



**INDUSTRIAL COURT  
of Trinidad and Tobago**

# ANNUAL REPORT

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## 2020 - 2021

**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 This Act was repealed and replaced by the Industrial Relations Act, Chapter 88:01 on 31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.

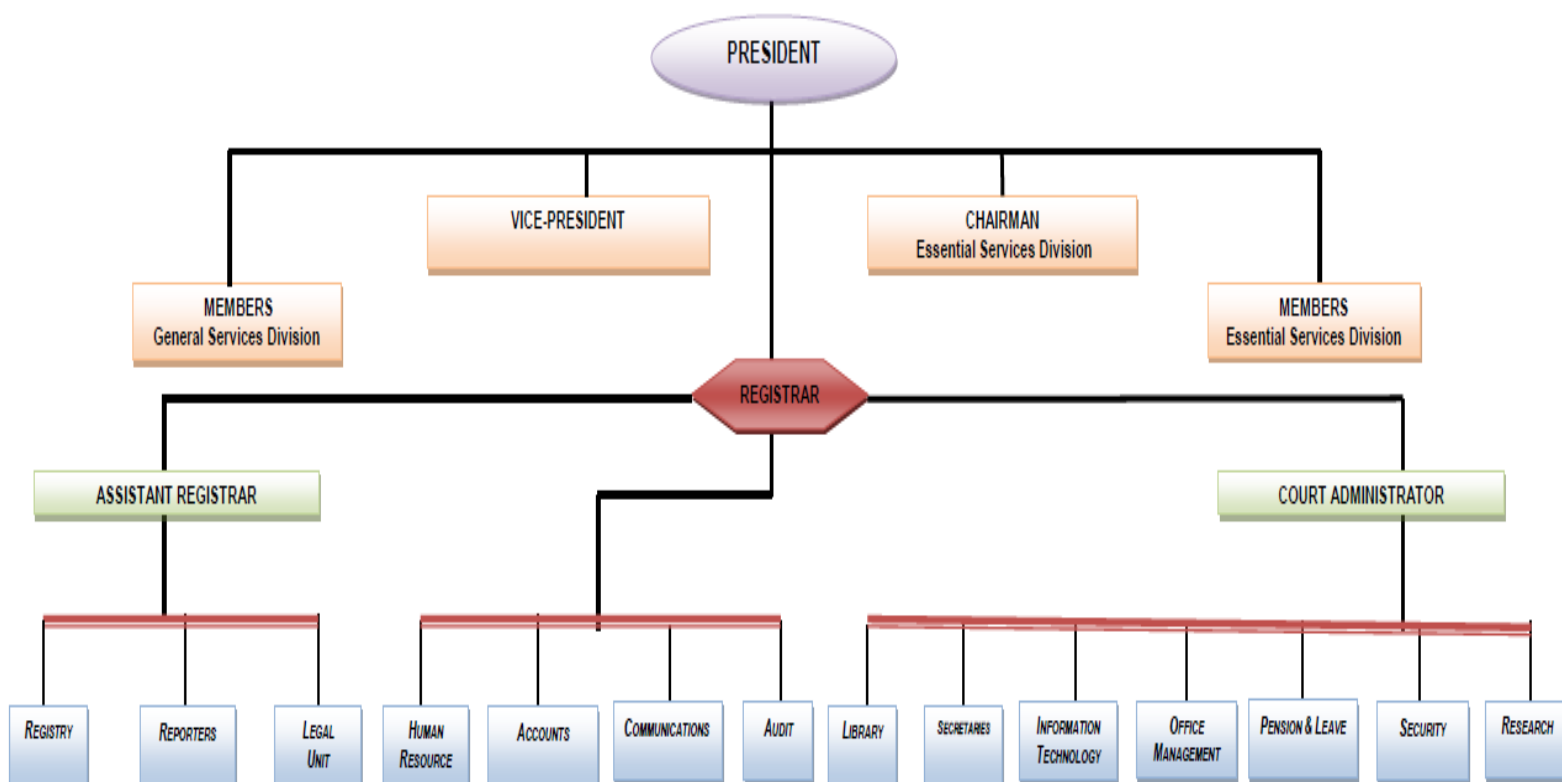
The principal role of the Court is to settle unresolved disputes and other matters which arise between employers and trade unions representing the workers employed by the employers under the Industrial Relations Act, Chapter 88:01 (I.R.A.), the Retrenchment and Severance Benefits Act, Chapter 88:13, 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

**HER HONOUR MRS. DEBORAH THOMAS-FELIX**

*Special Sitting for the Opening of the 2021-2022 Law Term*



*Welcome to the second virtual Special Sitting of the Industrial Court.*

*When this chapter of the world's history is written, it will be an era of a global pandemic, real time and rapid communication, misinformation, social media dominance and great challenge as we struggle to cope with the onslaught of the COVID-19 pandemic and its attendant, social and economic consequence.*

*It will also be viewed as a time when the rule of law, which plays a crucial function in our democracy, is challenged.*

No civil and modern society can function properly and maintain peace and order without adherence to the rule of law. While it is clear that the COVID-19 pandemic has highlighted the close links between the responses of governments against the crisis and the rule of law, I think it also highlights the weaknesses in existing governance systems, globally, and it has placed the spotlight on areas in need of improvement especially the health care system and the education system.

However, the pandemic should not only be seen as a challenge to the rule of law and human rights but also as an opportunity to better articulate and strengthen international standards and the laws of dealing with such crises.

As I stated earlier this year, there is a temptation sometimes to put international labour standards and good industrial relations practices aside and treat them as not important in times of crisis. We must never forget that fairness, equity and natural justice are principles on which the foundation of our societies were built and which have assisted in stabilising our economies and countries over time.



This is the time, more than ever, where the adherence to proper labour standards assume even greater importance to minimise instability in the future and to safeguard the interests of all, in the world of work.

The Industrial Stabilisation Act of 1965 (ISA) was repealed and replaced by a new act, the purpose of which is to make “better provision for the stabilization, improvement and promotion of industrial relations” in Trinidad and Tobago. This new Act, the Industrial Relations Act (IRA), from which the Industrial Court derives its power, is an integral part in industrial relations and operations of labour relations in Trinidad and Tobago. Therefore, the role of the Industrial Court to assist in the stabilisation, improvement and promotion of industrial relations and operations of labour relations in this country, which it has done and continues to do for the past fifty-six years, cannot be overstated.

At the Special Sitting of the Industrial Court last year, I spoke of the urgent need for tripartite dialogue among the social partners, namely; government, worker representatives and employers. I expressed the view then, that “we should always bear in mind that there is life after COVID-19 and consider the immense value to be gained if we adopt and adhere to International Labour Standards, particularly social dialogue to assist, to promote and to maintain a system of opportunities for all and to obtain decent, productive work in conditions of freedom, equity, security and dignity in the future.

Social dialogue is key to the adjustment which the workplace has to make during and after this pandemic. I cannot overstate the importance of discussions, genuine consultations and compromise, built through social dialogue for the effective implementation of measures to address this pandemic and its impact on the labour market. A commitment of employers and trade unions to adjust to new and necessary workplace policy measures, and to do so in a spirit of respect and compromise, is important for the survival and sustainability of businesses, the saving of lives and the saving of jobs.”

I am sure that the stakeholders of this Court will agree that we all need to come together to fight this pandemic and that it is critical to create and to maintain safe and healthy conditions at work, which include taking all reasonable and practical steps to minimise and/or prevent the spread of the virus at the workplace. Therefore, employers and workers must act responsibly and collaboratively in this regard.

The data which is emanating from the Industrial Court on the filings of Industrial Relations Offences (IROs) since the beginning of the pandemic in March, 2020, is of great concern and does not paint a picture of collaboration between employers and workers, instead, it shows a lack of social dialogue in the workplace.

During the period of January to March 2020, only 6 Industrial Relations Offences were filed at the Court. In March 2020, Trinidad and Tobago began to adopt protective measures to combat the pandemic. It is noteworthy that from March 2020 to 14th September 2021, 178

COVID-19 related Industrial Relations Offences have been filed at the Industrial Court. Most of these Industrial Relations Offences are complaints related to the COVID-19 pandemic and the majority of them pertain to the lack of consultation by employers with workers, the unilateral alterations of terms and conditions of employment and the failure of employers to enter into collective bargaining with Unions to discuss and resolve COVID-19 related issues.

The data for one year, March 2020 to March 2021, reveal that 124 new Industrial Relations Offences have been filed. If we examine the data for the period 2013 to 2019 and the filing of Industrial Relations Offences, which are the only criminal complaints in the Act, the lowest number of Industrial Relations Offences filed during that period was 24, these offences were filed for the period 2015/2016. The highest number of Offences filed in that period was 70, this was during the period 2016/2017. The filing of 124 Industrial Relations Offences in one year and 178 offences in 18 months is a cause of concern, and it is a reflection of the absence of social dialogue (whether face to face or virtually) by many at the workplace. Unilateral COVID-19 related decisions are causing a deterioration of labour management relations which is very troubling and does not augur well for industrial relations and productivity in the post-COVID-19 economy. I strongly urge all participants of the labour market to take note of this development and to make efforts to reverse this.

What we have been witnessing in the world of work, worldwide, and here in Trinidad and Tobago, is employers asserting their rights and unions asserting the rights of workers. I wish to remind stakeholders that the rights of the employer and the rights of the worker which are strongly discussed and debated publicly are not absolute rights. The devastating effects and the need to combat the spread of this pandemic assume far greater importance than the assertion of these individual rights at this time. Moreover, in the event that the rights of employers and those of workers are at odds, neither will automatically take precedence over the other.

## VACCINATIONS

May I begin by saying, that if the issue of mandatory vaccination to populations were a simple one, governments across the globe may have already implemented national mandatory vaccination policies. Instead, what we are seeing is that most governments are educating their population about the different types of vaccines, the importance of taking a vaccination to fight the COVID-19 virus and they are encouraging their citizens to get vaccinated. We do know that in some parts of the United States of America there have been sector/industry-specific mandatory vaccination policies. However, to date, only Tajikistan, Turkmenistan, the Vatican City and Indonesia have made vaccination compulsory for all adults. The World Health Organisation (WHO) from its very statement does not recommend making vaccinations mandatory explaining that it can add to distrust about the process, as one of the WHO's experts explained to Reuters "We are much better served to present people with the

data, present people with the benefits and let people make up their own mind, within reason.”

In Trinidad and Tobago, there have been many videos and pieces of correspondence circulating in the news and on social media, which give the public a glimpse of the attempts by some companies to treat with the issue of vaccination and to put policies in place to address health and safety issues in the workplace. It is not for me to comment and to express an opinion on the debate of whether or not vaccination policy should be mandatory or voluntary in the workplace, except to say what the laws provide if such policies are to be implemented. For the sake of clarity, I have never expressed the view that vaccinations cannot be a protective measure at work. In fact, the International Labour Organization (ILO) Committee of Experts on the Application of Conventions and Recommendations, of which I am a Member for the past 6 years, examines country reports on certain international standards that, among other things, cover the issue of immunisation in relation to the safety and health of workers in specific occupations and sectors.

It is also important to note that discussions of vaccination policies in the world of work are always subject to the discrimination laws of each country.

While generally speaking, a vaccination policy may be included as a condition for new employment, there are much heated public debates on whether mandatory vaccinations policies can be added in the workplace to existing terms and conditions of employment.

The main issue, as I see it, is whether a mandatory COVID-19 vaccination policy can be introduced as a new term of employment to existing employees without discussion or consultation. In other words, can such a policy be introduced unilaterally by employers in the workplace? The short answer to that question is NO.

The laws of this country do not directly address the issue of a COVID-19 vaccination as a condition for employment; in fact, there is no known existing law worldwide, which I can find, which addressed this issue, before the pandemic.

While there is no expressed provisions in the Industrial Relations Act (IRA) of Trinidad and Tobago for COVID-19 vaccinations policies to be introduced in the workplace as new terms and conditions of employment, our legal framework provides for the introduction of new policies, new terms and conditions of employment and new working arrangements through the collective bargaining process; such policies and arrangements, in my view, include vaccination policies.

It is settled law that an employer ought not to unilaterally make any material change or alteration to a worker’s contract of employment. The introduction of a COVID-19 vaccination policy or any new policy can amount to a material change in the terms and conditions of employment and ought not to be imposed unilaterally. Moreover, if the particular business

enterprise is considering the introduction of a mandatory vaccination policy as a term of employment, there should be collective bargaining between the employer and the workers' representatives, which of course, is the Union.

In fact, the Industrial Relations Act makes collective bargaining between employers and trade unions mandatory. The term collective bargaining extends not only to wage negotiations but encompasses the resolution of all issues of common interest in the workplace. Moreover, our legal framework and the practice of good industrial relations provide for parties to have consultation and dialogue and to treat in good faith on workplace issues. In the practice of industrial relations, social dialogue is particularly important and useful when one of the partners proposes a material change, alteration and/or removal to existing terms and conditions of employment at work. That is the Law.

The practice of industrial relations speaks to a world of work, where employers and workers representatives meet, consult and discuss any proposed material changes to terms and conditions of employment and in so doing, arrive at consensus on what is most suitable for the particular business enterprise. In fact, good industrial relations supports and embraces ongoing discussions, consultation and dialogue at the workplace whether or not there is the presence of a Recognised Majority Union (RMU) at the establishment.

I wish to remind Industrial Relations practitioners that where the collective bargaining process breaks down, the grievance process begins and the aggrieved party (the union or the employer) can take the dispute to the Ministry of Labour or they can go directly to the Industrial Court by means of an Industrial Relations Offence. The policy of the Court is to treat Industrial Relations Offences with dispatch. Also, going forward at the bipartite level, parties may wish to consider adding COVID-19 related clauses to new Collective Agreements.

I will now address international labour standards as they relate to the issue of voluntary or mandatory vaccinations policies and the News release from the International Labour Organisation (ILO) on the subject. However, before I do, I would like to first remind stakeholders of the ILO and its global importance and its role and functions to the 187 member states. The ILO is the only tripartite United Nation's Agency. Since 1919 the ILO has brought together governments, employers' and workers' organisations (the tripartite partners) from these 187 member states. These tripartite partners; government, employers' and workers' organisations work together to set global labour standards, develop policies and devise programmes. Therefore, the labour standards of the ILO represent the consensus of the tripartite constituents of the 187 states which are members of this United Nations specialised agency. Trinidad and Tobago is a longstanding member of the ILO and has ratified 22 of its conventions including the ILO's 8 fundamental conventions.

Although the International Labour Standards do not directly address the question of vaccinations as a condition for work, the ILO, in April 2021, has provided guidance on 'ILO

Standards and COVID-19', the related news release states, among other things, that the legal basis for such measures to be introduced in the workplace would largely depend on the national regulatory framework.

For the ILO membership, the issue of vaccination should be based on a standards-based approach underpinned by tripartism and social dialogue that involves bipartite consultations between employers and workers.

The ILO further states that if a decision on mandatory vaccination is made by an employer, (of course such a decision should only be made after proper consultation) it should be implemented in a non-discriminatory manner, in line with the requirements of Convention No. 111, (the Discrimination Employment and Occupation Convention) and with due regard for specific circumstances that may require exemptions and accommodations.

### **OCCUPATIONAL SAFETY AND HEALTH AT WORK**

In Trinidad and Tobago, like in most countries, the issue of health and safety in the workplace during a pandemic is of grave concern to all and has been hotly debated by stakeholders and the public in general.

It is an accepted policy in the area of occupational safety and health for protective measures to include vaccination. However, the ILO's tripartite constituents are reminded that Convention No. 155 (the Occupational Safety and Health Convention) and Convention No. 187 (the Promotional Framework for Occupational Safety and Health Convention), which are the core global standards on occupation safety and health, specifically require co-operation between management and workers at the enterprise level. The ILO states that while employers have a general obligation to ensure that workplaces are safe; consultations with workers on all aspects of Occupational Safety and Health are an essential element for decision-making, and the co-operation of workers is key for the implementation of workplace-related prevention measures.

In Trinidad and Tobago, Section 6 of the Occupational Safety and Health Act provides that it shall be the duty of every employer to ensure, so far as is "reasonably practicable", the safety, health and welfare at work of all his /her employees.

The Act also places several other duties on the employer including "(a) the provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe and without risks to health;

(c) the provision of adequate and suitable protective clothing or devices of an approved standard to employees who in the course of employment are likely to be exposed to the risk of head, eye, ear, hand or foot injury, injury from air contaminant or any other bodily injury and the provision of adequate instructions in the use of such protective clothing or devices;

(d) the provisions of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the safety and health at work of his/her employees;

(f) the provision and maintenance of a working environment for his/her employees that is, so far as is reasonably practicable, safe, without risks to health, and adequate as regards amenities and arrangements for their welfare at work;”

Among the issues which are currently debated in the public is whether employers can fulfil their legal duty and obligations to provide safe work environments during this pandemic and what steps they should take to discharge the duty to provide a safe working environment.

In my view, in order to discharge the legal duty to provide a safe environment as the law requires, an employer should ensure that he/she takes all “reasonably practicable” steps to help to prevent the spread of COVID 19, such as (amongst others) to ensure that employees wear masks, provide hand sanitizers, promote and maintain social distancing at all times at the workplace, maintain clean and sanitary surroundings and require that any employee with symptoms associated with the virus should stay at home and advise the said employee to contact the health authorities promptly. In addition to this, in workplaces where there are Occupation Safety and Health committees in accordance with the Act, these Committees can play an important role in education and informational activities related to the pandemic. In short, an employer’s duty can only be considered to be discharged when he/she applies and upholds the requirements of the public health laws the Occupational Safety and Health Act and the laws of the country in general.

Thus, in my view, when all measures which are “reasonably practicable” are taken to protect the workforce from possible infection, this can discharge employers of their legal duty under the Occupational Safety and Health Act. Measures which are “reasonably practicable” should include the measures which have been prescribed by the law.

According to the ILO guidelines, social dialogue and consultations would appear to be the best means to establish whether vaccination might indeed be required for designated jobs, based on objective criteria. The ILO reminds its constituents that where international labour standards do specifically touch on measures of immunisation, they focus on the importance of protective measures in the workplace being accessible and available, rather than being obligatory. For example, the Nursing Personnel Recommendation, 1977 (No. 157), provides that immunisation should be provided for nursing personnel regularly exposed to special risks; and the Occupational Health Services Recommendation, 1985 (No. 171), states that occupational health services might, where possible and appropriate, carry out immunisations in respect of biological hazards in the working environment.

