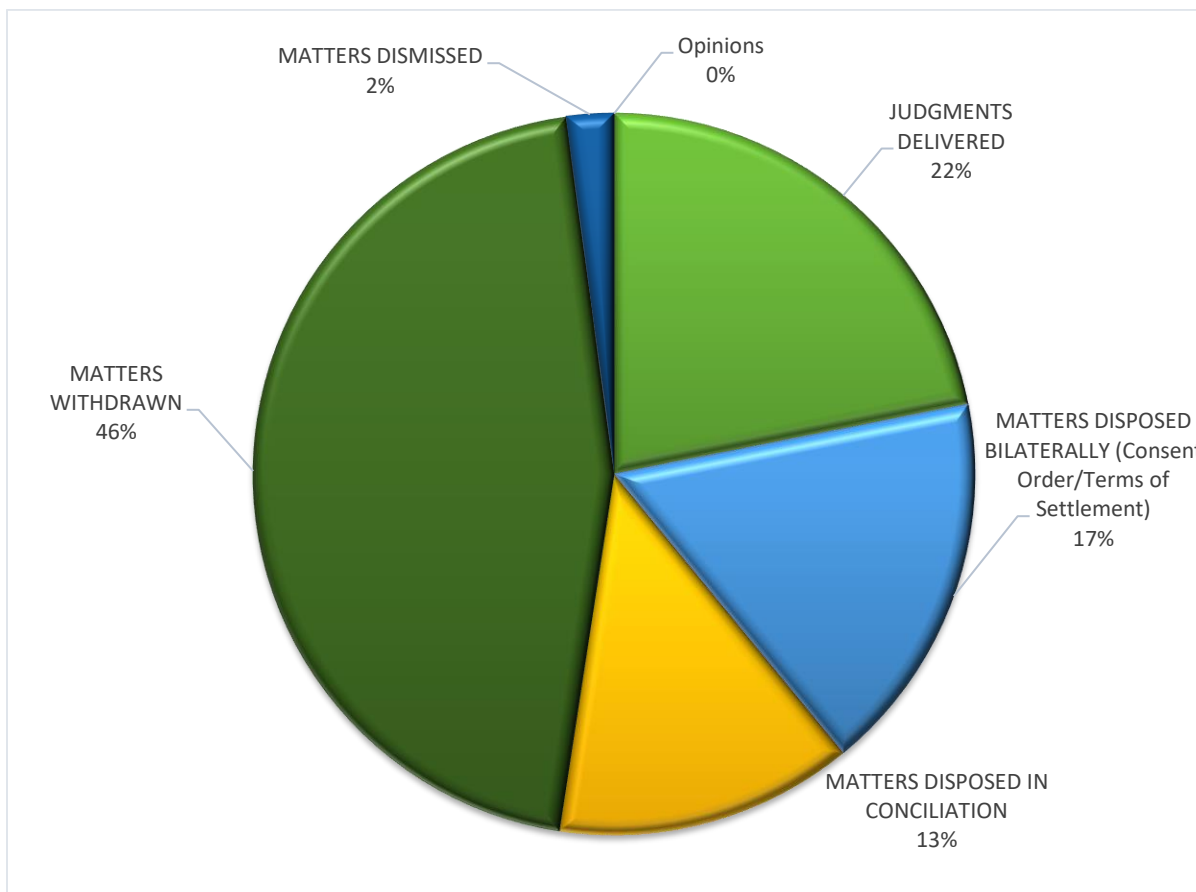
**CHART 4.1: NUMBER OF JUDGMENTS DELIVERED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
**FOR THE PERIOD 2014/2015 to 2018/2019**



