



**REPUBLIC OF TRINIDAD AND TOBAGO**

**OPENING ADDRESS**

**BY**

**SENATOR THE HONOURABLE JENNIFER BAPTISTE-PRIMUS**

**MINISTER OF LABOUR AND SMALL ENTERPRISE DEVELOPMENT**

**AT THE**

**NATIONAL STAKEHOLDER CONSULTATION**

**ON THE TRADE UNIONS ACT CHAP. 88:02**

**TRINIDAD HILTON AND CONFERENCE CENTRE, PORT OF SPAIN**

**FRIDAY JULY 27, 2018**

## **SALUTATIONS**

MS NATALIE WILLIS - PERMANENT SECRETARY,  
MINISTRY OF LABOUR & SMALL ENTERPRISE DEVELOPMENT;

MR. ANDREA LEAVEAU– DEPUTY PERMANENT SECRETARY,  
MINISTRY OF LABOUR & SMALL ENTERPRISE DEVELOPMENT;

MS. CLAUDIA COENJAERTS, DIRECTOR, INTERNATIONAL LABOUR  
ORGANIZATION DECENT WORK TEAM AND OFFICE FOR THE  
CARIBBEAN

GOVERNMENT OFFICIALS;

ESTEEMED REPRESENTATIVES OF BUSINESS AND LABOUR;

SPECIALLY INVITED GUESTS;

LADIES AND GENTLEMEN.

One does not have to look very hard or very long at the history of Trinidad and Tobago to distill the fundamental role which Trade Unions have played, and will continue to play, in the development of this nation and as a people. As many of you all know, I have a very long history with the Trade Union Movement where I would have gained a wealth of experience in industrial relations and labour issues. Having started in the Trade Union Movement many moons ago, I would have served as an elected Officer in the Public Services Association for more than a quarter century. So Ladies and Gentlemen, Comrades, I stand before you well versed in the Act and its shortcomings and know that the discussions today to amend the legislation will be done as we work with both of our major stakeholders from business and labour.

So today, we meet, cognizant of the history and value of trade unions within our society, and certainly being empowered by this value, the Ministry of Labour and Small Enterprise Development has undertaken to engage you, our stakeholders, on the review of the Trade Unions Act, Chap. 88:02.

This Act has served to give confidence to the citizens of Trinidad and Tobago to the extent that the trade union movement has grown to over eighty (80) registered trade unions with hundreds of thousands of workers spread across multiple sectors, existing in this country, giving rise to the democratic voice of workers. This is the *raison d'être* of the Trade Union Movement.

It was this realization, where persons noted that workers needed representation which led to the first Trade Union in what was called then, the colony of Trinidad, which was considered a breakthrough. It was Charles Phillip who took up this mantle to mobilize the waterfront and stevedores at Port of Spain Wharves on 1st March 1897. Phillip formed the Working Men's Reform Club and this led to other workingmen's associations being formed in other places throughout the country. While Phillip would have initiated the formation of these groups, it must be acknowledged that impetus for the organisation of trade unions today came from labour leaders such as Captain Arthur Andrew Cipriani, Uriah Butler, Adrian Cola Rienzi, George Weekes and Basdeo Panday. These stalwarts of the Labour Movement changed the labour landscape and afforded us some of the working

conditions we enjoy today. It is through our Trade Unions that the right to freedom of association and assembly is actively and passionately defended. It is the trade union who advocates for those who are voiceless in society. It is the trade union that strives to reduce inequalities. It is the trade union that lends support to the improved worker productivity. So the discussions on this Act is crucial to the governance structure of the Trade Union.

Ladies and Gentlemen, Comrades, it is noteworthy that Trinidad and Tobago serves as a member state of the International Labour Organisation (ILO), and have ratified twenty (22) ILO Conventions since our Independence in 1962. Shortly after Independence, on May 24th, 1963, our beloved nation would have ratified our first ILO Conventions, those

being ILO Convention No. 87 - Freedom of Association and Protection of the Right to Organize of 1948 and ILO Convention No. 98 - Right to Organize and Collective Bargaining of 1949. This showcased the high importance that Government placed on Trade Unions and today, under this Government we continue to look at the various pieces of legislation in need of amendment using the consultative process. It is with guidance from the ILO Committee of Experts on the Application of Conventions and Recommendations who, in 2016, noted that our labour legislation was in need of amendments in order to bring it into full conformity with Convention No. 87. - Freedom of Association and Protection of the Right to Organise Convention of 1948 and the Government's Memorandum of Understanding with the Joint Trade Union Movement where an agreement was signed to

reform labour legislation. The Ministry has also noted that Act has not been amended since 1980, and it is critical at this juncture that we hear your view on how to strengthen the labour movement through legislative reform in the dynamic world that we live in.