The ILO further states that any required Occupational Safety and Health measures introduced and adopted by the employer shall not involve any expenditure for the workers,

as required by Convention No. 155 Occupational Safety and Health Convention. The Occupational Safety and Health Act of Trinidad and Tobago also provides that expenditure for safety and protective measures in the workplace shall not involve any expenditure for workers.

It is important that each individual workplace be treated as distinct and separate (since what pertains in one may not apply to the other) and that the introduction of additional and/or enhanced health and safety measures apart from those mandated by law should be considered after due regard is given to each individual workplace environment. If, for example, the workplace comprises of two persons who do not have direct contact with the public or with each other, apart from the mandatory public health requirements which must be adopted, the business owner may not want to adopt additional measures and may not want to feel pressured to do so. The converse may pertain in a large workforce where one may want to consider additional measures which may be appropriate and necessary. The measures taken must be case and fact specific. This is where the engagement of management and the workers representatives in comprehensive bilateral consultation plays a critical role.

We can agree that the world of work as we knew it will not be the same, because of the social and economic impacts of this pandemic. Therefore, there may be the need for employers and workers representatives to re-examine and revise the duties and the functions of some employees, and to address the new issues which may present themselves at the workplace. This, of course, can only be done after consultation with the employees or if there is a Union, through the collective bargaining mechanism. I urge unions and employers to meet, to be open to dialogue and consensus even if the discussion may initially cause a level of unease and discomfort. Always remember that social dialogue is a very important tool in industrial relations as you try to resolve these very troubling issues of common interest.

Apart from the much-needed dialogue about whether or not there should be a mandatory or voluntary vaccination policy, it may help for each employer, in collaboration with the Union and technical support from other relevant actors as appropriate, to conduct a risk assessment of each individual workplace with a view to determining whether there are compelling reasons to adopt a policy which distinguishes between the non-vaccinated and vaccinated workers. The risk of discrimination should be among the factors to be considered if such an assessment is undertaken and so too should the training needs of workers, especially training and education on vaccines. If a risk assessment policy is considered and contemplated by a company, the Union should be consulted at the very initial stages, and collective bargaining should commence on the issue. If there is no Union at the company, there will be a need for discussions and dialogue, not monologues, with workers.

I do hope that this discussion on vaccination in the workplace and Occupation Safety and Health issues provide adequate guidance to all the relevant stakeholders who may have to address these concerns.

In August 2021, the main trade union bodies namely: The Federation of Independent Trade Unions and NGOs (FITUN), The Joint Trade Union Movement (JTUM) and The National Trade Union Centre of Trinidad and Tobago (NATUC), announced the commencement of bilateral discussions with organisations representing the business community namely: American Chamber of Commerce of Trinidad and Tobago (AMCHAM T&T), Energy Chamber, Trinidad and Tobago Chamber of Industry and Commerce and Trinidad and Tobago Manufacturers Association . I have been informed that these umbrella trade union organisations also held bilateral discussions with the Employers' Consultative Association.

According to a news release from the Trade Union Movement, these bilateral meetings are aimed at having dialogue about safety and other challenges at the workplace "in a COVID-19 environment". These tripartite meetings mark a very important first step of tackling the issues created by the pandemic, and I do wish that they bear fruit and assist in providing the much-needed guidance in the workplace.

It is public knowledge that the National Confederation of Trade Unions has withdrawn from the National Tripartite Advisory Council for what they consider to be good reason. However, this is the time in our nation's history where there is a need for the workforce to be guided by the decisions of the tripartite leaders.

The current unprecedented challenges in the world of work which have been presented by this pandemic require strong leadership to assist and to navigate the workforce through these difficult, uncharted and myriad issues and also to assist in stabilising the labour market. The workforce needs to be reassured and comforted in the knowledge that the tripartite leaders (government, employers and trade unions) are engaged in regular discussions with a view to reaching agreement on the path to be followed in the workplace to address the issues created by the pandemic. This much needed guidance can only be achieved in a climate of mutual respect and compromise, facilitated through social dialogue.

This may be the time for the National Tripartite Advisory Council to revisit its working mechanisms and also for the Federation of Trade Unions to reconsider the timing of its collective stance of non-participation in the Council. Additionally, the Trade Union movement and the government may wish to iron out their differences in order to begin meaningful consultation, along with the employers, on the effects of the pandemic on the world of work and industrial relations over the past 18 or so odd months, and the role of employers' and workers' organisations in forging a path of economic and social recovery for our nation during and after the pandemic.

I am aware that the Industrial Relations Advisory Committee held meetings and prepared a report on the issue of COVID-19 vaccination in the workplace however, there is an urgent need for the tripartite partners to convene and discuss not only vaccination policies, but also



labour relations in this country, the survival and sustainability of businesses, the social and economic impact of the pandemic and the path to recovery after the pandemic.

I cannot overstate the need for the Ministry of Labour, the various employers' organisations and the trade union federation to assist in their own way to educate the workforce on the different vaccines and the importance of vaccination in order to clear up some of the misinformation which prevails among workers.

At the June 2021 International Labour Conference, a conference governments, workers' and employers' delegates from 181 countries adopted a 'Global Call to Action for a human-centered recovery' that is inclusive, sustainable and resilient. At the national level, bipartite and tripartite dialogue will be key to the processes for drawing up policies and strategies; legal and institutional frameworks based on international labour standards, must provide the foundations for such initiatives.

### THE WORK OF THE COURT FOR THE YEAR IN REVIEW

In the year in review (14th September 2020 to 14th September 2021), **966** new cases were filed at the Industrial Court, which is **61** cases more than the previous year when **905** cases were filed.

The Court disposed of **1037** cases, which is **330** more than the cases disposed of in 2019/2020.

The disposal rate for this year is **107.3%**, which is **29.2** percentage points higher than the previous year when the disposal rate was **78.1%**.

A breakdown of the cases disposed in the year in review are as follows: **304** Judgments were delivered, **396** cases were withdrawn, **297** cases were settled through the conciliation and bilateral process and **35** cases were dismissed.

A look at the category of disputes which were filed at the Court reveal that **591** Trade Disputes were filed, **146** Industrial Relations Offences were filed, **101** Retrenchment and Severance Benefits cases were filed and **74** Occupational Safety and Health cases were filed.

I know that since the start of the pandemic there have been numerous requests from stakeholders for the virtual hearing of cases.

Unfortunately, the Industrial Court does not have the technology and the equipment to facilitate virtual hearings at this time.

In the year in review, there were open court sittings from September 2020 to April 2021.

There were no sittings of Court from May to July this year except for the hearing of one urgent Application for injunctive relief. In the first 20 days of the month of August 2021, there were open court sittings for Judges to complete part heard matters and to hear urgent IROs.

It is of note that Case Management hearings and matters of Mention and Reports are conducted virtually. However, Conciliation is conducted in person for the most part. The filing of documents at the Registry continue to be done by the use of drop boxes in an effort to minimize contact between staff members and the public.

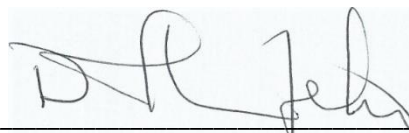
As I stated last year, there is a rigorous regime of cleaning and sanitising each day at the Court, which is augmented from time to time by the members of the San Juan/Barataria Regional Corporation who I continue to thank for their kind support and service.

Last year, very early in the pandemic, the Court approached Dr. Saed Rahaman, Director of Veterinary and Public Health, Ministry of Health, to visit the Court and to educate us about the virus and the precautions which should be taken during the pandemic at the various workstations and in the Courtrooms. This very important lecture, was attended by all the Judges of the Court, all Head of Departments, the cleaners from the National Maintenance Training and Security Company and a few other members of staff. I wish to publicly thank Dr. Saed Rahaman, for this very important guidance which we have been closely following.

### **Tributes**

It is with deep sadness we mourn the loss of two of our colleagues His Honour Mr. Kyril Jack and our beloved (Mrs.) Tamara Choonoolal-Ramlogan. His Honour Mr. Jack was a well-respected judge and Tamara who was loved by all was a very professional and an outstanding member of staff. Our prayers and thoughts are with their families. They are greatly missed.

As I conclude, I wish to reiterate that as we navigate this very deadly pandemic and discuss issues of common interests such as the survival and sustainability of businesses and the livelihood of workers, social dialogue plays a critical role in these discussions and in forging a path of economic and social recovery. I am reminded of the saying "alone we can do so little, together we can do so much". May God bless you all. Thank you for listening.



**Deborah Thomas-Felix**

PRESIDENT

## JUDGES OF THE INDUSTRIAL COURT



Her Honour Mrs. Deborah Thomas-Felix  
**PRESIDENT**



His Honour  
Mr. Hebert Soverall  
**VICE PRESIDENT**



His Honour  
Mr. Lawrence Achong  
**CHAIRMAN, Essential  
Services Division**



His Honour  
Mr. Albert Aberdeen  
**General Services Division**



His Honour  
Mr. Patrick Rabathaly  
**General Services Division**



Her Honour  
Mrs. Bindimattie Mahabir  
**General Services Division**



His Honour  
Mr. Gregory Rousseau  
**General Services Division**



Her Honour  
Mrs. Heather Seale  
**General Services Division**



Her Honour  
Mrs. Janice Christopher-  
Nicholls  
**General Services Division**



Her Honour  
Mrs. Kathleen George-  
Marcelle  
**General Services Division**



His Honour  
Mr. Melvin Daniel  
**General Services Division**

## JUDGES OF THE INDUSTRIAL COURT



His Honour  
Mr. Morton Mitchell  
General Services Division



Her Honour  
Ms. Michelle Ann Austin  
Essential Services Division



His Honour  
Mr. Azeem Mohammed  
General Services Division



His Honour  
Mr. Andrew Stroude  
Essential Services Division



Her Honour  
Mrs. Wendy Ali  
General Services Division



His Honour  
Mr. Vincent Cabrera  
Essential Services Division



Her Honour  
Mrs. Angela Hamel-Smith  
General Services Division



Her Honour  
Mrs. Indra Rampersad-  
Suite  
General Services Division



Her Honour  
Ms. Elizabeth Solomon  
General Services Division



Her Honour  
Mrs. Jillian Bartlett-Alleyne  
General Services Division

## REGISTRAR AND COURT ADMINISTRATOR



Mrs. Kathy-Ann Alexander-Fraser  
**ACTING REGISTRAR**



Mrs. Youland Robinson  
**COURT ADMINISTRATOR**

## ADMINISTRATION

Amidst the COVID-19 pandemic, the Industrial Court has not wavered in its drive to provide access to social justice.

The Court continued to conduct remote/virtual hearings for Case Management Conferences, Mention and Reports and some Conciliations. Some stakeholders preferred to come in to the Court and they were provided with the virtual experience at the Court. For intermittent periods throughout the year, open court sittings were held.

Funding has been forthcoming, as a result, the Court has acquired some of the hardware to facilitate the introduction of the new judicial management software titled Trinidad and Tobago Judicial Information Management System (TTJIM). However, the funding was inadequate to secure the required prerequisites to move towards complete e-filing and e-services.

### REGISTRY

The ongoing COVID-19 pandemic and the increase in COVID-19 cases meant that the rostering of staff continued at the Registry Department. The staff worked as a team and were able to manage the volume of matters filed at the Court. One of our colleagues, who was such an essential part of the Department, passed away. She will be dearly missed.

The Court pressed forward with its digitization initiative notwithstanding its limited resources. The process of acquiring scanners to start scanning documents such as Memorandum of Agreements, Collective Agreements, and Certificates of Recognition, has begun. The restructuring process of the Registry Department has been delayed by the ongoing COVID-19 pandemic as the rotation of staff throughout the public service continues.

### INFORMATION TECHNOLOGY

The progress of our e-Court has been continuing slowly as a consequence of the COVID-19 restrictions, staff rotation and the availability of funds. However, the Court is committed to implementing the relevant technology in order to remain effective in this technology driven age.

The following outlines the work of the Information Technology Unit over the past year. This includes the expansion of the virtual platform to accommodate “walk in” stakeholders and the increase of the Court’s internet bandwidth to accommodate more virtual traffic.

#### Key Achievements

1. Expansion of Virtual Platform: To ensure all stakeholders have access to justice, we enhanced our virtual platform by implementing fully equipped "break out" rooms specifically designed to accommodate "walk-in" stakeholders. These are stakeholders

who are scheduled for virtual hearings but still want to come to the Court for various reasons; one such reason is no internet access or unstable internet service at home/workplace. This innovative feature enabled us to effectively manage and engage with a larger number of participants, facilitating smooth and organized virtual proceedings.

2. **Increased Internet Bandwidth:** Recognizing the growing demand for virtual services, we took proactive measures to enhance our internet bandwidth. By upgrading our network infrastructure, we successfully expanded the capacity to accommodate a higher volume of virtual traffic. This upgrade resulted in improved connectivity, reduced latency, and enhanced overall performance, enabling us to efficiently handle the increased virtual workload.

### Ongoing Projects

- Upgrading and maintaining computers within the courtrooms and departments for optimal performance.
- Maintaining the wireless service for staff and guests.
- Managing and maintaining ten (10) Servers, inclusive of an Exchange Server.
- Updating the data, including the list of matters scheduled at the Court, on the Court's Kiosk on a weekly basis to provide relevant and up-to-date information to stakeholders.

### Upcoming Projects

- Implementation of a new judicial management software to replace the Judicial Enforcement Management System (JEMS) which was implemented since 2003.
- Implementation of a Cloud Base Storage to house old case information.
- Acquisition of critical equipment to support the e-Court goals of the Court, namely:
  - An increase in the number of storage servers and high-speed scanners to create a more digitally accessible platform which will enable faster processing of documents.
  - Smart televisions along with supporting equipment will be incorporated in our courtrooms to be used for witness displays and/or other video conferencing displays.
  - Document cameras for the effective presentation of physical evidence in the courtrooms when required.
  - A handheld signing device which will be integrated into our existing network infrastructure for bailiffs to allow persons who are served to sign. This will be linked to a server at the Court and saved automatically.
- Implementation of an electronic desk manual, which will be configured on one of our servers and be accessible to staff upon assuming duty on any desk in any department.

This would assist staff who are acting in different positions or are on a short-term contract to understand the basic step by step process of the desk and job description thereby creating more efficiency in our service.

- Introduction of an intranet for staff and judges of the Court. The aim of this staff portal is to enhance employee engagement by sharing information real-time.
- Installation of copiers which will be conveniently placed on each floor. This will enable users to print and copy from a central source and will provide a greater volume of prints at a lower cost.

## Challenges

Many of the upcoming projects stated in the 2019 – 2020 Annual Report were not realized due to a number of factors. One of the major factors was the COVID- 19 pandemic. The increased prevalence of COVID-19 cases has necessitated the implementation of stringent measures, thereby limiting our ability to engage in hands-on activities crucial for achieving our desired outcomes. Moreover, the strain on financial resources stemming from the pandemic has further complicated our pursuit of predetermined goals. Additionally, with limited staff due to staff rotation schedules and an added volume of work concentrated on assisting our Judges and stakeholders, the Unit was hindered from achieving some of its upcoming projects.

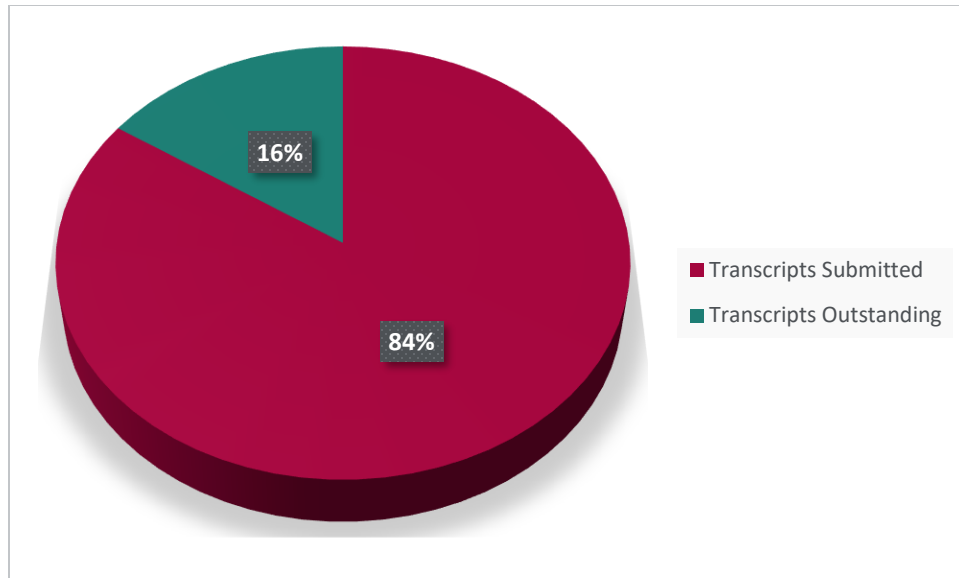
## COURT REPORTING

As in previous years, the shortage of Court Reporters persists. One additional Computer-Aided Transcription (CAT) Reporting Voice Writer was engaged. Meanwhile, there is a vacancy for the position of CAT Reporter I and the need for an additional telecommuting reporter to increase the complement of telecommuting reporters to two (2).

Over the review period, **one hundred and fifty-eight (158)** transcripts were submitted based on transcripts requested for matters heard at open court sittings. The table and chart below show the number of transcripts requested versus the number completed and submitted.

Section	Transcripts Requested	Transcripts Submitted	Transcripts Outstanding
<b>Verbatim Reporting</b>	87	62	25
<b>CAT Reporting</b>	100	96	4
<b>TOTAL</b>	<b>187</b>	<b>158</b>	<b>29</b>





The reduction in open court sittings as a result of the COVID-19 pandemic impacted the number of transcripts requested when compared to previous years.

## LIBRARY AND INFORMATION SERVICES

### INDUSTRIAL COURT JUDGMENTS

The Library is the premier reservoir of judgments delivered at the Court, and during this fiscal year, its print and e-collection continued to be enhanced for completeness. The metadata and full text of Civil Appeal cases, which pertain to trade disputes were added to its proprietary Judgment database and in keeping with the objective of being a trustworthy supplier of Court judgments and industrial relations content to the public, the Library has maintained the upgrading of metadata in the records of its database. One hundred and seventy-two (172) full-text cases authority were checked and uploaded, and one hundred and thirty-two (132) edited summaries and descriptors were added to two hundred and one (201) judgments.