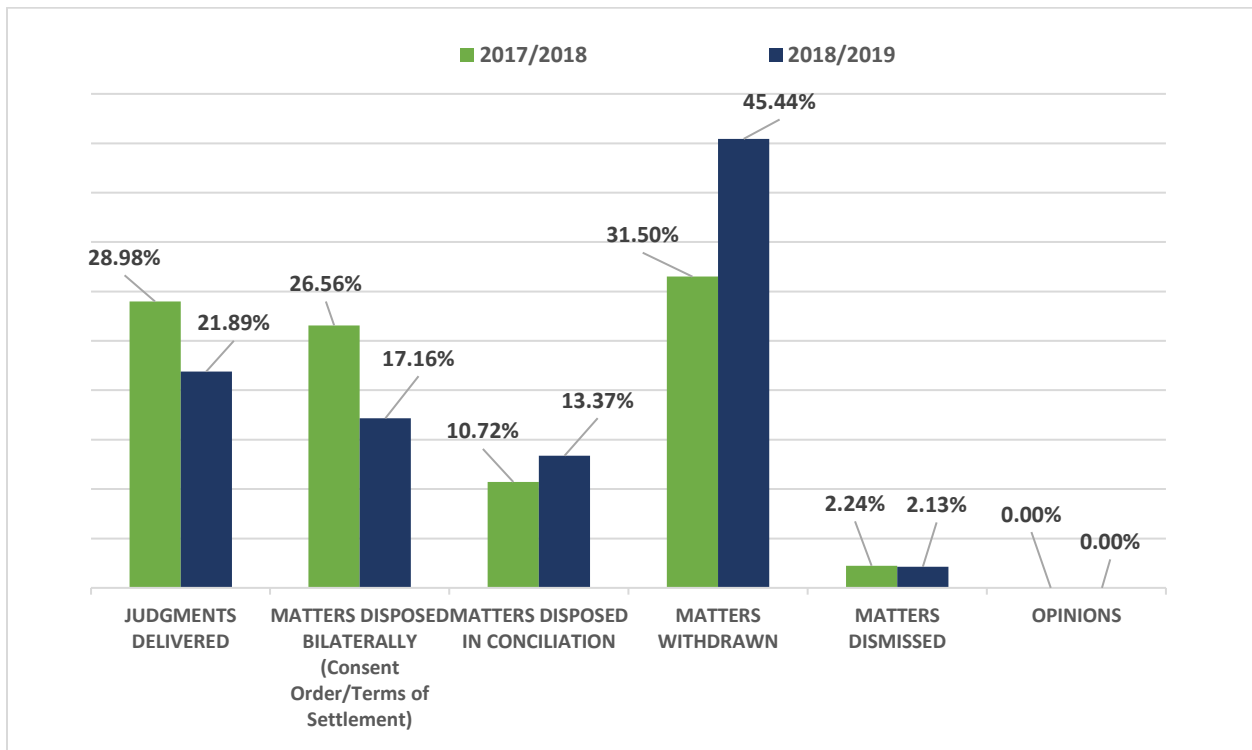
**TABLE 5.1: NUMBER OF MATTERS DISPOSED BY CATEGORY**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
**FOR THE PERIOD 2014/2015 to 2018/2019**

YEAR	TOTAL FILED	MATTERS DISPOSED						TOTAL MATTERS DISPOSED
		JUDGMENTS DELIVERED	MATTERS DISPOSED BILATERALLY (consent order/terms of settlement)	MATTERS DISPOSED IN CONCILIATION	MATTERS WITHDRAWN	MATTERS DISMISSED	OPINIONS	
2014/2015	721	160	158	120	261	12	2	713
2015/2016	1194	277	161	114	415	29	0	996
2016/2017	1272	214	199	165	359	42	0	979
2017/2018	1173	311	285	115	338	24	0	1073
2018/2019	1310	185	145	113	384	18	0	845

