



**REPUBLIC OF TRINIDAD AND TOBAGO**

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**AT THE THIRD THEMATIC PLENARY SITTING OF THE 19<sup>TH</sup> AMERICAN REGIONAL  
MEETING OF THE ILO**

**“Preparing the Future of Work We Want: Measures and Policies to  
Strengthen and Re-design Institutions in the World of Work, Including  
Social Security, and to Ensure That Trade Union and Labour Rights  
are Fully Upheld”**

***19<sup>th</sup> American Regional Meeting***

***Panama***

***Thursday October 4, 2018***

***10:00 a.m.***

## Introduction

Thank you Chair for the opportunity to contribute to the third thematic session which focuses on aspects of decent work for which I am very passionate. It is indeed timely that we can meet to discuss this topic of re-designing institutions in the world of work and ensuring that trade union and labour rights are fully upheld mere days before we commemorate World Day for Decent Work on October 7, 2018.

From the onset, I wish to declare my keen interest and understanding of this topic from the perspective of Government, as the Minister of Labour in Trinidad and Tobago since September 2015. I also have the added benefit of understanding the perspective of trade unions having dedicated more than two decades of my career in one of the largest trade unions in the country which is recognized to represent employees in the Public Service, namely, the Public Services' Association of Trinidad and

Tobago, commonly referred to as the PSA. I am honoured to have been the longest serving elected Officer of the PSA and to have retired in 2009 as the only first female Executive President of any Union in Trinidad and Tobago.

In the time allotted for my contribution and in keeping with the points for discussion as articulated in the Concept Note for this plenary sitting, I will seek to briefly share some thoughts on the issues of:

- strengthening and re-designing labour market institutions and regulations, paying particular attention to my experience thus far at the Ministry of Labour and Small Enterprise Development;
- strengthening social protection systems; and
- achieving greater participation and inclusion through social dialogue.

## Strengthening/Re-designing Labour Market Institutions and Regulations

We must recognize that there are a number of labour market institutions and mechanisms that require focus in promoting inclusivity and an enabling environment for business to develop and prosper. These include Ministries of Labour, Workers' and Employers' Organizations, collective bargaining mechanisms, minimum wage setting mechanisms and mechanisms to encourage social dialogue.

I wish to focus a bit on redesigning Ministries of Labour bringing to bear my experiences over the past three (3) years.

This topic has been given significant attention over the past years at the level of the Inter-American Conference of Ministers of Labour (IACML) of the Organization of American States (OAS). As recent

as December 2017, the Plan of Action of Bridgetown was adopted at the 20<sup>th</sup> IACML held in Barbados where Ministers of Labour of the OAS committed to institutional strengthening of Ministries of Labour. This included a commitment to strengthen enforcement of labour legislation and regulations, protect the rights of workers and employers, strengthen social protection and promote social dialogue.

Our Government had given a commitment to promote the rights of workers and employers, encourage proper industrial relations practices and democratic trade unionism and facilitate tripartite engagement to foster and develop a peaceful, competitive and productive industrial relations climate. One of our key commitments was also a comprehensive and immediate review of all labour legislation in consultation with the Trade Union Movement and of course, Employers. This commitment is entrenched in the national policy framework of Trinidad and Tobago which is evidenced by its

articulation in our National Development Strategy commonly referred to as Vision 2030, Government's Official Policy Framework, and the National Performance Framework.

With an ambitious agenda and reduced financial resources allocated to the Ministry of Labour, one of the first things I was compelled to do was to **harness the internal resources and capacities within the Ministry**. This meant tapping into the talents and expertise of staff as opposed to external consultants, streamlining our operations, and strengthening our relations with the social partners.

Throughout this process, we realized the great potential that existed within. We possessed staff with great expertise that only required a challenge for this to be manifested. As a consequence of this recognition, we were able to develop our own home-grown five-year Strategic Plan and Implementation Plan, a national Ten-

Point Plan on Unemployment, our re-designed website, and a range of policies to support our labour legislation reform initiative in areas such as Co-operative development and sexual harassment in the workplace.

We also recognized that our social partners – the Workers’ and Employers’ organizations were genuinely interested in reforming our labour market by contributing to the policy development and legislative review process. We **deepened tripartite engagement** with our Employers’ and Workers’ organizations through genuine tripartite consultations at every stage of the legislative reform process. In addition, the institutionalization of social dialogue at the national level with the establishment of the National Tripartite Advisory Council in 2016 epitomized the commitment to tripartite engagement and social dialogue.