### EARNINGS

At a national level, the state implemented certain measures to reduce the gatherings of persons in both the public and private spheres with the aim of stymying the spread of COVID-19. This resulted in reduced of hours work and rostering of staff at the library In spite of the unresolved technical issues with the photocopier and printer, the library garnered a total revenue of three hundred and forty-nine thousand, and nine hundred and thirty-two dollars and twenty-five cents **(\$349,932.25)**, which amounted to an eight point nine percent **(8.9%)** increase when compared to last year's figure of three hundred and twenty-one thousand, three hundred and five dollars and sixty cents **(\$321,305.60)**. A possible explanation of this occurrence could be an increase in demand for e-access to the cases of the Court, as practitioners and the public were severely limited in physically accessing them, due to the Court's health and safety COVID-19 protocols. This hypothesis can also be corroborated by the realization that there were more new

### VISION

To be a dynamic, evolving industrial relations library of choice in the Caribbean, assisting in dispensing social justice.

### MISSION

To be an Industrial Relations library dedicated to providing historical, managerial, psychological, sociological and legal documentation and information for research in a timely manner for our diverse clientele.

### PURPOSE

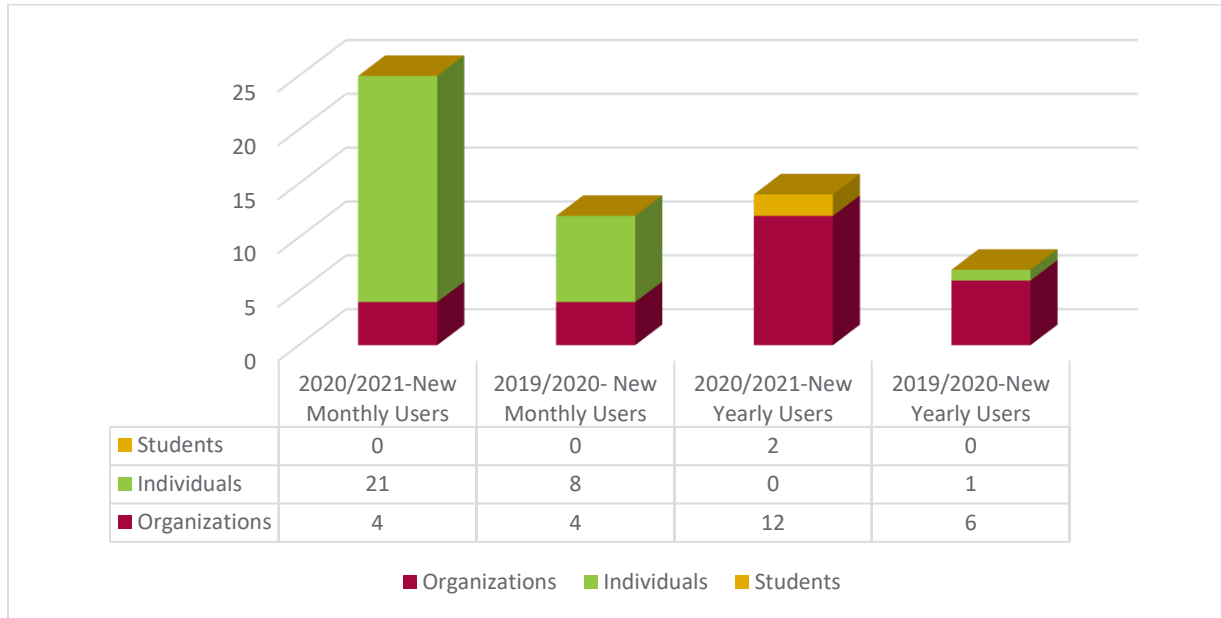
To be the premier Industrial Relations Library in the Caribbean, purposed to support the initiatives of the Industrial Court as a Superior Court of Record and a critical institution of social justice in Trinidad and Tobago.

### OBJECTIVES

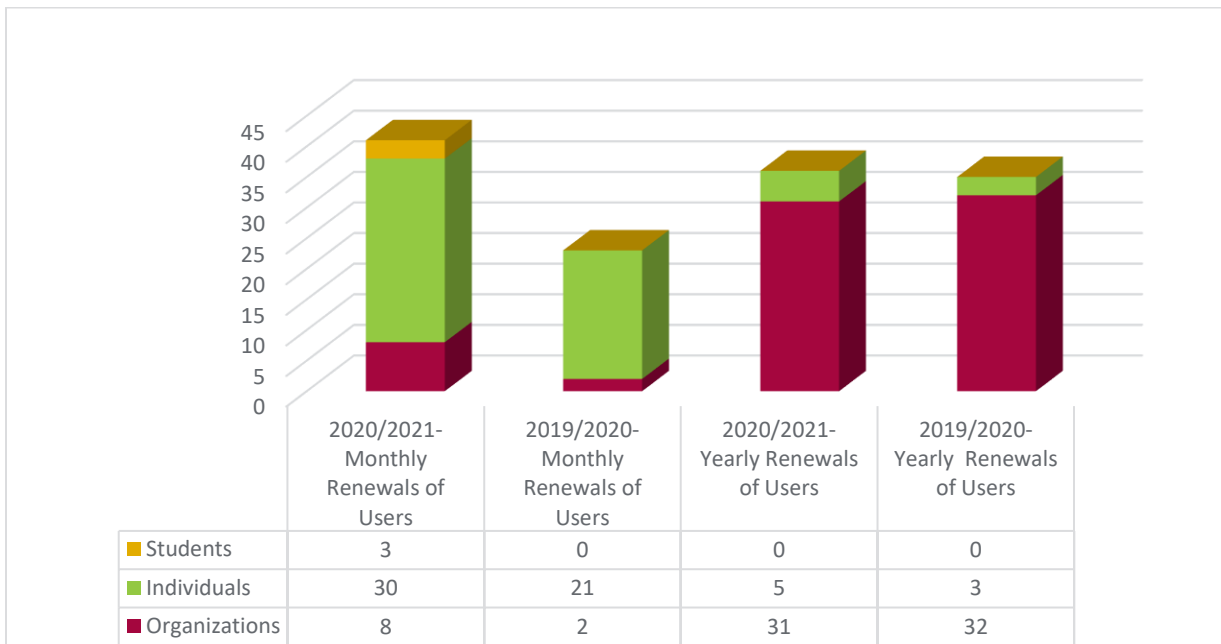
- To assist the Industrial Court in the fulfillment of its mission and vision through the provision of quality library services to all stakeholders and users.
- To be the foremost repository of Trinidad and Tobago's Industrial Court judgments that span over fifty years.
- To provide judges with resources and services to meet their legal information needs.
- To serve as a major source of Industrial Relations information for stakeholders, trade unionists, students, litigants and the general public.
- To develop and maintain a modern and dynamic information service in Industrial Relations, supplying equitable and quality access to the cases and knowledge of the Court.

subscribers and increased renewals of subscription access to the Library’s **Judgment** database as compared to last year. (Review *Figures 1 & 2 below.*)

**Figure 1: New Database Subscribers: a quantitative Comparison of two Years**



**Figure 2: Database Subscribers Renewals: a quantitative Comparison of two Years**

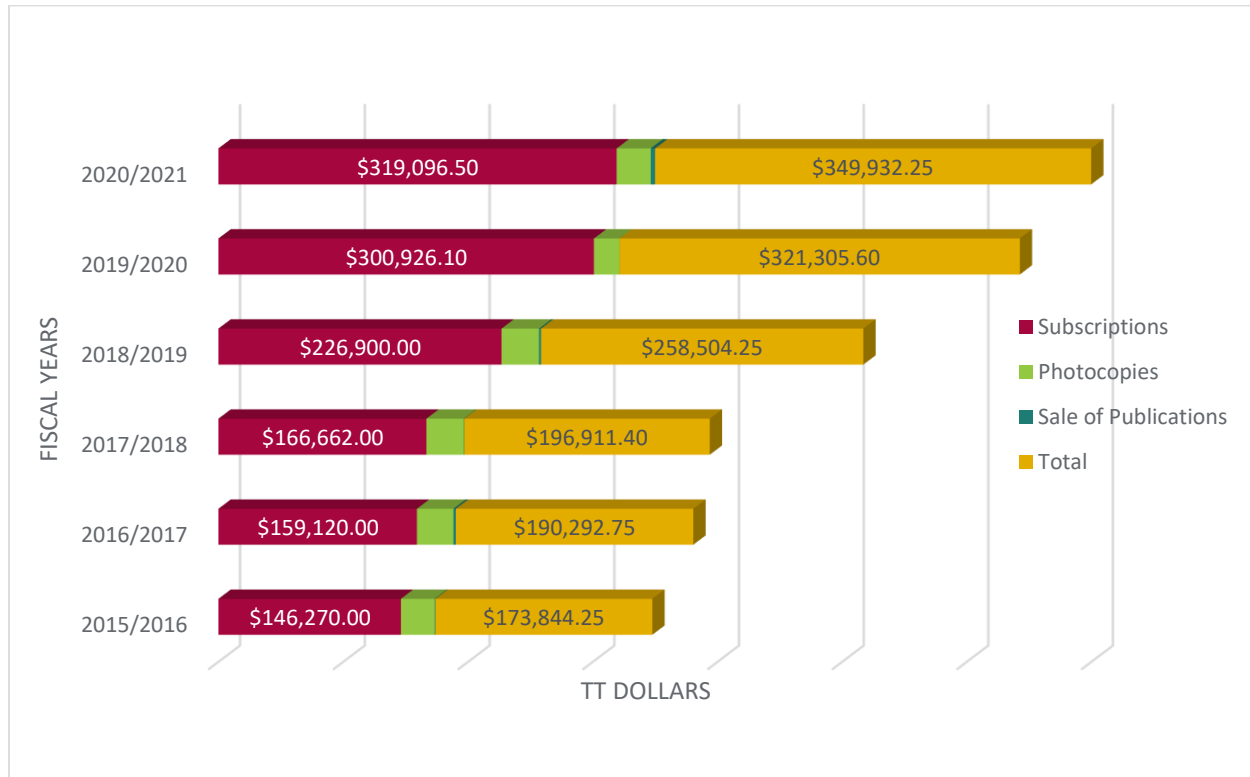


Further, the revenue gathered from payments for online access to the **Judgment** database accounted for **91.2%** of total revenue, with photocopies and Sale of Court Publications making up the remaining **8.8%**.

In summary, during the period 15<sup>th</sup> September 2020 – 14<sup>th</sup> September 2021, there were thirty-nine **(39) new subscribers** and **seventy-seven (77) renewals** as compared to the last financial year with **(19) new subscribers** and **(58) renewals**. This amounts to an increase of **105.2% in new subscribers** and **32.75% boost in database renewals**.

The chart (see Figure 3) below provides a snapshot of the revenue generated from our various earners over the last six fiscal years.

**Figure 3: Revenue Earnings 2015-2021**

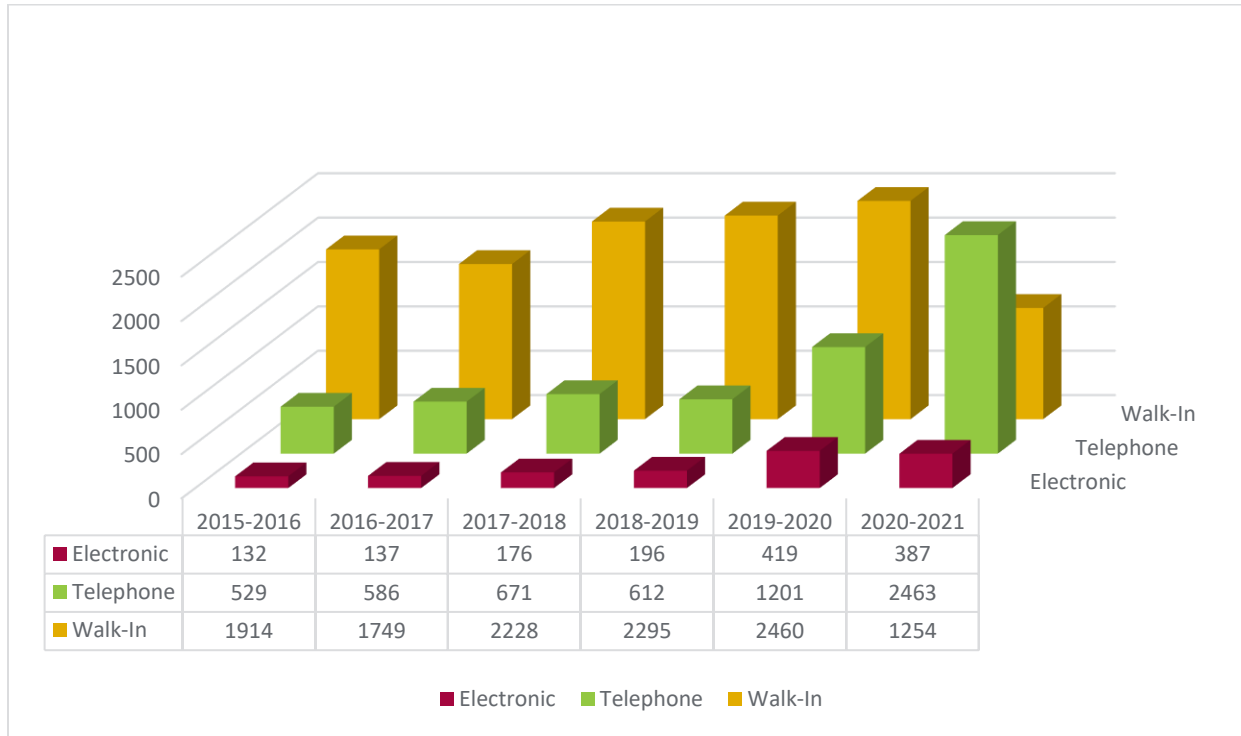


## LIBRARY STATISTICS

Patrons can access the services of the Library via a visit /walk-in, telephone call or our electronic platforms (e-mail, website, Facebook). The most popular access point used by our customers was the telephone, for the fiscal year 2020/2021. This is not surprising given the restricted access to the Court and by extension the Library, as a consequence of COVID-19 protocols. Overall, there was a noticeable increase in users contacting the Library. Nonetheless, it must be noted that even though there was a marginal increase (19%) in electronic access to the library as compared to last financial year, the library notes with concern that the overall figure is quite low when compared to the most popular method of access, the telephone. This revelation implies that there is opportunity for the library to market itself more aggressively in the online realm, especially with the COVID-19 pandemic, which has shown that communication and access to customers must be done simultaneously

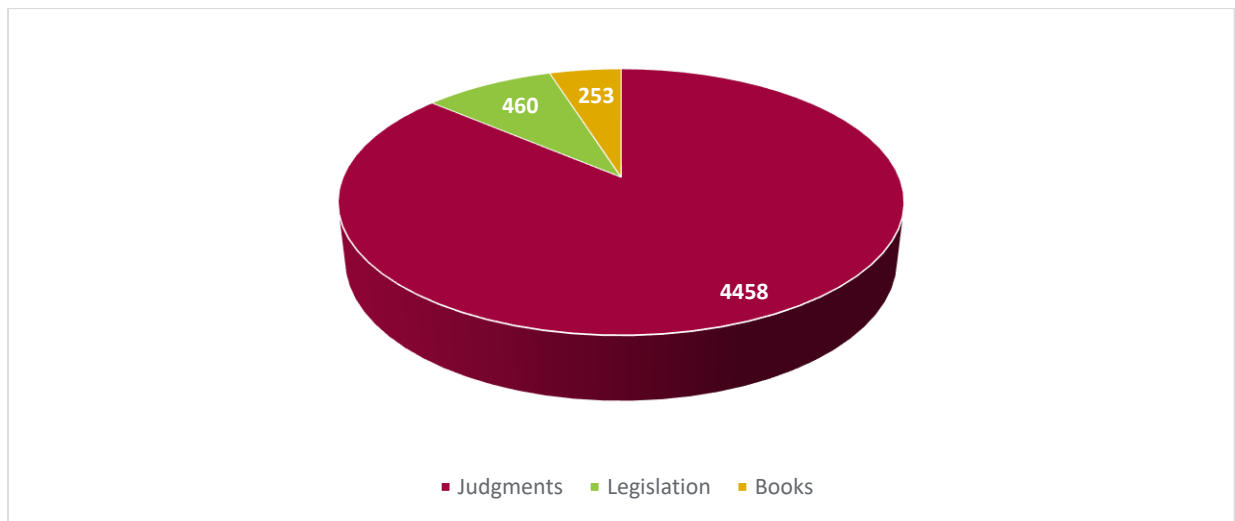
in both the virtual and physical realms. Figure 5 provides a breakdown of the various media by which queries would have been received over the past six (6) years.

**Figure 4: Mediums of Access: Statistics for the period 2015-2021**



Further, statistics pertaining to the most popular resource used in the library is depicted in the pie chart below (Figure 5). A cursory glance shows that judgments is the leading resource with industrial relations texts in second and legislation rounding up the top three.

**Figure 5: Library Resources**



## DISPLAYS AND BIBLIOGRAPHIES

To highlight current events and raise awareness of the library resources, the following displays and bibliographies were prepared:

Displays (**South branch**):

- World Day of Social Justice [*Bibliography updated*]
- Industrial Court Anniversary
- Book display: International Day of Education
- International Women's Day [*Bibliography updated*]
- World Day of Social Justice
- International Women's Day
- Labour Day

## PROJECTIONS FOR THE UPCOMING YEAR

- The upgrade of the MINISIS/M2L software to enhance the searching and retrieving capabilities of the database as well as the end-user experience.
- Creation of a Library App that would enable us to expand our digital reach by bringing ready reference information and other invaluable knowledge from the Court to our patrons' finger tips.
- Obtain an Integrated Library System (ILS), which would give us online access to manage the resources in the library. It would enable the end-user to searching and access our monograph, journal and newspaper collection.
- Revise "Subject Index of Judgments" publication for the period 1998 – 2021
- Bound volume publication for Judgments delivered in 2001 and 2002
- Draft a proposal to help the OEIR digitize its Collective Agreements (CAs)

## SPECIAL PROJECTS

The Librarian II (South) is currently working on indexing and archiving videos of the Court's past events held during the period 2013 – 2019. This project contributes to the Library's Digital Video Collection. The project is 60% completed as of July 2021.