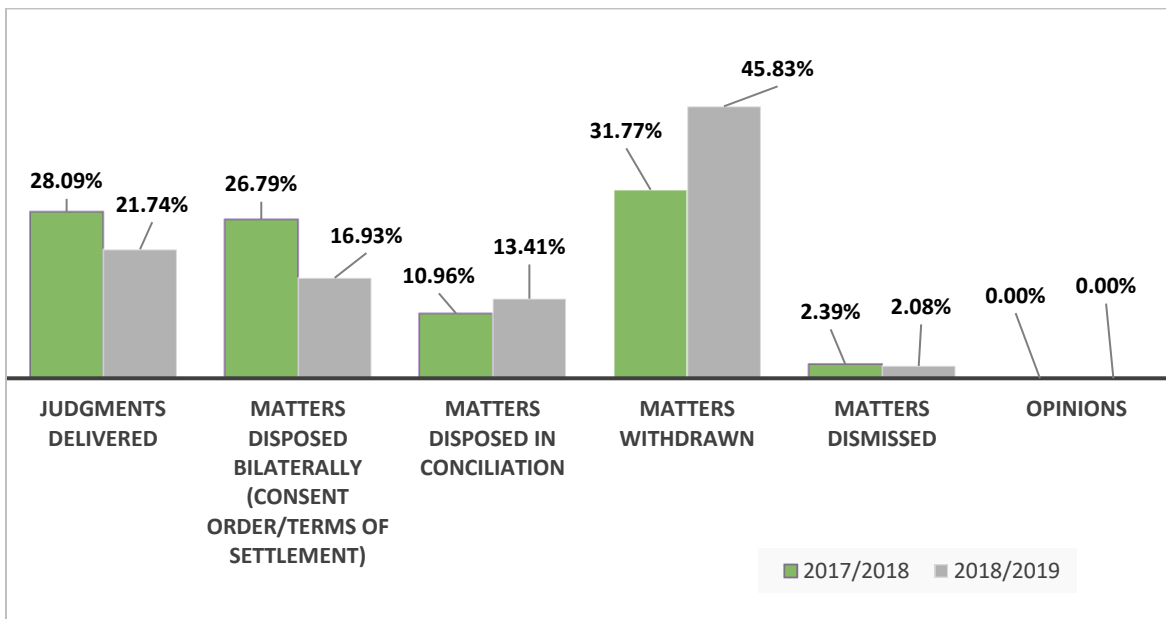
**CHART 5.1: PERCENTAGE OF MATTERS DISPOSED BY CATEGORY**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
**FOR THE PERIOD 2018/2019**



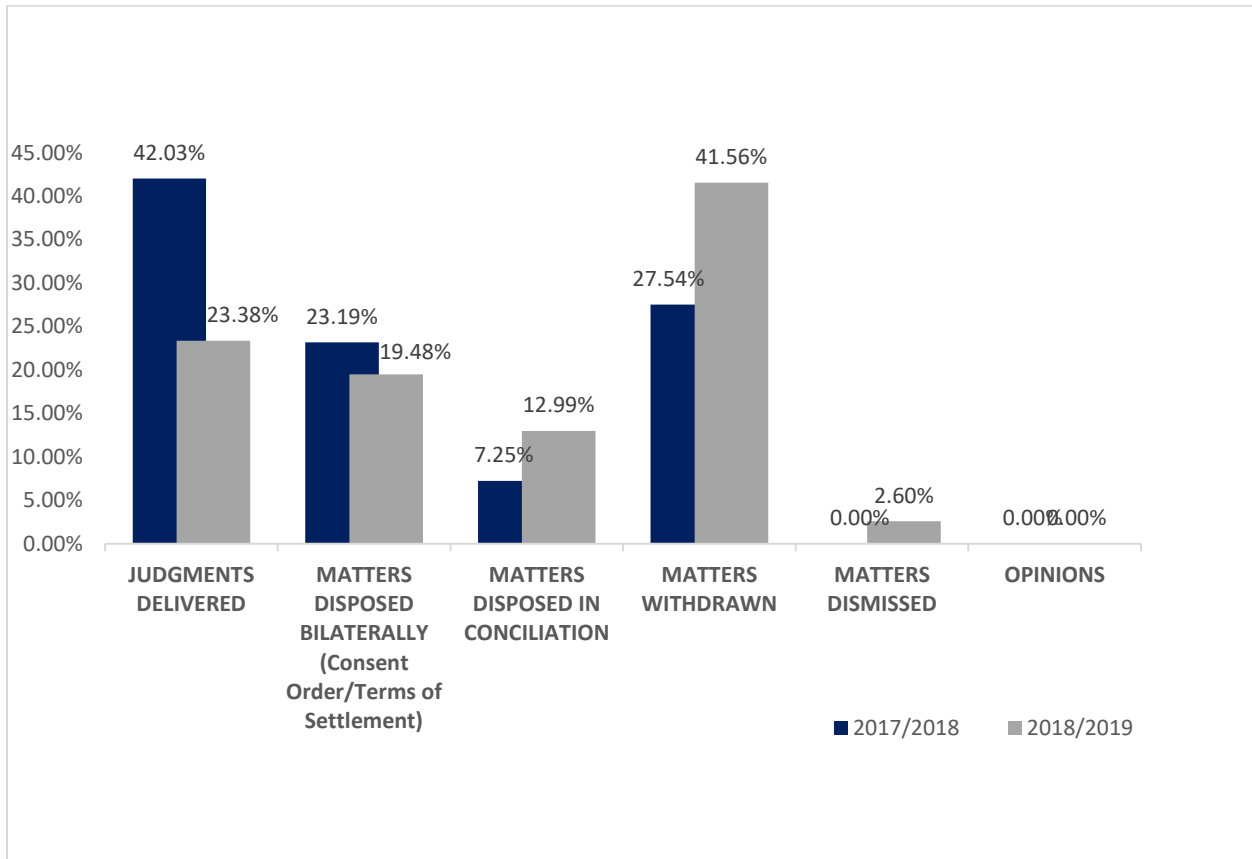
**CHART 5.2: COMPARISON OF MATTERS DISPOSED BY CATEGORY  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)  
FOR THE PERIOD 2017/2018 and 2018/2019**