The importance of consultations to the Government cannot be over-emphasized. A consultation is one of the most important activities that a government can undertake to ensure that all stakeholders feel included in the process because without consultations the views of the citizens of Trinidad and Tobago will not be heard. This is the means to provide a forum for the involvement and participation of the electorate with a view to determine the consensus on matters of national importance.



Over the last two years, this Ministry has undertaken 14 consultations. This includes consultation for the review of existing legislation such as the Workmen's Compensation Act Chap. 88:05; the Co-operative Societies Act, Chap 81:03; the Industrial Relations Act, Chap 88:01; the Occupational Safety and Health Act, Chap. 88:08; the Cipriani College of Labour and Co-operative Studies Act, Chap 39:51; the Retrenchment and Severance Benefits Act, Chap. 88:13; the Friendly Societies Act, Chap. 32:05 and the Private Security Order under the Minimum Wages Act, Chap. 88:04.

Additionally, consultations were held on proposed legislation such as the Basic Terms and Conditions of Work Code and the use of Contract Labour. Most recently, the Ministry met with stakeholders to discuss the National Policy on Sexual

Harassment in the Workplace on June 1, 2018 in Trinidad and June 22, 2018 in Tobago. This highlights the Ministry's efforts to provide the best possible service to the public.

Currently, the National Tripartite Advisory Council is focusing on aspects of the Retrenchment and Severance Benefit Act Chapter 88.13 and the Industrial Relations Act Chapter 88.01 which will return to Cabinet.

As the global economy which includes our economy struggles in unprecedented ways, trade unions must increase collective bargaining capacity in the future. This will largely depend on increasing union membership, strengthening capacity and enhancing the education of its members. Ladies and Gentlemen, Fellow partners, the Ministry continues to recognise the importance of trade unions to the labour

landscape in Trinidad and Tobago. Trade Unions play an integral role in the social uplifting of citizens for numerous reasons.

Trade Unions provide workers with tools for collective bargaining as they negotiate with employers for better terms and conditions of employment and to ensure healthy and productive workplace standards and remuneration. Trade Unions have the responsibility to address long standing inequalities of bargaining power between employer and worker. Workers are afforded improved industrial relations and legislation due to trade unions.

Trade Union activity leads to improved safety measures and standards at workplaces, as they work with the employers to facilitate the standardization of safety measures and the

regularization of equipment maintenance. Under the Occupational Safety and Health Procedures Trade Unions should document the shortcomings and send to the employer and give them the opportunity to address them before taking any action.

Trade Unions are also integral for the promotion of peace in the country which contributes to economic performance and social progress.

It is for this reason that the Ministry stands committed to ensuring that this integral piece of legislation is appropriately amended. Today Ladies and Gentlemen, Comrades I have every confidence that together we will guide the amendment through our comments and varied experiences.

I ask that you make critical assessments of where we as a nation in going in terms of trade unions and where we see it in the future and marry these experiences when we delve into the Act when we go into our working groups. As key stakeholders, you all have a say in the areas of the Act that requires amendment.

In closing, I leave with you these words expressed by of Clarence Darrow – who was an American lawyer and a leading member of the American Civil Liberties Union **“With all their faults, trade unions have done more for humanity than any other organization of men that ever existed. They have done more for decency, for honesty, for education, for the**

**betterment of the race, for the developing of character in men, than any other association of men.”**

Our freedom from British colonial rule, the enactment of our first Constitution, the ratification of international conventions are all significant achievements due to our trade unions. Many more achievements are possible as the Ministry embarks on a review of the Act with the aim of improving it to ensure freedom of association and protection of the right to organize.

May we all have a productive day. I thank you.