The Library continues to work with the Information Technology Department and Communication Unit to ensure current and credible Court information is posted on the Court's website and social media platforms.

## CONCLUSION

The Industrial Court Library is laser-focused on helping the Court to continue to fulfill its **social justice mandate**. History has shown us that there is always an opportunity to innovate and discover new things in heavy circumstances, and the Library approaches the challenges of today with resiliency and takes it as an opportunity to improve on or develop new e-best practices. Indeed, a bit of insight into “operating/working/living” in today’s tumultuous milieu and one of the Library’s adopted perspectives, is reflected in the words taken from J.R.R. Tolkien’s book/movie, *The Fellowship of the Ring*.

*“I wish it need not have happened in my time,” said Frodo. “So do I,” said Gandalf, “and so do all who live to see such times. But that is not for them to decide. All we have to decide is what to do with the time that is given us.”*

## ECONOMIC AND INDUSTRIAL RESEARCH

The Office of Economic and Industrial Research (OEIR), was instituted by section 82 of the Industrial Relations Act, Chapter 88:01, which states:

“(2) The functions of the office shall be—

- (a) to collect and compile in accordance with the directions of the Court, information which may be of assistance to the Court in the exercise of its powers and functions under this Act;
- (b) to keep information as collected and compiled up to date; and
- (c) to carry out research in respect of such matters as the Court may direct.

(3) Information collected and compiled and the results of research carried out, under this section shall be furnished to any person, trade union or other organisation desiring to obtain that information or those results.”

In furtherance of its mission to effectively and competently support the Court in the exercise of its purpose, the OEIR has maintained its repute for the efficient delivery of relevant research material. For the period under review, the Office accomplished the following:

- One (1) Research Note - 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 a trade dispute arising from a breakdown in negotiations, namely:
  - Trade dispute No. GSD-TD 666/2018 between Trinidad and Tobago Union of Commercial and Industrial Workers (TTUCIW) and A. S. Bryden and Sons (Trinidad) Limited for the bargaining period 1<sup>st</sup> August 2018 to 31<sup>st</sup> July 2021, on behalf of weekly paid workers – an omnibus Research Note, which was started in 2020 and completed in 2021. Due to the size of the Research Note, it was done in three (3) parts consisting of analyses of disputed Articles and a job for job comparative analysis, for the purpose of conciliation at the Court.
- Publications:
  - *An Analysis of Wages and Salaries Extracted from Collective Agreements Registered in 2020*. This report represented the findings of analyses of data and trends in wage settlements negotiated through the collective bargaining process across sub-sectors, including a three-year comparative review. The analysis was based upon the fifty-five (55) Collective Agreements registered at the Court in 2020. Additionally, an Addendum to the Wage Analysis document 2019 was completed.



- *An Analysis of Cost of Living Allowances (COLA) Extracted from Registered Collective Agreements for the year 2020.* This report analysed the modal COLA negotiated on behalf of employees for specific bargaining periods, by sub-sector, identifying trends from a comparative analysis of COLA for consecutive years.
- *Analysis of Industrial Relations Offences (IROs) filed at the Court over the period 2015 – 2019.* This publication examined the IROs filed at the Industrial Court over the period on a year-to-year basis and provides information on the manner of disposal, the length of time taken for disposal and the Union and sub-sector involved.
- Analysis of sixty-seven (67) 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, Chapter 88:01, in the main and other relevant industrial relations legislation. Letters were also written to Companies and Unions requesting amendments to Collective Agreements prior to registration.
- *Details of Pecuniary Allowances Extracted from Collective Agreements registered in 2018 2019 and 2020, by sub-sector.* This represents the ongoing development of a database of selected (frequently requested) allowances negotiated on behalf of employees as part of their terms and conditions of employment for the particular bargaining period. The analysis from the registered Collective Agreements – fifty-four (54) in 2018; forty (40) in 2019 and fifty-five (55) in 2020 – 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.
- *An Analysis of Trade Disputes for the period 2012 to 2018 by sub-sector.* This is an ongoing project which involves the extraction and analyses of data with respect to specific trade disputes, namely, dismissal/termination, suspension and breakdown in negotiations and includes, inter alia, the manner of disposal and the length of time taken for disposal.
- Data requests:
  - The number of Collective Agreements received for registration for specific periods.
  - The number of registered Collective Agreements with respect to Public Institutions for the years 2020 and 2021 (as at March 2021).

- Compilation and analysis of statistical data on the number of disputes filed and disposed inclusive of judgments delivered at the Court for the period 15<sup>th</sup> September 2020 to 14<sup>th</sup> September 2021. For the details of this report, see Appendix C.

Increasing demand for the services of the OEIR over the years has made the Department become more proactive at addressing the needs of its clientele. The Department continued to supply a wide cross-section of stakeholders, both internal and external, with its publications and customised research material. For the year in review, the Department has responded to enquiries from approximately seventy-six (76) clients, a 15% increase, compared with sixty-six (66) clients the preceding year. In addition, clients have accessed approximately six hundred and twenty-nine (629) documents and publications, a 41% increase, over the corresponding period the year before. The OEIR has also participated in the Chief Personnel Office (CPO) and Pricewaterhouse Coopers (PWC) Civil Service Job Evaluation Exercise for various positions within the OEIR Department and the Metadata and Labour Market Indicators exercise with the Ministry of Labour.

## **CHALLENGES**

The Court has had to adapt to the changes brought about by the COVID-19 pandemic. The situation has inevitably exacerbated the country's already declining economic output, with its government-mandated lockdown policy. During the period under review, the Department resumed duty on a full-time basis from September 2020 to April 2021, (having been on rotation from May 2020). From May 2021 to present, the Department operated on a roster basis, as staff tried to adapt to the new phenomenon. Resource constraints continue to impact the execution of our daily operations and the implementation of the Department's Training Plan. Notwithstanding this, we surmounted these obstacles and focused on fulfilling our objectives.

## **PROJECTIONS FOR THE NEXT YEAR 2021 - 2022**

The OEIR will continue to maintain focus on the implementation of the annual Work Programme 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 are expected include:

- An Analysis of Wages and Salaries 2021
- Analysis of the Cost of Living Allowances 2021
- Details of Pecuniary Allowances Extracted from Collective Agreements Registered in 2018, 2019 and 2020
- Analysis of Industrial Relations Offences (IROs) 2016 – 2020 extracted from the Judicial Enforcement Management Software (JEMS)

- Analysis of Trade Disputes, that is, Breakdown in Negotiations; Dismissal/Termination and Suspension 2017- 2020 extracted from JEMS
- Ongoing development of a formal database of labour and industrial relations information

## HUMAN RESOURCE MANAGEMENT

The ongoing COVID-19 pandemic has challenged the Human Resource Management Unit (HRMU) to carefully manage the Court's staff so that the operations of the Industrial Court is not adversely affected and business continuity is maintained. Staff have been on rotation since the resumption of Court operations in June 2020 (Practice Directions in the Trinidad and Tobago Gazette dated 7<sup>th</sup> June 2020, Volume 59, No. 95, bold No. 701). The systems put in place to safeguard the health and well-being of all members of staff and judges continue and will remain until guided further by the Ministry of Health.

### STAFFING

There is a total of one hundred and sixty-four (164) positions at the Industrial Court composed of twenty-six (26) Members (Judges), one hundred and twenty-one (121) established positions and seventeen (17) contract positions.

During the review period, some vacant positions were filled while others remained vacant. The breakdown of these positions is as follows:

#### Members (Judges) - 26

President	1
Vice President	1
Chairman, Essential Services Division (ESD)	1
Members *	19

\*There are four (4) vacant positions.

#### Established Positions - 121

Amount filled	<b>50</b>
Vacant Positions	71
Amount of vacant positions with acting Incumbents	44
Vacant positions without incumbents*	27

\*The vacant positions without incumbents are one (1) Verbatim Reporter II, seventeen (17) Verbatim Reporters I, one (1) Statistical Officer, two (2) Auditing Assistants, one (1) Messenger I and five (5) Cleaners.

### Contract Services - 17

Amount Filled	14
Vacant*	3

\* The vacant positions are two (2) CAT Reporters I, one (1) Business Operations Assistant II and one Office Support Assistant.

## PROMOTIONS AND APPOINTMENTS

During the period 2020 to 2021, two (2) promotions were made in the following offices by the Director of Personnel Administration (DPA)

- Clerk IV 1
- Clerk Stenographer I/II 1

There was one (1) cancellation of promotion as Clerk II.

There were six (6) first time acting Appointments done by the DPA with respect to the following offices:

OFFICE	NO. OF PERSONS WITH ACTING APPOINTMENTS
Accountant I	1
Accountant Assistant	2
Verbatim Reporter I	2
Messenger	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 appointment of officers, acting appointments, no pay leave, extended sick leave, noting of retirement and Confirmation of Appointment. A breakdown of the figures completed during the period under review is as follows:

Further temporary appointment	87
Acting appointment	199
Noting of Retirement	6
No pay leave	1

Extended sick leave	2
Confirmation of appointment	5
Maternity leave	nil
Leave of absence without pay	2

## PERFORMANCE MANAGEMENT AND APPRAISAL SYSTEM

Timely submission of completed performance appraisals reports are critical for officers who are in line for promotion and appointment and to process increments.

The HRMU forwarded sixty-two (62) completed annual performance appraisal reports to the Service Commissions Department. However, thirty-four (34) are still outstanding from various supervisors. Seventy-nine (79) increments for officers were processed during the period.

## TRAINING AND DEVELOPMENT

Training and Development has been one of the areas hardest hit by the financial challenges plaguing the Court over the last few years; a situation that has been exacerbated by the COVID-19 pandemic. As a result, the Court has been limited to the training services provided by the Ministry of Public Administration (MPA) through the Public Service Academy.

The Academy, under the Singapore Co-operation Programme, offered training in *Technology and Courts of the Future* which was held from 14<sup>th</sup> to 18<sup>th</sup> September 2020, and *Leadership in Court Governance* which was held from 5<sup>th</sup> to 9<sup>th</sup> October 2020. Two (2) members of staff gained a wealth of knowledge from these 5-day training programmes which were conducted by the Singapore Judicial College.

Another three (3) members of staff from the Accounts Department and the HRMU, benefitted from training provided by the Academy with respect to the Integrated Human Resource Information System (IHRIS). The focus of the training was on Workforce Administration (8<sup>th</sup> to 10<sup>th</sup> November 2020) and Integrated Global Payroll (5<sup>th</sup> November 2020).

In addition to the services of the Public Service Academy, in-house training was conducted to enhance the skill set of our staff. The Verbatim and CAT Reporters of the Court Reporting Unit were trained in Eclipse Block Files. This is phase one in a series of training on the Eclipse software used in the courtrooms which will help Reporters become more proficient in the production of transcripts.

## **STAFF ORIENTATION**

On Monday 21<sup>st</sup> December 2020, the HRMU conducted a Staff Orientation Workshop for members of staff who assumed duty at the Court in recent years. The thirty-six (36) persons who attended the workshop comprised of Clerks, On-The-Job Trainees (OJTs), CAT Reporters, Bailiffs, Accounting Staff and Short-Term Contract Staff. The participants were given an overview of the Industrial Court. They were then introduced to the Heads of Departments who delivered ten (10) minute presentations on their roles and functions at the Industrial Court.

## **PENSION AND LEAVE**

For the period under review, fifty (50) Pension and Leave Records were completed and signed by the Internal Auditors and the Registrar. Currently, there are forty-one (41) outstanding Pension and Leave records and it is expected that by the end of 2021, twenty (20) Pension and Leave records will be completed.

## **EMPLOYEE ASSISTANCE PROGRAMME (EAP)**

During the period, no member of staff accessed the services of the Employee Assistance Programme.

## **ON-THE-JOB-TRAINING**

The On-The-Job Training (OJT) Programme of the Ministry of Labour assists in the induction of participants to the world of work and focus on the acquisition of practical occupational skills. The Industrial Court received one (1) OJT who is currently assigned to the Court Registry Department.

## 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 2020 to September, 2021 is detailed as follows:

Sale of Publications	\$ 360,257.25
Fines	\$ 462,000.00
<b>Total</b>	<b>\$ 822,257.25</b>

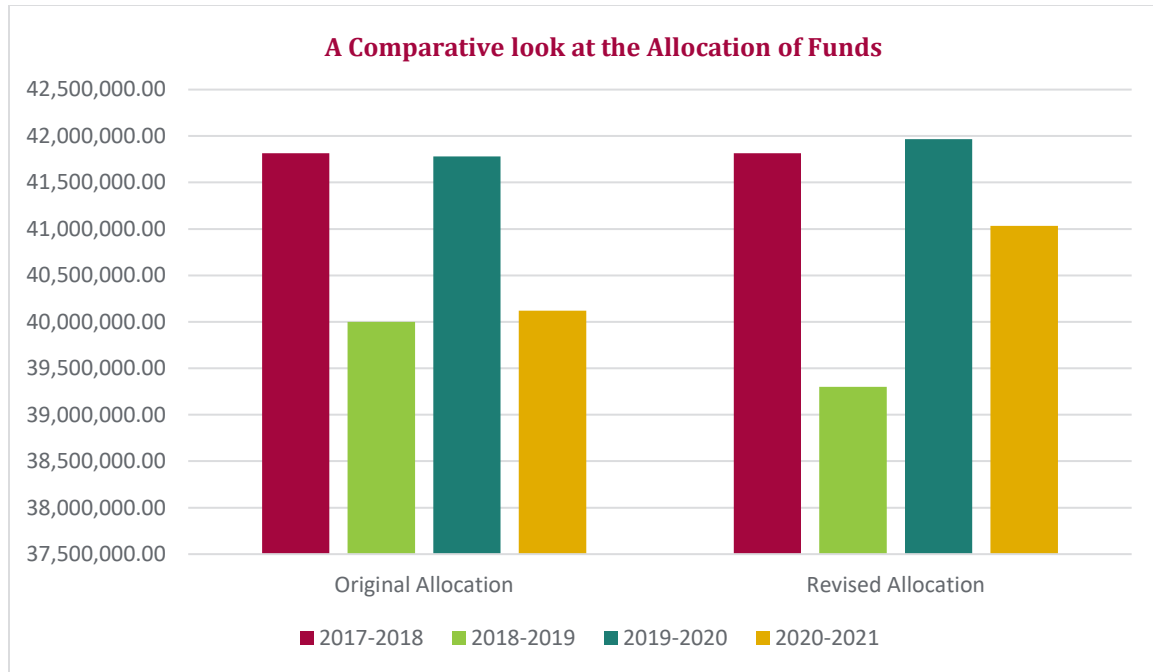
Fines are imposed on Companies and Unions which are found guilty of Industrial Relations Offences and breaching the Occupational Safety and Health Act. There was an increase in Fines collected over the same period in the previous financial year.



## 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 2020 by January 31<sup>st</sup> 2021.

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 2020-2021 as at 30<sup>th</sup> September, 2021 are illustrated as follows:

SUB HEAD	ORIGINAL ALLOCATION \$	REVISED ALLOCATION \$	EXPENDITURE \$
<b>Personnel Expenditure</b>	23,732,880.00	23,732,880.00	22,713,422.00
<b>Goods and Services</b>	16,200,450.00	17,026,350.00	16,791,347.00
<b>Minor Equipment</b>	111,670.00	111,670.00	105,790.00
<b>Current Transfers and Subsidies</b>	75,000.00	162,600.00	0.00
<b>TOTAL</b>	<b>40,120,000.00</b>	<b>41,033,500.00</b>	<b>39,610,559.00</b>

## DEVELOPMENT PROGRAMME

In the financial year 2020/2021, the Industrial Court was allocated two million dollars (\$2,000,000.00) – five hundred thousand (\$500,000.00) under *Computerisation of the Industrial Court*, five hundred thousand (\$500,000.00) under *Improvement Works and Furnishing* and one million dollars (\$1,000,000.00) under sub-item *Accommodation for the Tobago Office of the Industrial Court* – which was revised to one million and eighty-six thousand, five hundred dollars (\$1,086,500.00). One million and eighty-five thousand, three hundred and six dollars and twenty-nine cents (\$1,085,306.29) was spent which accounted for ninety-nine point nine per cent (99.9%) of the revised provisions.

Under the sub-item *Computerisation of the Industrial Court*, some much needed servers and additional equipment were purchased. Under *Improvement Works and Furnishing of the Industrial Court*, the process towards fire certification commenced which ensures that the buildings of the Industrial Court are compliant with the Occupational Safety and Health Act (OSHA), Chapter 88:08.

The National Insurance Property Development Company (NIPDEC) was able to complete Phase I of the Project for the establishment of an Industrial Court in Tobago which involved document preparation, project requirements and design for renovations and was paid the balance of one hundred and twelve thousand five hundred dollars (\$112,500.00).

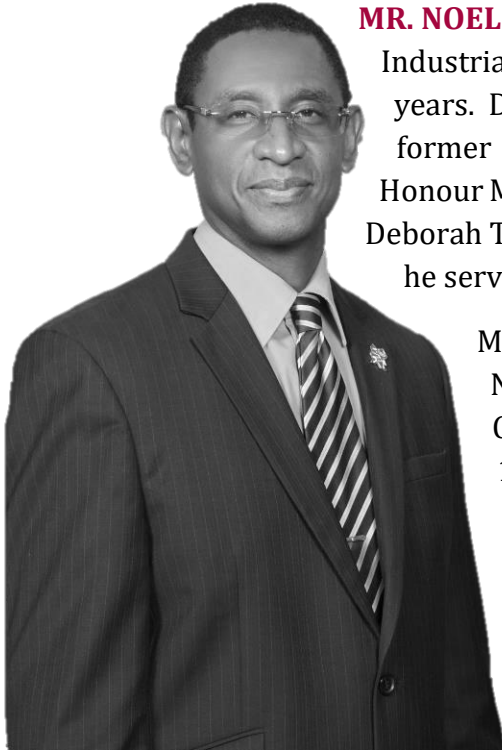
The table below details the Allocation and Expenditure of Funds for the Financial Year 2020/2021 Development Programme.