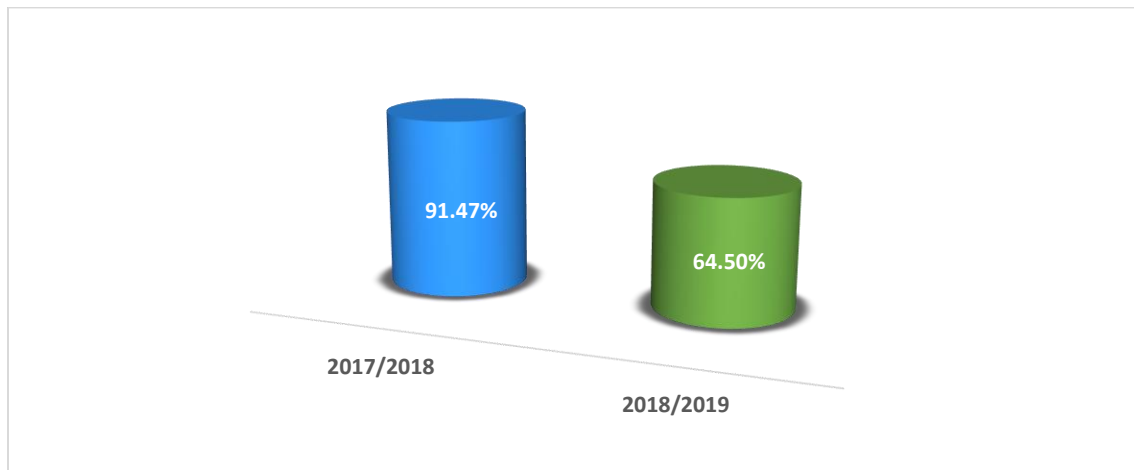
**CHART 5.3: COMPARISON OF MATTERS DISPOSED BY CATEGORY  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH)  
FOR THE PERIOD 2017/2018 and 2018/2019**



**CHART 5.4: COMPARISON OF MATTERS DISPOSED BY CATEGORY**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (SOUTH)**  
**FOR THE PERIOD 2017/2018 and 2018/2019**



**CHART 5.5: DISPOSAL RATE**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
**FOR THE PERIOD 2017/2018 and 2018/2019**

