



MINISTRY OF LABOUR AND SMALL ENTERPRISE DEVELOPMENT

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April 26, 2018

FOR IMMEDIATE RELEASE

**A Statement from the Minister of Labour and Small Enterprise Development
on the status of the Amendments to the Retrenchment and Severance Benefits Act**

The Minister of Labour and Small Enterprise Development, Senator the Honourable Jennifer Baptiste-Primus wishes to respond to an Article in the Newsday of 25th April 2018 titled SWUTT: Amend IR laws by Richardson Dhalai:

“How many times has Labour Minister **Jennifer Baptiste-Primus** promised that her Government will be introducing amendments to the Retrenchment and Severance Benefits Act and the Industrial Relations Act in Parliament? “Yet after 31 months in office, this continues to be another failed promise,”

Minister of Labour and Small Enterprise Development Response

The Minister wishes it to be known that work on Amendments to the Retrenchment and Severance Benefits Act and the Industrial Relations Act have been progressing steadily and steadfastly.

The initiative has reached the stage where, just two weeks ago, April 10th, 2018, Government, Labour and Private Sector Representatives of the National Tripartite Advisory Council (NTAC) arrived at a consensus on eleven (11) of the sixteen (16) provisions contained in a draft Position Paper prepared by the Ministry on Amendments to the Retrenchment and Severance Benefits Act which was referred for NTAC’s consideration by the Cabinet of Trinidad and Tobago.

The draft Position Paper is the outcome of a National Stakeholders Consultation which was held by the Ministry of Labour and Small Enterprise Development on May 18, 2016 as well as comments solicited from Stakeholders who comprised the leadership of Employer Organizations, Trade Unions, Government, Academia, the Legal Fraternity and other agencies with technical expertise.

The Paper was developed to lay the groundwork for the introduction of a Bill in the Parliament of Trinidad and Tobago to give effect to Amendments to the Retrenchment and Severance Benefits Act Chapter 88:13 with a view to bringing legislative provisions in line with contemporary social and economic conditions.

Insolvency and Receivership

One of the critical items under meticulous consideration is the introduction of a provision that will ensure the payment of severance benefits in circumstances where the services of workers are terminated due to insolvency or receivership. These are two conditionalities not currently provided for in the scope of the original Retrenchment and Severance Benefits Act which came into force in November 1985.

Prior to the passage of this Act, severance payments were generally made only where Collective Agreements provided for such payments or at the sole discretion of the employer.

In further pursuit of the objective, discussions are due to take place with the International Labour Organisation and a number of Financial Institutions at the monthly meeting of National Tripartite Advisory Council due to be held on May 8, 2018.

Upon completion of these discussions, recommendations will be forwarded for the consideration and approval of Cabinet following which work will commence on drafting of the necessary amendments for debate in Parliament.

With respect to the Amendments to the Industrial Relations Act

A similar process is being followed contemporaneously in respect of Amendments to the Industrial Relations Act and the Workmen's Compensation Act.

For further information, please contact the Corporate Communications Unit:

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