SUB HEAD	SUB UNIT	ORIGINAL PROVISION	REVISED PROVISION	EXPENDITURE
<b>Administrative Services</b>	Computerisation of the Industrial Court	\$500,000.00	546,000.00	\$545,705.88
<b>Public Buildings</b>	Improvement Works and Furnishing of the Industrial Court	\$500,000.00	428,000.00	\$427,100.41
<b>Public Buildings</b>	Accommodation for the Tobago Office of the Industrial Court	\$1,000,000.00	\$1,000,000.00	\$112,500.00
<b>TOTAL</b>		<b>\$2,000,000.00</b>	<b>\$1,974,000.00</b>	<b>\$1,085,306.29</b>



**FAREWELL TO  
MEMBERS OF THE  
INDUSTRIAL COURT  
TEAM**

## RETIREMENTS

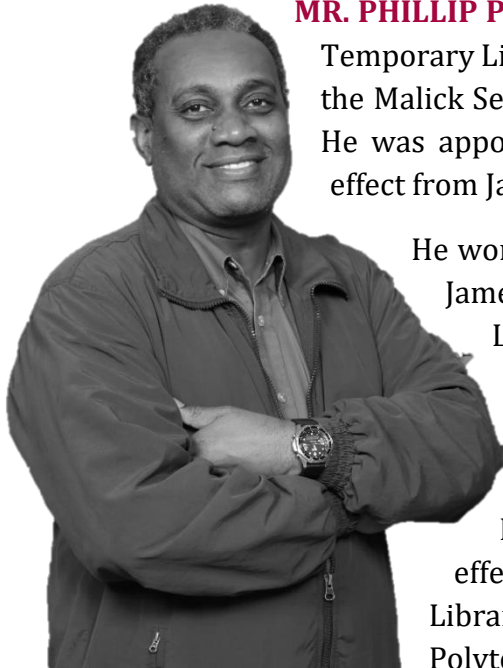


**MR. NOEL INNISS** LLB, LEC, PG.CERT, PG.DIP. LLM served as Registrar of the Industrial Court of Trinidad and Tobago for over seventeen (17) years. During his tenure, he worked under the leadership of former Presidents His Honour Mr. Addison Khan and His Honour Mr. Cecil Bernard, and current President Her Honour Mrs. Deborah Thomas-Felix. Prior to his service at the Industrial Court, he served as State Counsel II at the Ministry of Finance.

Mr. Inniss' entry into the Public Service began in November 1979 as a Temporary Clerk I at the Service Commissions Department, but it was not until September 1983 that he was appointed as Clerk I. From his entry into the Public Service in 1979 up until 1990, Mr. Inniss served in the capacity of Clerk II, Clerk III and Accounting Assistant at the Service Commissions Department, Insurance Officer at the Ministry of Finance and briefly, as Accounting Assistant at the Election and Boundaries Commission.

Mr. Inniss returned to the Ministry of Finance to serve once again, as Insurance Officer and did so for nine (9) years. It was during this time, that Mr. Inniss pursued and attained his Bachelor of Laws degree, after which he was appointed State Counsel I and later, State Counsel II.

Mr. Inniss retired from the Public Service on the 27<sup>th</sup> of December 2020, after having served for approximately forty-one (41) years. The Industrial Court Staff and Judges wish Mr. Noel Inniss the best of success in the years ahead.



**MR. PHILLIP PAYNE** entered the Public Service on February 02, 1987 as Temporary Library Assistant I. He served in the Ministry of Education at the Malick Senior Comprehensive School for a period of four (4) years. He was appointed as Library Assistant I, Ministry of Education with effect from January 01, 1990.

He worked as Library Assistant I at Forensic Sciences Centre, St. James for one (1) year from 1991 to 1992; Tunapuna Public Library as Librarian Assistant III from 1992 to 1993; St James Library from 1993 to 2001 and the Diego Martin Library from 2001 to 2005.

Mr. Payne was appointed on transfer to the National Library and Information System Authority (NALIS) with effect from March 01, 2002. He was appointed to act as Librarian I on May 27, 2005 and served at the Sixth Form Polytechnic Government Institute from May 27, 2005 to

September 12, 2010.

On September 13, 2010, Mr. Payne assumed duties at the Industrial Court to act as Librarian I. He was granted a three-year Scholarship by NALIS to pursue a BSC in Economics Information and Library Studies (Distance Learning) at Aberystwyth University, Wales from January 01, 2011 to December 31, 2014. He was promoted to Librarian I on March 05, 2014.

Mr. Payne retired from the Public Service on November 24, 2020. He served for thirty-three (33) years in the Public Service including ten (10) years at the Industrial Court.



**MS. PORTIA CRAIGWELL** entered the Public Service on January 28, 1982 as a Temporary Clerk Typist I. She served in that capacity at the Ministry of Decentralisation, St. George East County Council until November 29, 1987.

Ms. Craigwell was given another Temporary appointment as a Clerk Stenographer II, Service Commissions Department from November 30, 1987 to September 2, 1990. She was appointed as Clerk Typist I, Parliament with effect from November 1, 1989.

From 1990 to 1994, she acted as Verbatim Reporter I at the Parliament of Trinidad and Tobago and the Public Service Appeal Board. During the period, she was promoted to Clerk Stenographer II at the Ministry of National Security, Fire

Service Division and later in 2001, to Clerk Stenographer III at Office of the Prime Minister.

Ms. Craigwell assumed duty at the Industrial Court on July 20, 1994. During her twenty-six (26) years at the Industrial Court, she has served as Verbatim Reporter I and II.

After thirty-eight (38) years in the Public Service, Ms. Portia Craigwell retired on December 25, 2020, when she celebrated her 60th birthday.



**MS GALYA ST. CLAIR-DOUGLAS** entered the Public Service on May 18, 1983 as a temporary Laboratory Assistant at Fatima College, Ministry of Education. She resigned the position with effect from 9th December, 1985.

Ms. St. Clair-Douglas returned to the Public Service on March 22, 1989 as a leave Relief Social Welfare Adviser I, Ministry of Social Development and served in that position until November 30, 1991.

She acted as a Research Officer I, Consumer Affairs Division, Ministry of Trade and Consumer Affairs from December 01, 1991 to December 31, 1994.

Subsequently, Ms. St. Clair-Douglas was appointed Economist I then promoted to Economist II at the Ministry of Trade and Consumer Affairs and Senior Economist at the Ministry of Trade and Industry.

She was granted leave of absence without pay on the grounds of Public Policy from January 17, 2007 to December 02, 2009 to serve as Project Manager at the Ministry of Trade and Industry. Upon her resumption of duty, she continued to serve as a Senior Economist until January 2015.

Ms. St. Clair-Douglas joined the Industrial Court as Director of the Office of Economic and Industrial Research and served in that position until her retirement on January 23, 2021.

She served in the Public Service for approximately thirty-three (33) years including five (5) years at the Industrial Court.



**MRS. BEVERLY HACKSHAW-ALVES** entered the Public Service on February 26, 1981 as a Temporary Clerk Typist I. She served in the Ministry of Legal Affairs, Director of Public Prosecution (DPP) for the period February 26, 1981 to June 5, 1988.

She was given an appointment as a Temporary Clerk Stenographer II, Ministry of Works and Transport from June 6, 1988 to December 31, 1988. Mrs. Hackshaw-Alves was transferred to the Unemployment Relief Programme (URP) to serve from January 1, 1989 to February 14, 1999. During that period, she was appointed as Clerk Typist I, Ministry of Works, Infrastructure and Decentralisation.

On February 15, 1999, she was transferred to the Office of the Prime Minister (OPM) where she served as a Clerk Stenographer I and later, Clerk Stenographer II for over four (4) years. On November 21, 2003, she was released from that Department to act as Verbatim Reporter I at the Registration, Recognition and Certification Board (RRCB).

On January 13, 2004, Mrs. Beverly Hackshaw-Alves assumed duty at the Industrial Court and was assigned to the South branch of the Court. During her tenure, she served as Verbatim Reporter I and Verbatim Reporter II.

After seventeen (17) years at the Industrial Court, Mrs. Beverly Hackshaw-Alves retired from the Public Service on June 29, 2021. She served in the Public Service for forty (40) years.



**MR. LARRY ANDREWS** was first appointed in the Public Service on August 3, 1989 as a Storehand at the Ministry of Health, General Hospital Port of Spain. He also served in that position at the County Hospital in Sangre Grande.

On May 22, 1990, Mr. Andrews was given another appointment as a Handyman at the Ministry of Agriculture, Land and Fisheries. He then served as a Messenger I at the Judiciary of the Republic of Trinidad and Tobago and at the Ministry of Foreign Affairs.

On April 3, 2000, Mr. Andrews assumed duty at the Industrial Court to act as Orderly and was subsequently promoted to the position on June 17, 2003.

Mr. Andrews retired from the Public Service on August 10, 2021. He served for approximately thirty-two (32) years in the Public Service including twenty-one (21) years at the Industrial Court.

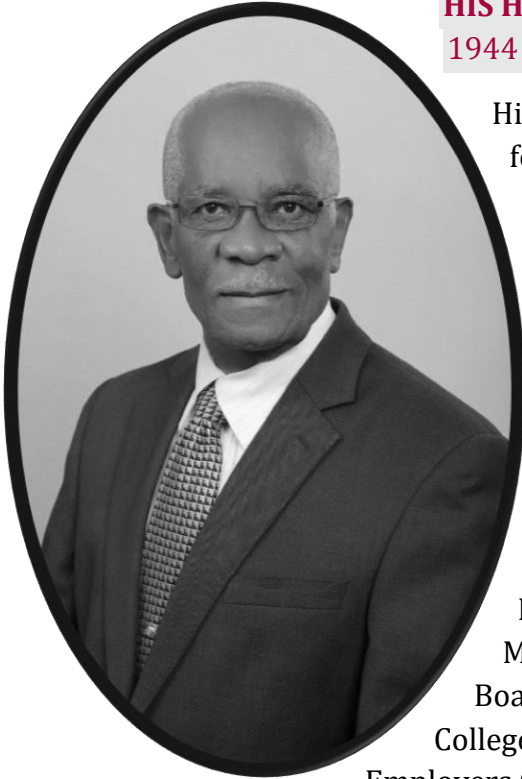


## RESTING IN PEACE

The Industrial Court Family mourns the loss of two colleagues, His Honour Mr. Kyril Jack and Mrs. Tamara Choonoolal-Ramlogan.

### HIS HONOUR MR. KYRIL JACK

1944 - 2021



His Honour Mr. Jack served as a Judge of the Industrial Court for nine years until his retirement in December 2020. During his tenure, he presided over disputes in both the General Services and Essential Services Divisions.

Judge Jack had an illustrious career as an industrial relations expert, spanning more than forty years. Prior to his tenure at the Industrial Court, he served as Second Vice President of the Banking, Insurance and General Workers Union and as President of the Bank and General Workers Union Credit Union Cooperative Society Ltd. He held the position of Director of the International Communications Network and served as a Member of the Appeals Tribunal of the National Insurance Board. In addition, he was a part-time lecturer at the Cipriani College of Labour and Cooperative Studies and also at the Employers Consultative Association Academy of Industrial Relations.

His Honour Mr. Kyril Jack was not only an outstanding Judge of the Industrial Court, but also a gentleman and an exceptional human being who was loved and respected by the Staff and Members of the Industrial Court.

**TAMARA CHOONOLAL-RAMLOGAN**  
1988 - 2021



Mrs. Tamara Choonoolal-Ramlogan entered the Public Service on 17th February, 2010 as Temporary Clerk I at the Industrial Court. During her service, she worked as a Clerk II, III and IV in the Registry Department. She also had a brief stint in the Accounts Department.

Tamara served her entire working life in the Public Service at the Industrial Court.

It was a painful blow to colleagues at the Registry Department, Judges and staff at the Court on the announcement of her untimely passing.

Tamara was one of the bright lights of the Court. For those who knew her, she was passionate about her job and was always ready and willing to go beyond the call of duty. She will always be remembered for her bubbly spirit, infectious laugh and winning smile.

## APPENDICES



**Appendix A**

**List of Acronyms**

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**Statistics on Disputes**

## 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

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<b>Table 1.3</b>	Number of Matters Filed (South) – September 15, 2020 to September 14, 2021
<b>Table 2.1</b>	Number of Matters Disposed (North & South) – September 15, 2020 to September 14, 2021
<b>Table 2.2</b>	Number of Matters Disposed (North) – September 15, 2020 to September 14, 2021
<b>Table 2.3</b>	Number of Matters Disposed (South) – September 15, 2020 to September 14, 2021
<b>Table 2.4</b>	Number of Matters Filed (North & South) – 2016/2017 to 2020/2021
<b>Table 2.5</b>	Number of Matters Disposed (North & South) – 2016/2017 to 2020/2021
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<b>Table 5.2</b>	Comparison of Matters Disposed by Category (North & South) – 2019/2020 and 2020/2021
<b>Table 6.1</b>	Percentage Change for Matters Filed and Disposed (North & South) – 2017/2019 to 2019/2021

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- Chart 3.2** Comparative Chart Showing Matters Disposed Bilaterally and through Conciliation (North & South) – 2016/2017 to 2020/2021
- Chart 4.1** Number of Judgments Delivered (North & South) – 2016/2017 to 2020/2021
- Chart 5.1** Percentage of Matters Disposed by Category (North & South) – 2020/2021
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## APPENDIX D

## APPENDIX D

## STATISTICS ON DISPUTES

## INTRODUCTION

For the Industrial Court's fiscal year, that is, September 15, 2020 to September 14, 2021, there was a small increase in the number of matters filed and disposed. 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 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 2016/2017 to 2020/2021.

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.

There were **968** new cases filed at the Industrial Court, 61 cases less than those filed for the previous year, 2019/2020, which recorded **907** cases. The Court disposed of **1044** matters which is **303** cases more than the 741 matters disposed of for the period 2019/2020. The disposal rate in 2020/2021 is **107.4%**, which is over **26.2** percentage points, higher than the period 2019/2020 when the disposal rate was **81.7%**. The **1044** cases were disposed in the following manner: **299** judgments were delivered, **361** cases were withdrawn, **347** cases were settled through the conciliation and bilateral process and 36 cases were dismissed by the Court.<sup>1</sup>

Trade Disputes (**594**) remain the largest number of cases filed followed by Industrial Relations Offences (**146**), the Retrenchment and Severance Benefit (**100**) and the Occupational Safety and Health (**75**) cases.

A comparison of the periods 2017/2019 and 2019/2021 the percentage change revealed that there was a decrease of -24.5% of matters filed. However, the percentage change of 12.9% for judgments delivered and 57.1% for matters dismissed, showed an increase over the period 2019 to 2021 as compared to the period 2017 to 2019. Over this period under review, the disposal of matters increased, especially with respect to judgments being delivered and matters being dismissed.

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

**TABLE 1.1: NUMBER OF MATTERS FILED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
For the period 15th September 2020 to 14th September 2021

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
2020	September	18	1	1	1	0	0	0	5	0	0	0	0	0	0	4	0	0	2	0	0	0	0	32
	October	44	0	7	0	0	0	0	13	0	0	4	0	1	0	7	0	0	2	0	0	0	0	78
	November	34	0	2	0	0	0	0	8	0	0	3	0	2	0	11	0	0	0	0	0	0	0	60
	December	51	1	2	1	0	0	0	4	0	0	5	0	1	0	15	0	0	7	0	0	0	0	87
	<b>Sub-Total</b>	<b>147</b>	<b>2</b>	<b>12</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>30</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>37</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>257</b>
2021	January	54	0	1	2	0	0	0	17	0	0	1	0	51	0	24	0	0	0	0	0	0	0	150
	February	39	0	0	1	0	0	0	7	0	0	5	0	0	1	5	0	0	1	0	0	0	0	59
	March	61	0	13	1	0	0	0	11	0	0	4	0	0	0	6	1	0	6	0	0	0	0	103
	April	38	1	5	0	0	0	0	7	0	0	15	0	1	0	10	0	0	0	0	0	0	0	77
	May	21	0	23	1	0	0	0	4	0	1	5	0	1	1	4	0	1	1	0	0	0	0	63
	June	34	0	19	3	0	0	0	7	0	1	6	0	1	0	5	0	0	4	0	0	0	0	80
	July	35	0	3	0	0	0	0	8	0	0	10	0	1	1	10	0	0	3	0	0	0	0	71
	August	52	0	3	3	0	0	0	6	0	1	12	0	1	0	5	0	0	1	1	0	0	0	85
	September	7	0	7	2	0	0	0	2	0	0	5	0	0	0	0	0	0	0	0	0	0	0	23
	<b>Sub-Total</b>	<b>341</b>	<b>1</b>	<b>74</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>69</b>	<b>0</b>	<b>3</b>	<b>63</b>	<b>0</b>	<b>56</b>	<b>3</b>	<b>69</b>	<b>1</b>	<b>1</b>	<b>16</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>711</b>
<b>TOTAL (2020-2021)</b>	<b>488</b>	<b>3</b>	<b>86</b>	<b>15</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>99</b>	<b>0</b>	<b>3</b>	<b>75</b>	<b>0</b>	<b>60</b>	<b>3</b>	<b>106</b>	<b>1</b>	<b>1</b>	<b>27</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>968</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 2020 to 14th September 2021

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
2020	September	17	1	1	1	0	0	0	5	0	0	0	0	0	0	4	0	0	2	0	0	0	0	31
	October	44	0	5	0	0	0	0	13	0	0	4	0	1	0	4	0	0	2	0	0	0	0	73
	November	24	0	1	0	0	0	0	7	0	0	3	0	2	0	10	0	0	0	0	0	0	0	47
	December	41	1	2	1	0	0	0	4	0	0	5	0	1	0	15	0	0	7	0	0	0	0	77
	<b>Sub-Total</b>	<b>126</b>	<b>2</b>	<b>9</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>29</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>33</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>228</b>
2021	January	41	0	1	1	0	0	0	12	0	0	1	0	51	0	21	0	0	0	0	0	0	0	128
	February	26	0	0	1	0	0	0	5	0	0	5	0	0	1	5	0	0	1	0	0	0	0	44
	March	39	0	9	1	0	0	0	10	0	0	4	0	0	0	6	1	0	5	0	0	0	0	75
	April	31	1	3	0	0	0	0	6	0	0	15	0	1	0	10	0	0	0	0	0	0	0	67
	May	19	0	21	1	0	0	0	4	0	1	5	0	1	1	3	0	1	1	0	0	0	0	58
	June	28	0	18	3	0	0	0	6	0	1	6	0	1	0	5	0	0	4	0	0	0	0	72
	July	35	0	2	0	0	0	0	7	0	0	10	0	0	1	10	0	0	3	0	0	0	0	68
	August	44	0	2	3	0	0	0	5	0	1	12	0	1	0	5	0	0	1	1	0	0	0	75
	September	4	0	2	2	0	0	0	2	0	0	5	0	0	0	0	0	0	0	0	0	0	0	15
	<b>Sub-Total</b>	<b>267</b>	<b>1</b>	<b>58</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>57</b>	<b>0</b>	<b>3</b>	<b>63</b>	<b>0</b>	<b>55</b>	<b>3</b>	<b>65</b>	<b>1</b>	<b>1</b>	<b>15</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>602</b>
<b>TOTAL (2020-2021)</b>	<b>393</b>	<b>3</b>	<b>67</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>86</b>	<b>0</b>	<b>3</b>	<b>75</b>	<b>0</b>	<b>59</b>	<b>3</b>	<b>98</b>	<b>1</b>	<b>1</b>	<b>26</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>830</b>	