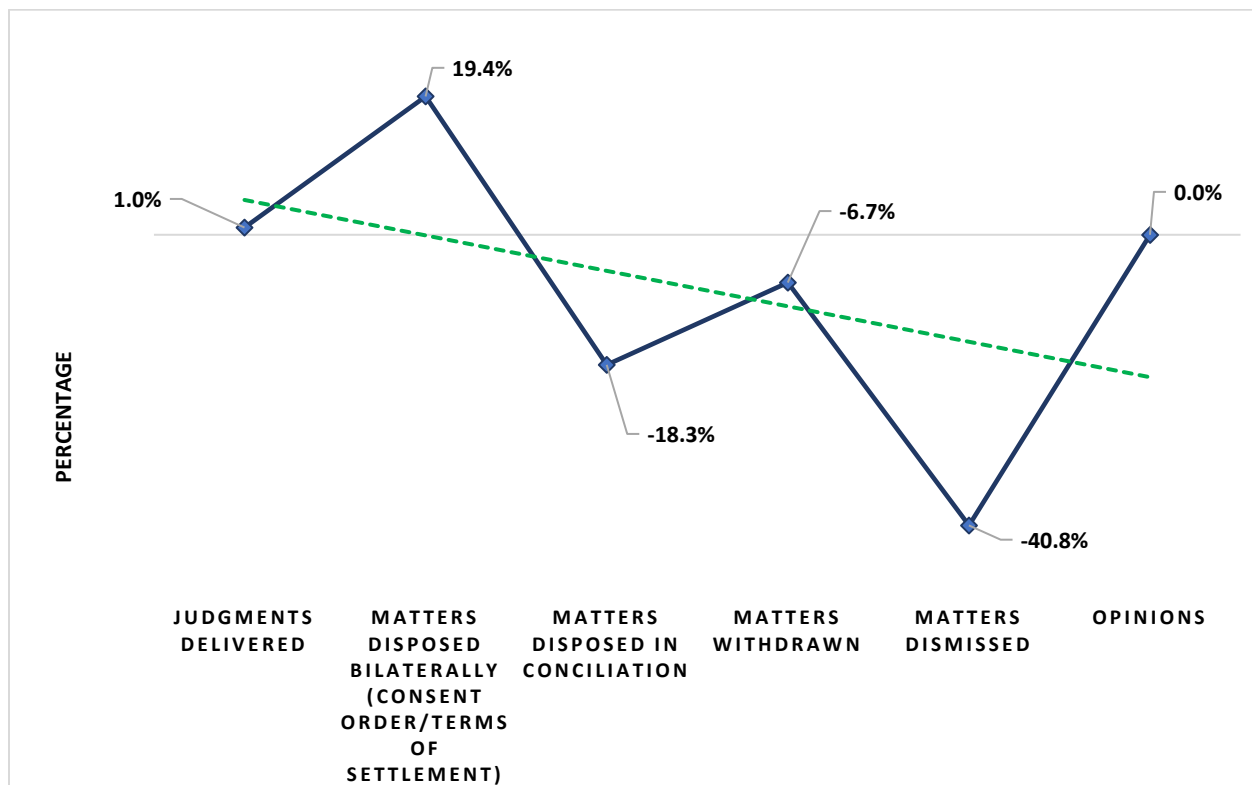




**TABLE 6.1: PERCENTAGE CHANGE FOR MATTERS FILED AND DISPOSED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)  
FOR THE PERIOD 2015/2017 to 2017/2019**

PERIOD	TOTAL FILED	DISPOSAL (% CHANGE)						
		JUDGMENTS DELIVERED	MATTERS DISPOSED BILATERALLY (Consent Order/Terms of Settlement)	MATTERS DISPOSED IN CONCILIATION	MATTERS WITHDRAWN	MATTERS DISMISSED	OPINIONS	TOTAL MATTERS DISPOSED
2015/2016 - 2016/2017	2466	491	360	279	774	71	0	1975
2017/2018 - 2018/2019	2483	496	430	228	722	42	0	1918
% INCREASE/ DECREASE	0.7%	1.0%	19.4%	-18.3%	-6.7%	-40.8%	0.0%	-2.9%

**CHART 6.1: PERCENTAGE CHANGE FOR MATTERS FILED AND DISPOSED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)  
FOR THE PERIOD 2015/2017 to 2017/2019**



The matters filed for the period 2015/2016 to 2016/2017 was much higher than the period 2017/2018 to 2018/2019 as showed in the Table and Chart. There was an increase in Judgments delivered and matters settled bilaterally. However, there were less matters being withdrawn and dismissed.



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