There was a need to **promote institutional linkages and, by extension, policy coherence** so that decent work could become a core objective at the national level. We have sought to foster close collaboration with the Ministries of Planning and Development, Social Development, Trade, Finance, Education and Health as a means of mainstreaming decent work across all sectors as well as in developing effective workplace policies and programmes.

With regard to the re-design and **strengthening of the labour legislative framework**, we have recognized that the future of work that we want to see in Trinidad and Tobago for our children and grandchildren is one in which the legislation, regulations and policies effectively protect the rights of workers and employers while at the same time promote responsibilities in the workplace.



We have recognized the need for a balanced approach to labour legislation reform in Trinidad and Tobago that is rooted in fairness, equity and social justice and is in keeping with international labour standards. Our philosophy continues to be the protection of fundamental principles and rights at work such as freedom of association and the right to collective bargaining and non-discrimination in employment.

In January 2016, the Ministry of Labour and Small Enterprise Development in Trinidad and Tobago, with the support of the social partners, embarked on a rigorous labour legislation reform project in Trinidad and Tobago, involving a priority list of eleven (11) items of legislation to be given attention over a five (5) year period. Our objectives are to maintain a stable industrial relations climate based on freedom of association and right to collective bargaining, tripartism, appropriate legal protection for both public and private sector employees, timely dispute resolution and mutual respect, and to create a modern and model legislative framework that allows

businesses and employees to thrive in an environment of co-operation and sustainability.

I am proud to share that in the space of thirty-three (33) months, we have held eighteen (18) genuine multipartite stakeholder consultations addressing nine (9) pieces of legislation. I wish to add that some of these pieces of labour legislation form the bedrock of our industrial relations system in Trinidad and Tobago such as the Industrial Relations Act, the Retrenchment and Severance Benefits Act, the Occupational Safety and Health Act, and the Trade Unions Act.

Arising from these consultations, five (5) policy position papers have been taken to our Cabinet, with two (2) currently receiving the attention of the National Tripartite Advisory Council. We have been able to accomplish the adoption of a new National Policy on Co-operatives, a revised National Workplace Policy on HIV and AIDS

and more recently, the drafting of a National Policy on Sexual Harassment in the Workplace.

I wish to underscore that all of these have been developed as guided by international labour standards and tripartite input. I must also indicate that the ILO Decent Work Team and Office for the Caribbean has been working diligently and assiduously alongside the Ministry of Labour and its social partners every step of the way, through every consultation and working group session. The contribution of the Director of the ILO Decent Work Team and Office for the Caribbean, Ms. Coenjaerts and her team has been immense and invaluable.

Our most recent consultation has been on the development of an Employment Standards Act which will set a minimum floor of remuneration, benefits and rights available to employees in an employment relationship. This is our legacy project. This Act is expected to update and consolidate basic terms and conditions of

work enshrined in various pieces of legislation so that employees who may have been unprotected would be accorded a minimum floor of rights so that no one is left behind.

Undoubtedly, we have recognized that **enforcement of these laws and regulations** is as critical as their development. As a consequence, we have been placing focus on the staffing and other resource needs of our labour inspection services to effectively enforce the terms and conditions of employment. This involves our Labour Inspectorate and Occupational Safety and Health Agency.

In addition to enforcement of labour laws, any attempt to ensure that labour rights are upheld must include **public education**. In my experience, rights and responsibilities in the workplace are often the best kept secrets which are only exposed when parties meet in the course of conciliation or arbitration or during times of a hostile work environment. This must not be the case. Public education must be done consistently and extensively. This serves multiple

purposes. Not only are workers and employers made aware of their rights and responsibilities, they begin to demand them from each other. It can form a loop of mutual enforcement thus promoting compliance.

Ladies and gentlemen, Brothers and Sisters, public education can take many forms and does not need to be mundane. In the case of Trinidad and Tobago, we developed an interesting and exciting video series called the *Chronicles of Labourville*. Each Labourville episode addresses a different labour related matter such as retrenchment, sexual harassment in the workplace or progressive discipline, which is aired on national television. These fun and informative episodes have been highly successful, making the message easy to digest for all users and reaching them in their own homes.