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



## APPENDIX D

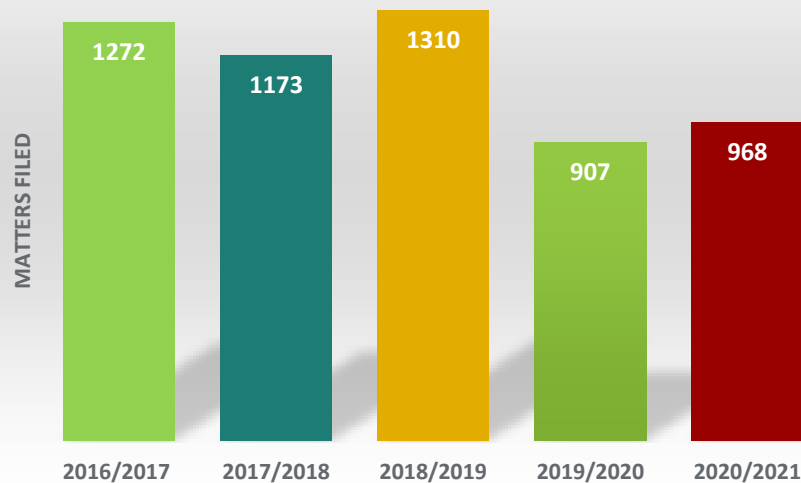
**TABLE 1.3: NUMBER OF MATTERS FILED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (SOUTH)**  
For the period 15th September 2020 to 14th September 2021

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	
2020	September	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
	October	0	0	2	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	5
	November	10	0	1	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	13
	December	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
	<b>Sub-Total</b>	<b>21</b>	<b>0</b>	<b>3</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>0</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>29</b>
2021	January	13	0	0	1	0	0	0	5	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	22
	February	13	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15
	March	22	0	4	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	28
	April	7	0	2	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
	May	2	0	2	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	5
	June	6	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
	July	0	0	1	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	3
	August	8	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
	September	3	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
<b>Sub-Total</b>	<b>74</b>	<b>0</b>	<b>16</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>4</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>	<b>109</b>	
<b>TOTAL (2020-2021)</b>	<b>95</b>	<b>0</b>	<b>19</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>8</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>	<b>138</b>	

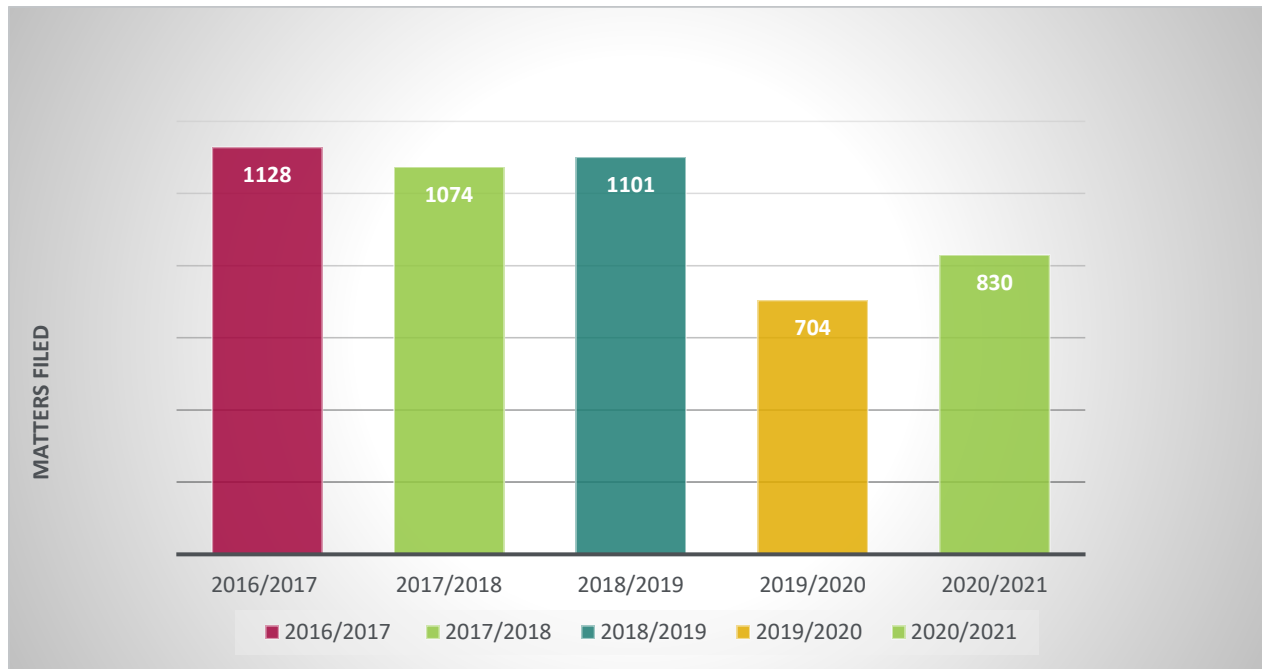
\* With effect from October 2012 ESD matters are now heard in the South Court of the Industrial Court of T&T

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

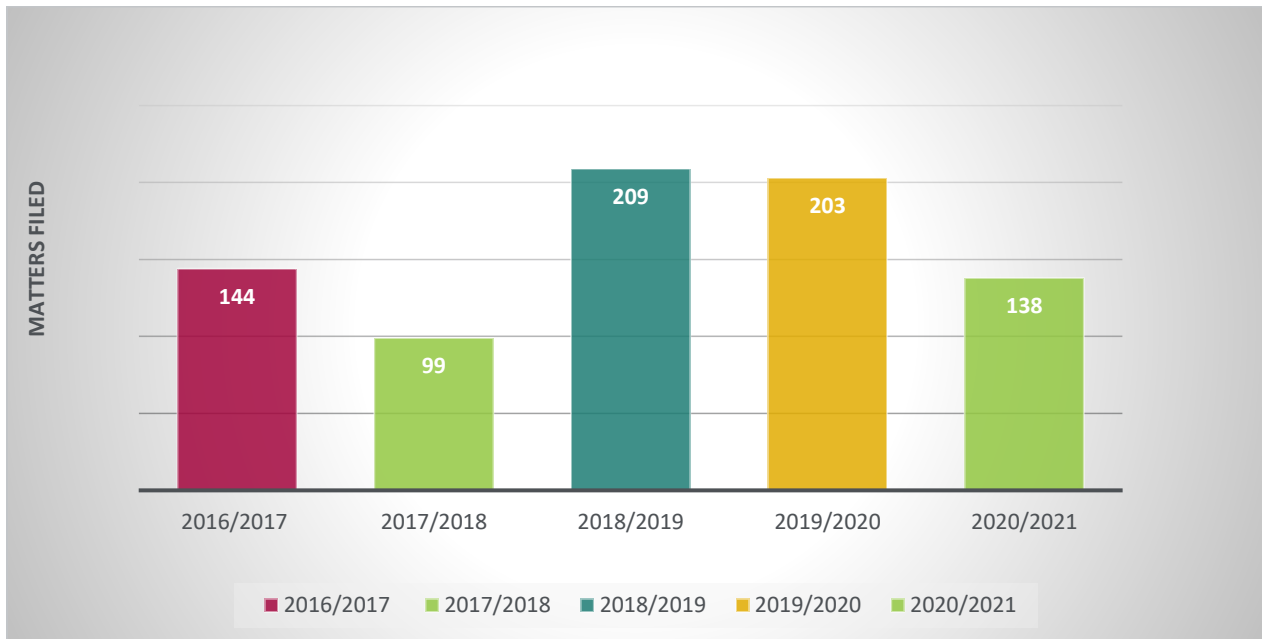
**CHART 1.1: MATTERS FILED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
For the period 2016/2017 to 2020/2021



**CHART 1.2: MATTERS FILED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH)**  
For the period 2016/2017 to 2020/2021



**CHART 1.3: MATTERS FILED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (SOUTH)**  
For the period 2016/2017 to 2020/2021

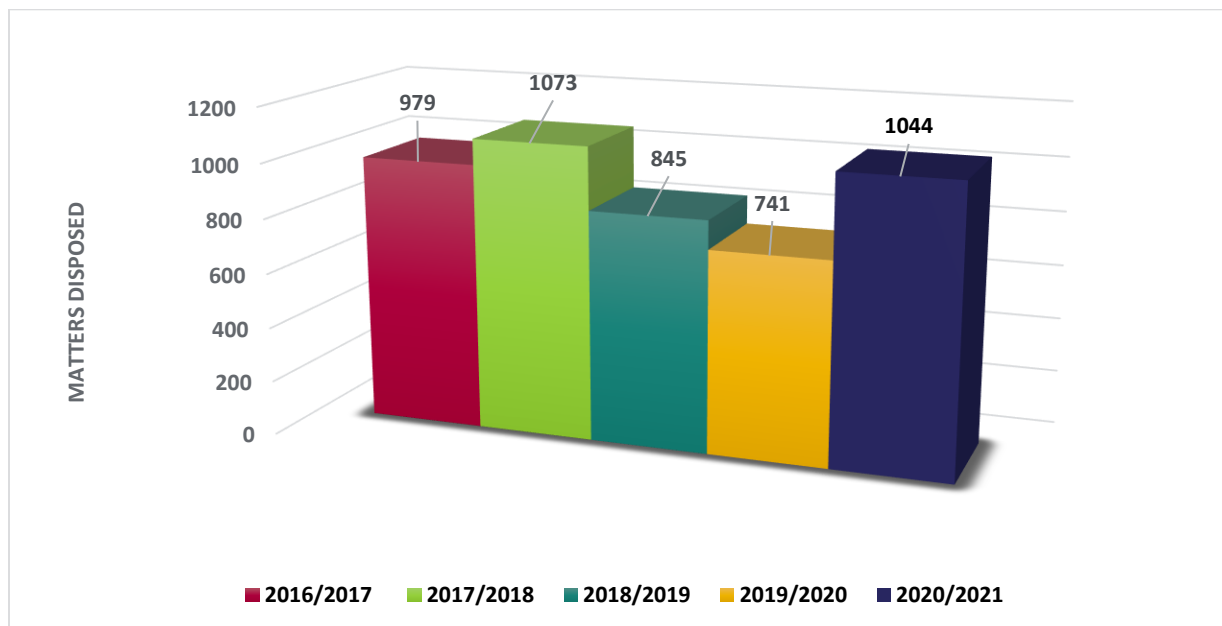


## APPENDIX D

**TABLE 2.1: NUMBER OF MATTERS DISPOSED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
 For the period 15th September 2020 to 14th September 2021

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	OPINION	
2020	September	32	12	44	3	20	0	0	79
	October	78	35	31	8	40	0	0	114
	November	60	47	27	7	37	5	0	123
	December	87	18	41	3	28	1	0	91
	<b>Sub-Total</b>	<b>257</b>	<b>112</b>	<b>143</b>	<b>21</b>	<b>125</b>	<b>6</b>	<b>0</b>	<b>407</b>
2021	January	150	43	5	5	42	5	0	100
	February	59	24	25	5	18	11	0	83
	March	103	37	13	48	23	3	0	124
	April	77	22	11	11	27	3	0	74
	May	63	4	4	2	31	1	0	42
	June	80	0	7	3	13	3	0	26
	July	71	40	13	1	14	0	0	68
	August	85	17	14	1	18	1	0	51
	September	23	0	11	4	51	3	0	69
<b>Sub-Total</b>	<b>711</b>	<b>187</b>	<b>103</b>	<b>80</b>	<b>237</b>	<b>30</b>	<b>0</b>	<b>637</b>	
<b>TOTAL (2020-2021)</b>		<b>968</b>	<b>299</b>	<b>246</b>	<b>101</b>	<b>362</b>	<b>36</b>	<b>0</b>	<b>1044</b>

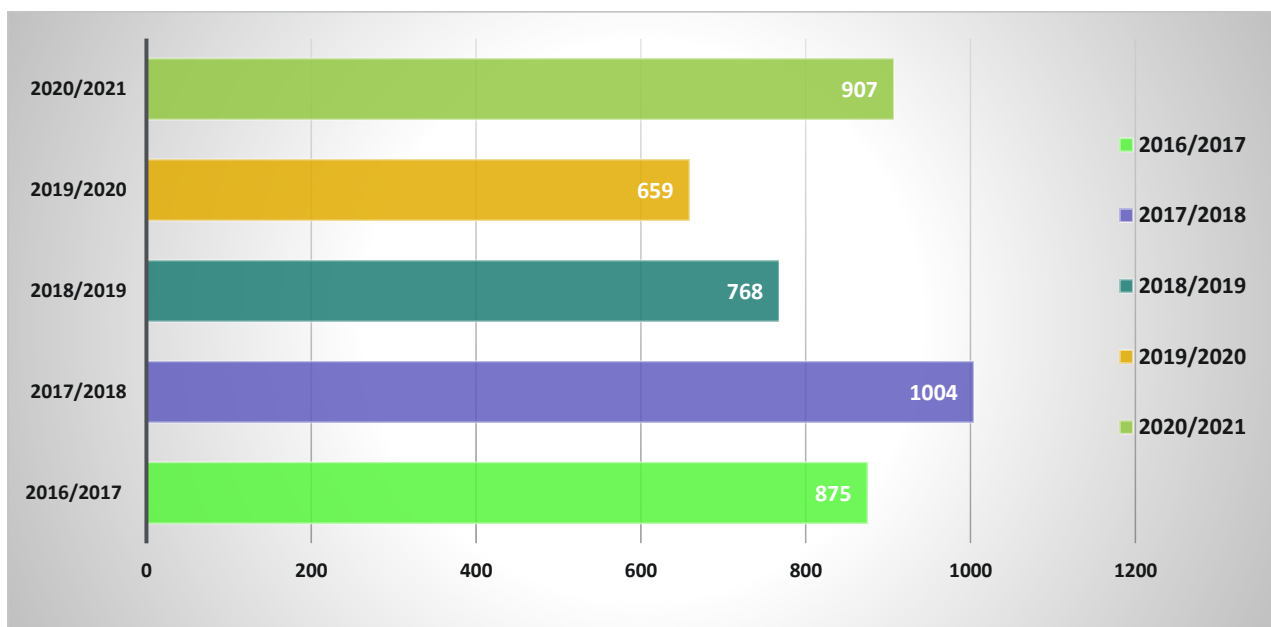
**CHART 2.1: DISPOSALS**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
 For the period 2016/2017 to 2020/2021



**TABLE 2.2: NUMBER OF MATTERS DISPOSED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH)**  
 For the period 15th September 2020 to 14th September 2021

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	OPINION	
2020	September	31	12	44	3	20	0	0	79
	October	73	34	24	7	34	0	0	99
	November	47	28	24	4	34	5	0	95
	December	77	15	24	1	22	1	0	63
	<b>Sub-Total</b>	<b>228</b>	<b>89</b>	<b>116</b>	<b>15</b>	<b>110</b>	<b>6</b>	<b>0</b>	<b>336</b>
2021	January	128	36	4	5	36	5	0	86
	February	44	19	24	5	18	11	0	77
	March	75	35	12	42	19	2	0	110
	April	67	22	8	10	24	3	0	67
	May	58	4	4	2	23	1	0	34
	June	72	0	7	3	13	3	0	26
	July	68	32	12	1	11	0	0	56
	August	75	16	14	1	17	1	0	49
	September	15	0	8	4	51	3	0	66
<b>Sub-Total</b>	<b>602</b>	<b>164</b>	<b>93</b>	<b>73</b>	<b>212</b>	<b>29</b>	<b>0</b>	<b>571</b>	
<b>TOTAL (2020-2021)</b>		<b>830</b>	<b>253</b>	<b>209</b>	<b>88</b>	<b>322</b>	<b>35</b>	<b>0</b>	<b>907</b>

**CHART 2.2: DISPOSALS**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH)**  
 For the period 2016/2017 to 2020/2021

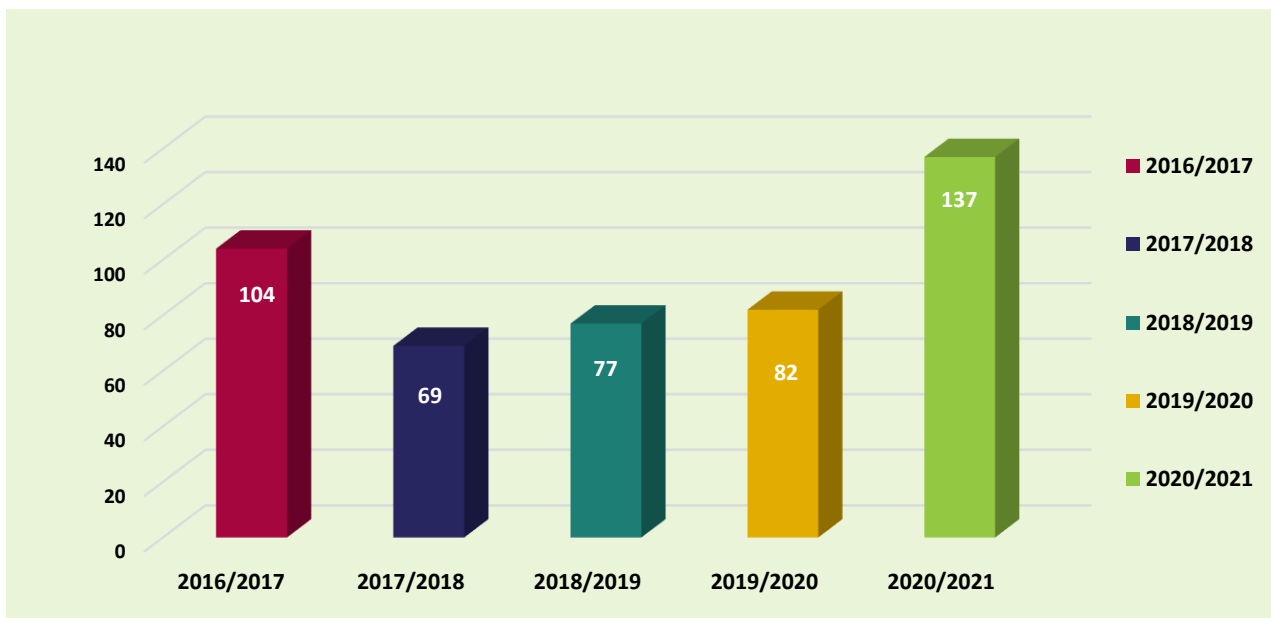


## APPENDIX D

**TABLE 2.3: NUMBER OF MATTERS DISPOSED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (SOUTH)**  
 For the period 15th September 2020 to 14th September 2021

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	
2020	September	1	0	0	0	0	0	0	0
	October	5	1	7	1	6	0	0	15
	November	13	19	3	3	3	0	0	28
	December	10	3	17	2	6	0	0	28
	<b>Sub-Total</b>	<b>29</b>	<b>23</b>	<b>27</b>	<b>6</b>	<b>15</b>	<b>0</b>	<b>0</b>	<b>71</b>
2021	January	22	7	1	0	6	0	0	14
	February	15	5	1	0	0	0	0	6
	March	28	2	1	6	4	1	0	14
	April	10	0	3	1	3	0	0	7
	May	5	0	0	0	8	0	0	8
	June	8	0	0	0	0	0	0	0
	July	3	8	1	0	3	0	0	12
	August	10	1	0	0	1	0	0	2
	September	8	0	3	0	0	0	0	3
	<b>Sub-Total</b>	<b>109</b>	<b>23</b>	<b>10</b>	<b>7</b>	<b>25</b>	<b>1</b>	<b>0</b>	<b>66</b>
<b>TOTAL (2020-2021)</b>		<b>138</b>	<b>46</b>	<b>37</b>	<b>13</b>	<b>40</b>	<b>1</b>	<b>0</b>	<b>137</b>

**CHART 2.3: DISPOSALS**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (SOUTH)**  
 For the period 2016/2017 to 2020/2021



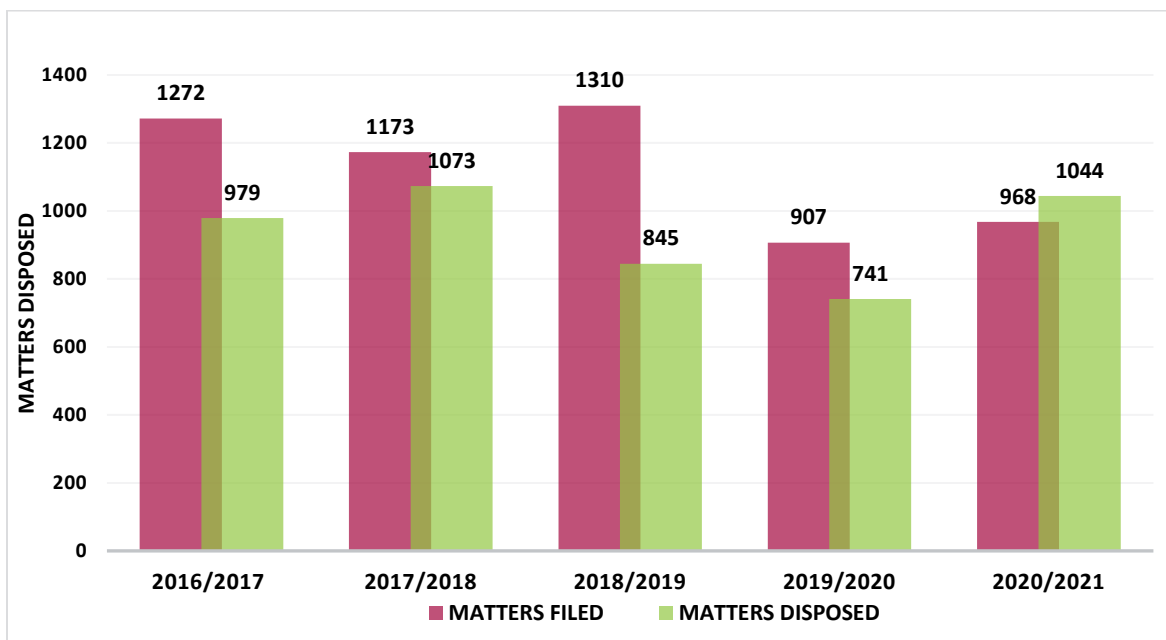
**TABLE 2.4: NUMBER OF MATTERS FILED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
 For the period 2016/2017 to 2020/2021

NORTH		SOUTH		NORTH AND SOUTH	
YEAR	MATTERS FILED	YEAR	MATTERS FILED	YEAR	MATTERS FILED
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
2019/2020	704	2019/2020	203	2019/2020	907
2020/2021	830	2020/2021	138	2020/2021	968

**TABLE 2.5: NUMBER OF MATTERS DISPOSED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
 For the period 2016/2017 to 2020/2021

NORTH		SOUTH		NORTH AND SOUTH	
YEAR	MATTERS DISPOSED	YEAR	MATTERS DISPOSED	YEAR	MATTERS DISPOSED
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
2019/2020	659	2019/2020	82	2019/2020	741
2020/2021	907	2020/2021	137	2020/2021	1044

**CHART 2.4: TOTAL MATTERS FILED AND DISPOSED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
 For the period 2016/2017 to 2020/2021

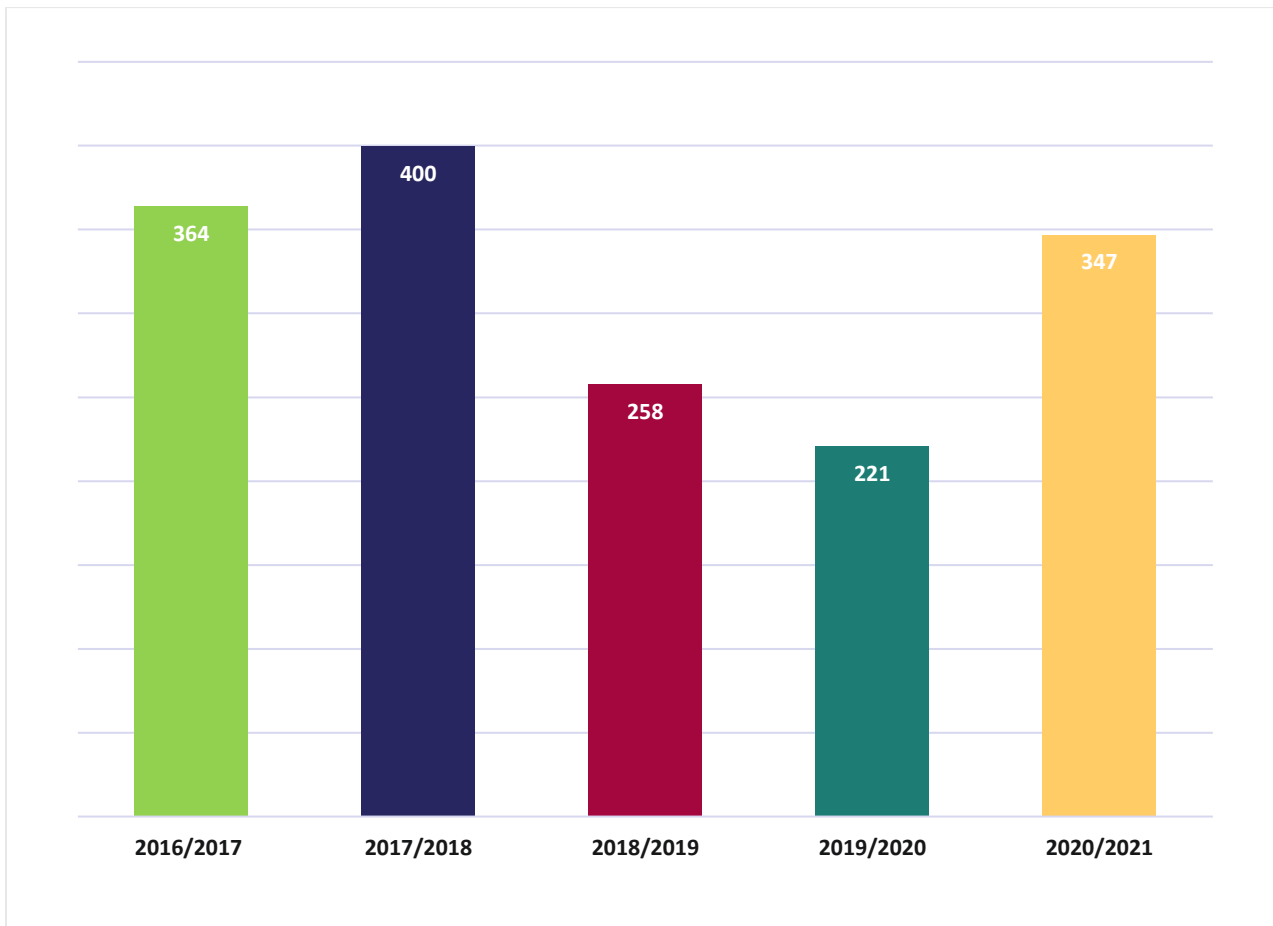


## APPENDIX D

**TABLE 3.1: NUMBER OF MATTERS DISPOSED THROUGH THE CONCILIATORY PROCESS (BILATERALLY/CONCILIATION)**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
 For the period 2016/2017 to 2020/2021

YEAR	MATTERS DISPOSED		TOTAL
	MATTERS DISPOSED BILATERALLY (Consent Order/Terms of Settlement)	MATTERS DISPOSED IN CONCILIATION	
2016/2017	199	165	364
2017/2018	285	115	400
2018/2019	145	113	258
2019/2020	139	82	221
2020/2021	246	101	347

**CHART 3.1: NUMBER OF MATTERS DISPOSED THROUGH THE CONCILIATORY PROCESS (BILATERALLY/CONCILIATION)**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
 For the period 2016/2017 to 2020/2021



**CHART 3.2: COMPARATIVE CHART SHOWING MATTERS DISPOSED BILATERALLY AND THROUGH CONCILIATION INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
For the period 2016/2017 to 2020/2021



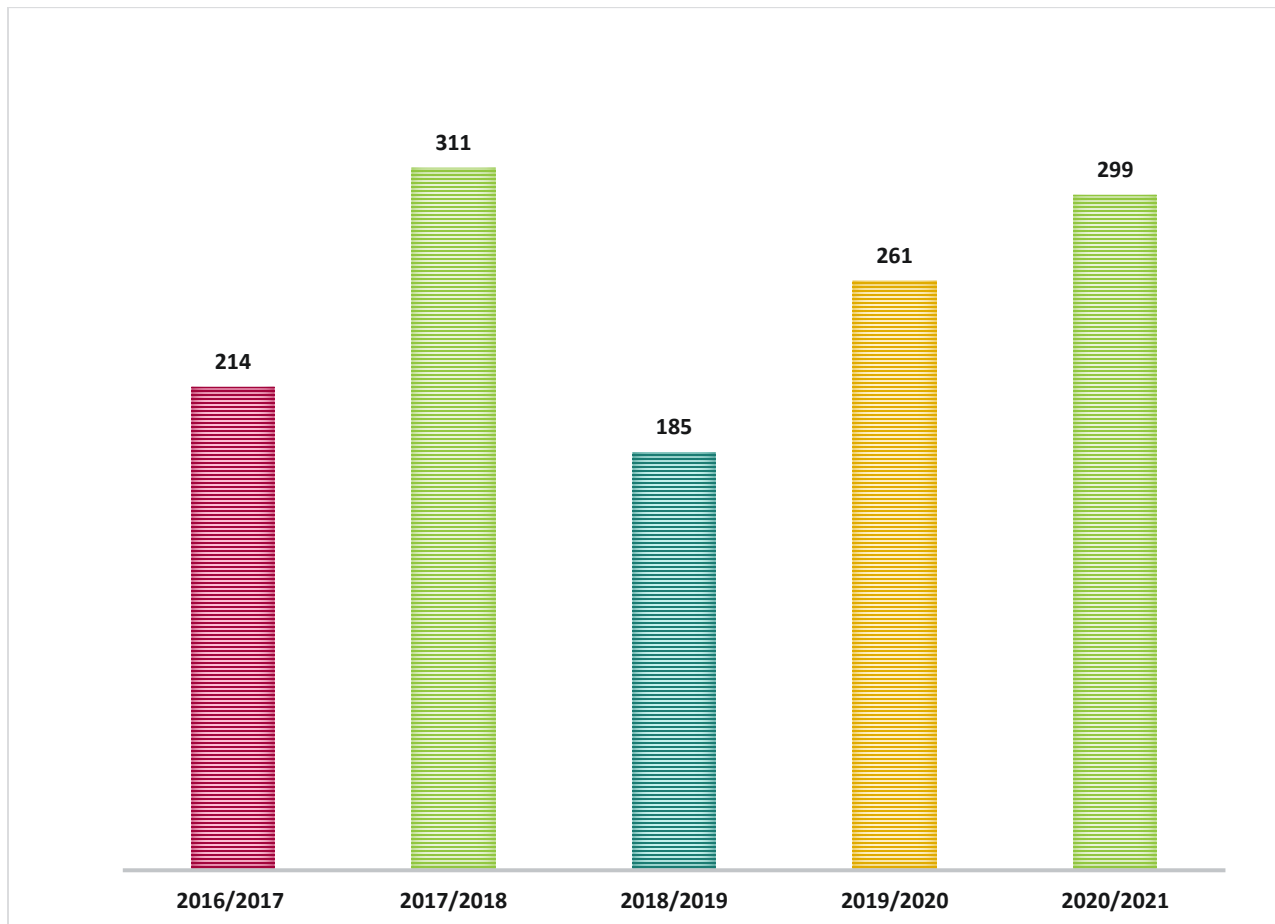


## APPENDIX D

**TABLE 4.1: NUMBER OF JUDGMENTS DELIVERED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
 For the period 2016/2017 to 2020/2021

NORTH		SOUTH		NORTH AND SOUTH	
YEAR	JUDGMENT DELIVERED	YEAR	JUDGMENT DELIVERED	YEAR	JUDGMENT DELIVERED
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
2019/2020	239	2019/2020	22	2019/2020	261
2020/2021	253	2020/2021	46	2020/2021	299

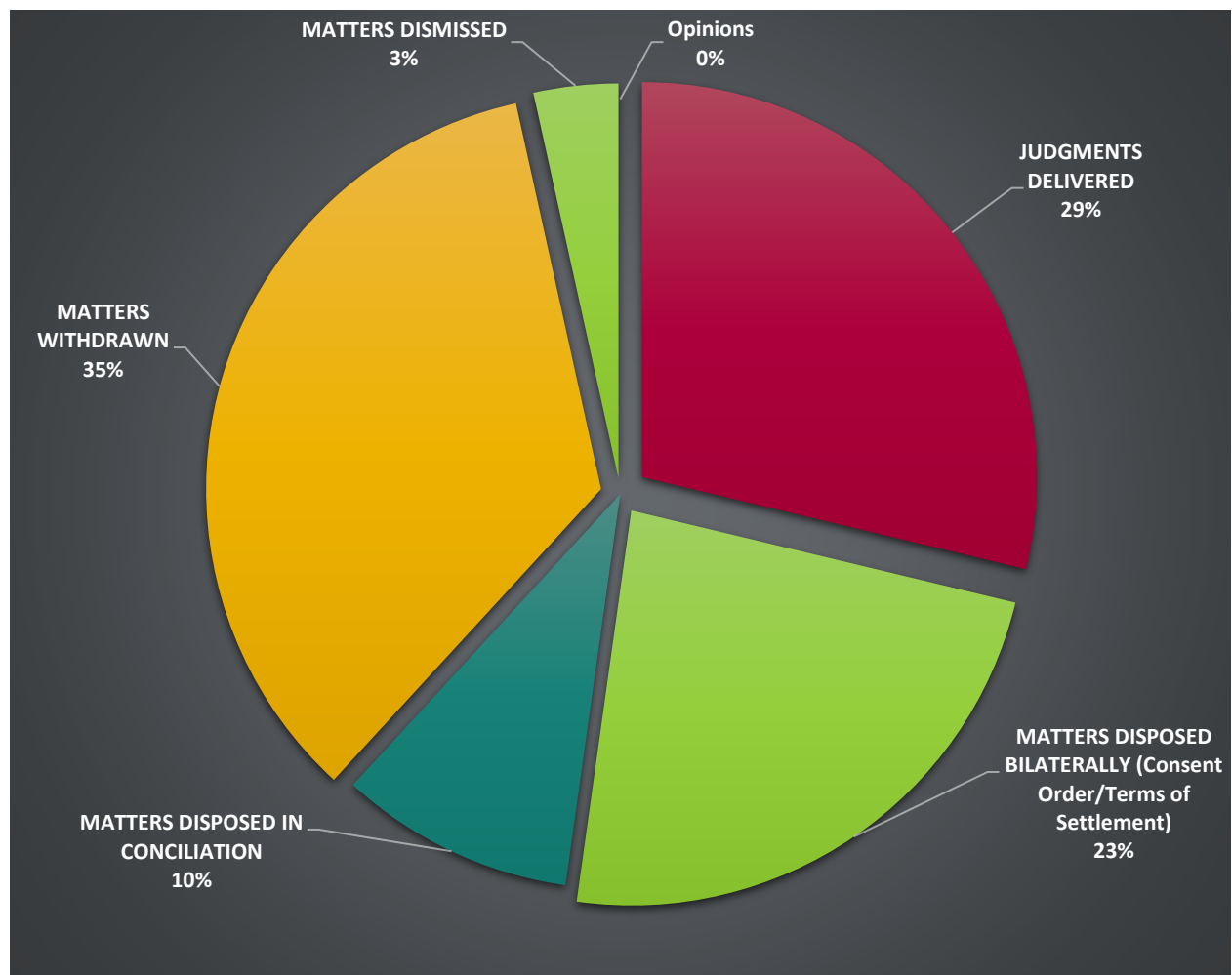
**CHART 4.1: NUMBER OF JUDGMENTS DELIVERED**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
 For the period 2016/2017 to 2020/2021