## Strengthening Social Protection Systems

With respect to the issue of greater coverage and adequate benefits in social protection systems, in Trinidad and Tobago we have sought to comprehensively address this critical issue in our National Development Strategy (Vision 2030). Under the first Development Theme of Vision 2030 - Putting People First – Nurturing our Greatest Assets – we are aiming to effect a paradigm shift in the way we deliver social services in Trinidad and Tobago.

This shift relates to management of social protection programmes and projects so that they become more efficient and effective, **targeting the citizens who are most in need**. The paradigm shift also involves the dismantling of a culture of dependency so that persons who graduate out of these programmes are empowered to do so within set timeframes.

We realise that we must create a society in which all the basic needs are met and each individual is valued and given the opportunity to contribute and to self-actualise. We must ensure that our society evolves into one in which no one is left behind, where all citizens are afforded equal opportunity to access social services, and all our citizens, including the most vulnerable, such as our children and youth, are cared for and treated with dignity and respect.

To this end, some of the key strategies we are employing include:

- enhancing the efficiency and effectiveness of the social safety net by improving targeting mechanisms, ensuring more rigid means testing, removing structural barriers and outdated legislation and conducting social impact studies and audits of key social programmes;

- promoting rehabilitation and access to decent, sustainable employment so as to reduce dependence on social assistance; and
- identifying and closing existing gaps in social protection floors such as national insurance coverage for self-employed persons and addressing the unique needs of an ageing population.

In addition, Trinidad and Tobago has developed a National Social Mitigation Plan 2017-2022 through extensive dialogue and stakeholder involvement. The purpose of this Plan which was initiated in an attempt to develop measures to cushion the effects of the economic downturn on vulnerable citizens, is to build resilience in our population. Its objectives are to strengthen the social protection system, promote community and civil society action and enhance productivity and innovation.



The Plan includes reviewing all existing social programmes, consolidating all programmes under one entity, and implementing all of the programmes under one entity in order to avoid duplication of effort and difficulty in terms of access to programmes and information on programmes. Central to the Social Mitigation Plan is the implementation of the Ten Point Plan on Unemployment developed by the Ministry of Labour and Small Enterprise Development.

### **Achieving greater participation and inclusion through social dialogue**

I can truly attest to the value and benefits of social dialogue from the perspective of a social partner in my role as a trade unionist as well as from the perspective of Government.

From my most recent experience as Minister of Labour, I can without a doubt say that the progress we have achieved in the process of strengthening the role of the Ministry, reforming our

legislative framework, and streamlining our social protection system would not have been possible without the support and active role of our Employers' and Workers' organizations.

In Trinidad and Tobago, the enabling environment for effective social dialogue exists. The institutionalization of the process at the national level lends credence to this statement. Taking into account the fact that there is “no one size fits all” model, our model of social dialogue in Trinidad and Tobago was not borne out of crisis, as is the case in most countries, but birthed through strong desires for genuine collaboration and consensus building.

Social dialogue can only foster greater inclusion if it is seen as a genuine process, where the social partners are respected and the outcomes are fully embraced. Strong social dialogue mechanisms are underpinned by respect for the fundamental principles and rights at work, including freedom of association and the right to

collective bargaining. They are also dependent on strong and democratic Employers' and Workers' organizations who are willing to share in the responsibility of making the process work. Of course, the issue of Trust among the social partners cannot be overstated.

While social dialogue is often seen as a panacea for all ills, I am of the view that it must be buttressed by strong public policies that are effective in delivering on their identifiable objectives. In short, while we embrace social dialogue as an end in itself, we must understand that it is also a means to an end – a most vital and critical means.

## Closing

In closing, let me say that there is no magic bullet for the strengthening of institutions to ensure that trade union and labour rights are fully upheld and that social protection systems are effective, but there is a magic ingredient to ensure that the

measures and policies are suited to our particular situation and context. That ingredient is social dialogue.

As we look forward to the commemoration of the ILO centenary next year 2019, I am indeed happy to have this opportunity to share some thoughts on the future of work we want with respect to our institutions that protect labour rights and our social protection systems. While we can truly say we have made progress as ILO constituents in promoting the Decent Work Agenda in the Americas, we can also truly attest to the fact that there is so much more work to be done. As the old African Proverb says “the best way to eat an elephant is one bite at a time,” let us continue to collectively work together in overcoming our huge decent work deficits and challenges with the aim of ensuring decent work for all.

I thank you.