**TABLE 5.1: NUMBER OF MATTERS DISPOSED BY CATEGORY**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
 For the period 2016/2017 to 2020/2021

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	
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
2019/2020	907	261	139	82	229	30	0	741
2020/2021	968	299	246	101	361	36	0	1043

**CHART 5.1: PERCENTAGE OF MATTERS DISPOSED BY CATEGORY**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
 For the period 2016/2017 to 2020/2021

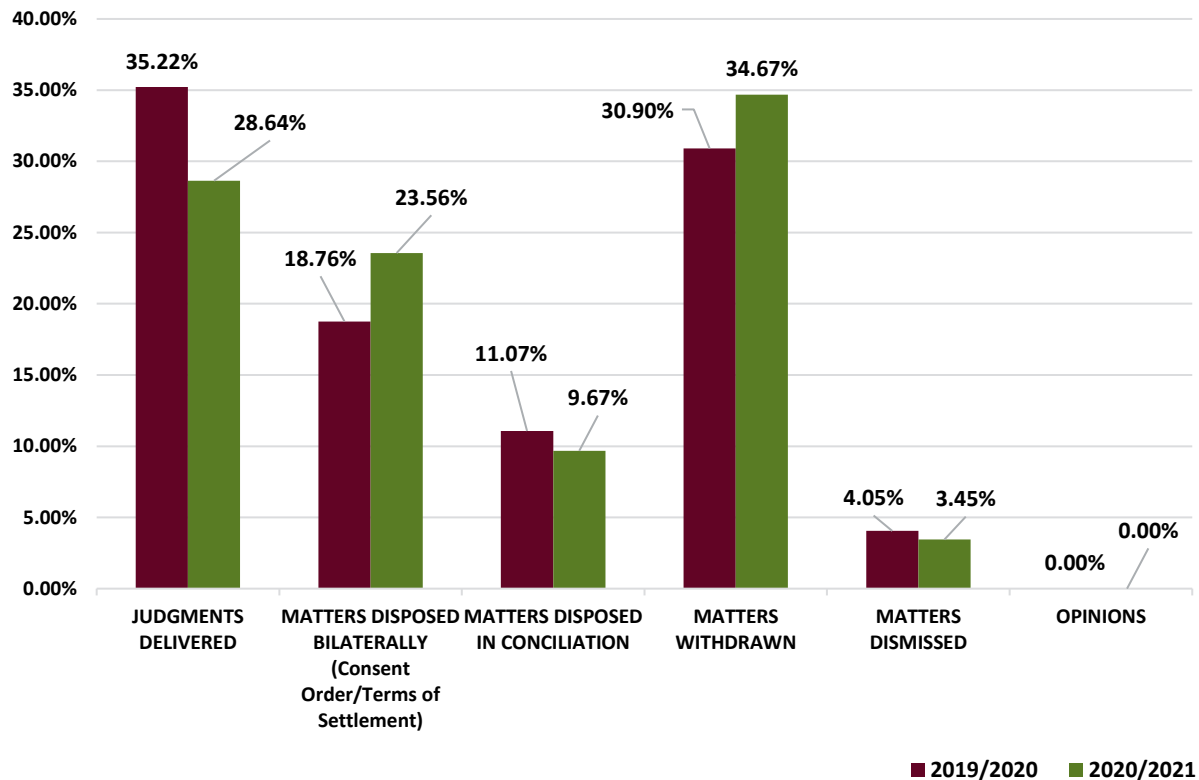


## APPENDIX D

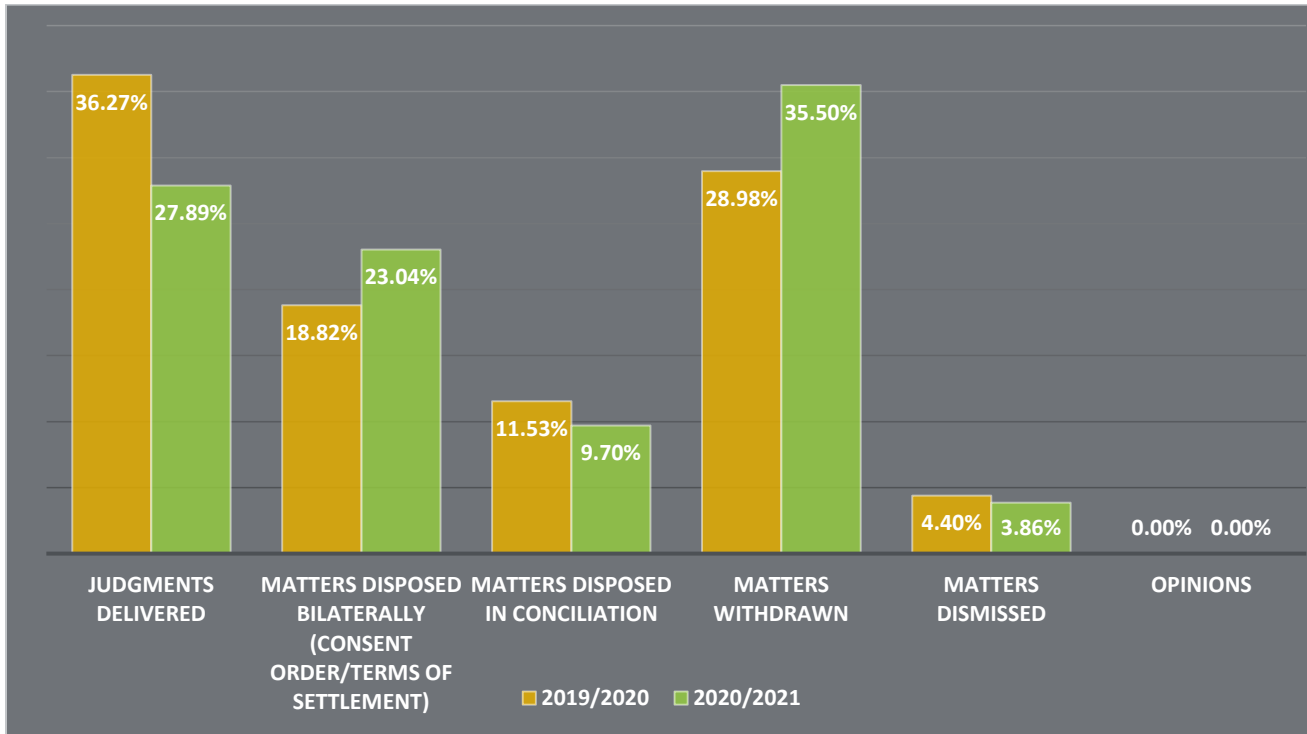
**TABLE 5.2: COMPARISON OF THE MATTERS DISPOSED BY CATEGORY  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
For the period 2019/2020 to 2020/2021

NORTH AND SOUTH	DISPOSAL						TOTAL MATTERS DISPOSED
	JUDGMENTS DELIVERED	MATTERS DISPOSED BILATERALLY (Consent Order/Terms of Settlement)	MATTERS DISPOSED IN CONCILIATION	MATTERS WITHDRAWN	MATTERS DISMISSED	OPINIONS	
2019/2020	35.22%	18.76%	11.07%	30.90%	4.05%	0.00%	81.70%
2020/2021	28.64%	23.56%	9.67%	34.67%	3.45%	0.00%	107.85%

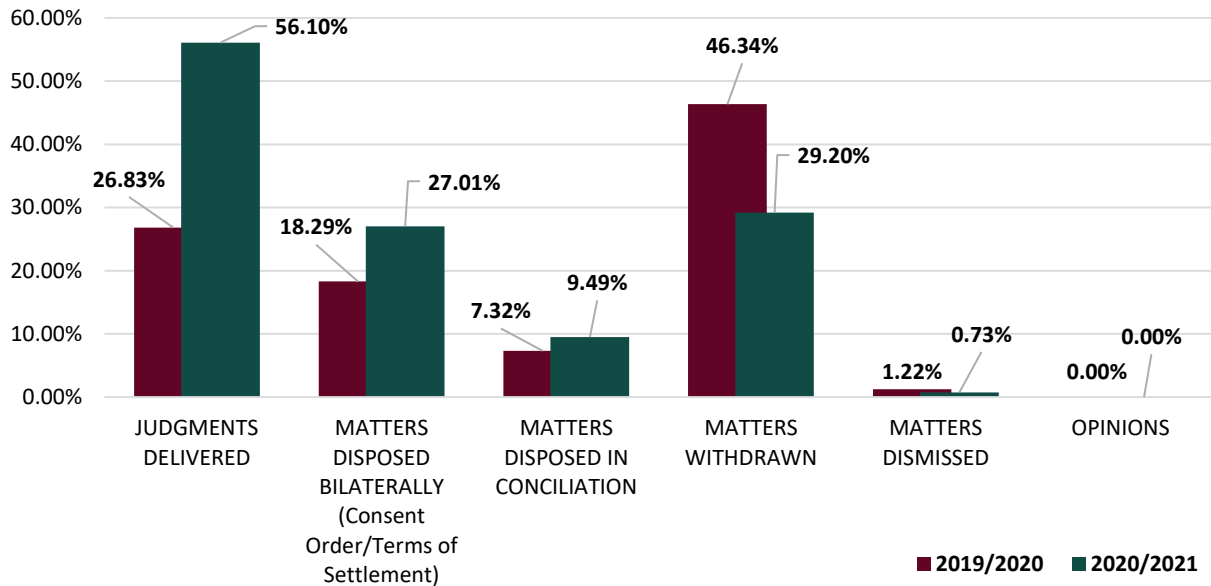
**CHART 5.2: COMPARISON OF THE MATTERS DISPOSED BY CATEGORY  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
For the period 2019/2020 to 2020/2021



**CHART 5.3: COMPARISON OF MATTERS DISPOSED BY CATEGORY  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH)**  
For the period 2019/2020 and 2020/2021

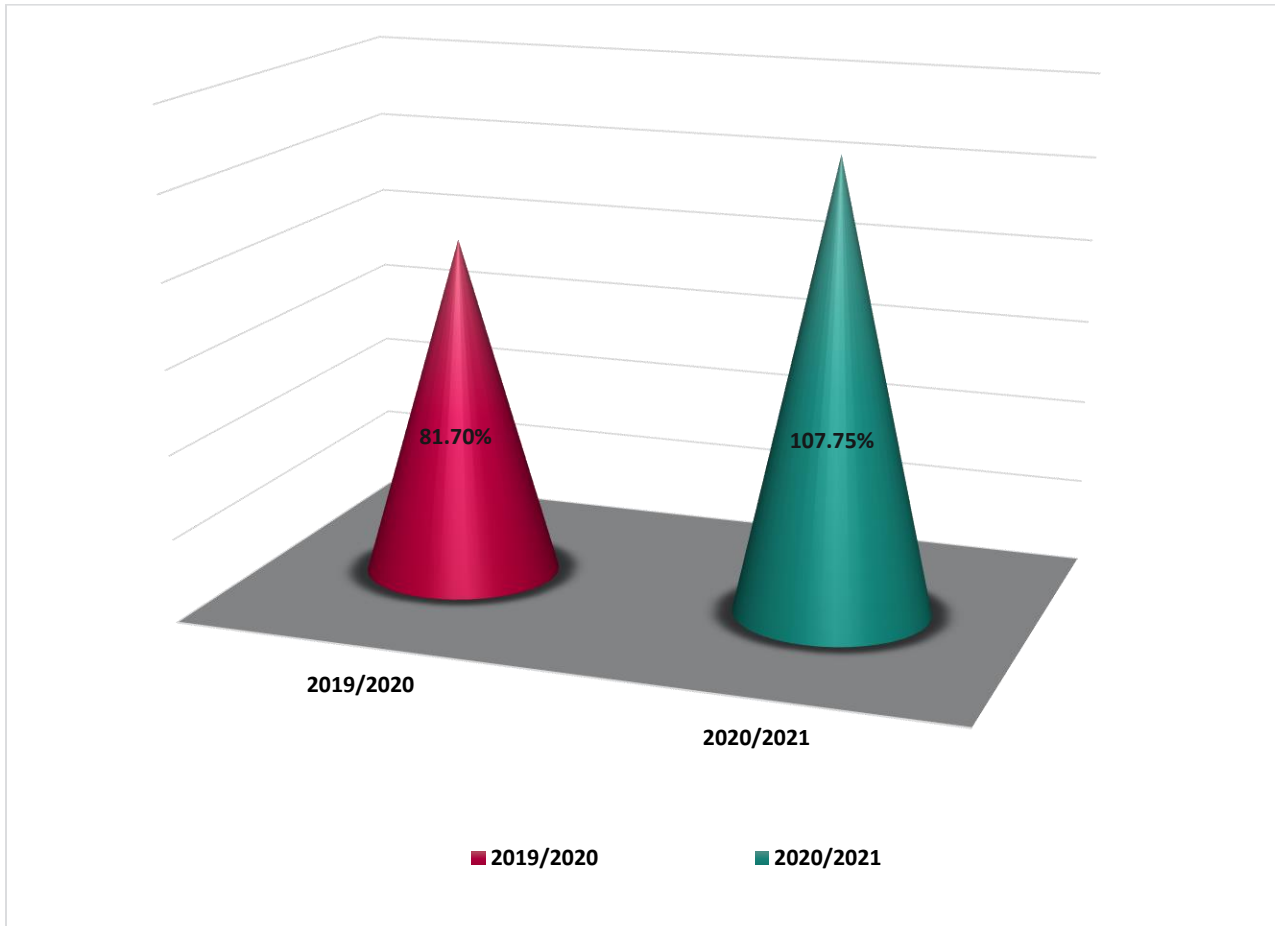


**CHART 5.4: COMPARISON OF MATTERS DISPOSED BY CATEGORY  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (SOUTH)**  
For the period 2019/2020 and 2020/2021



### APPENDIX D

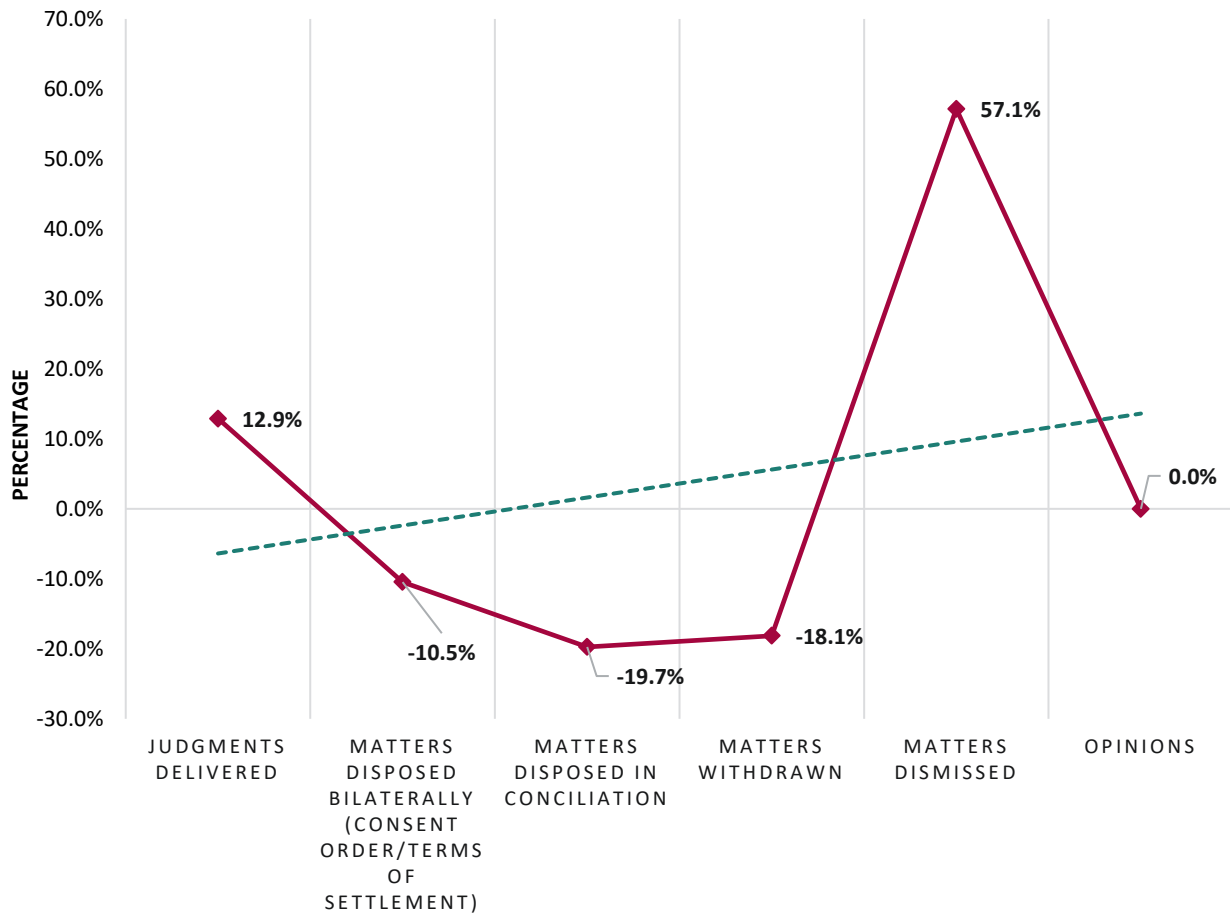
**CHART 5.5: DISPOSAL RATE**  
**INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
For the period 2019/2020 and 2020/2021



**TABLE 6.1: PERCENTAGE CHANGE FOR MATTERS FILED AND DISPOSED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
For the period 2017/2019 and 2019/2021

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
2017/2018 to 2018/2019	2483	496	430	228	722	42	0	1918
2019/2020 to 2020/2021	1875	560	385	183	591	66	0	1785
% INCREASE/DECREASE	-24.5%	12.9%	-10.5%	-19.7%	-18.1%	57.1%	0.0%	-6.9%

**CHART 6.1: PERCENTAGE CHANGE FOR MATTERS DISPOSED  
INDUSTRIAL COURT OF TRINIDAD AND TOBAGO (NORTH & SOUTH)**  
For the period 2017/2019 and 2019/2021





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