



TRINIDAD AND TOBAGO GAZETTE

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1149

Government of the Republic of Trinidad and Tobago
PUBLIC STATEMENT of the MINISTRY OF LABOUR AND SMALL
AND MICRO ENTERPRISE DEVELOPMENT

In compliance with Sections 7, 8 and 9 of the (updated from 2003)
Freedom of Information Act (FOIA) 1999

INTRODUCTION

In accordance with Section (7) (8) and (9) of the Freedom of Information Act (FOIA) 1999, the Ministry of Labour and Small and Micro Enterprise Development is required by law to publish the various documents and information generally available to the public.

The Act gives the members of the Public:

- 1) A legal right for each person to access information held by the Ministry of Labour and Small and Micro Enterprise Development;
- 2) A legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading;
- 3) A legal right to obtain reasons for adverse decisions made regarding an applicant's request for information under the FOIA;
- 4) A legal right to complain to the Ombudsman and to apply to the High Court for Judicial Review to challenge adverse decisions made under the FOIA.

SECTION 7 STATEMENTS

Section 7 (1) (a) (i) – Functions And Structure

Mission: Statement

To establish and manage a regime of policies for Manpower Development and Employment, Industrial Relations and Labour Administration so as to ensure enhanced job opportunities, decent work, high productivity and sustainable employment and to promote modernization of the work environment.

RESPONSIBILITIES

The Ministry of Labour and Small and Micro Enterprise Development is responsible for the establishment and management of a regime of policies for manpower development and employment, industrial relations, Labour administration and the promotion of co-operatives, credit unions, small and micro enterprises and friendly societies, so as to ensure enhanced job opportunities, decent work, high productivity and sustainable employment and to promote the modernization of the work environment.

The Ministry is committed to: -

- a) Provide a quality service in terms of accuracy and timeliness in the conduct of our affairs in an efficient and cost-effective manner.
- b) Formulate, implement and review the appropriate policies, plans and programmes.
- c) Propose, review, administer and monitor legislation, laws and regulations.
- d) Network with all relevant public and private institutions, organizations and individuals, nationally and internationally to achieve our objectives.
- e) Enhance our reputation for excellence and integrity in the delivery of our service.
- f) Provide an environment for the personal growth and development of all our employees by valuing each person's contribution and providing fair, relevant and accessible training and development opportunities.
- g) Encourage innovation by stimulating and supporting good, new ideas among staff.
- h) Promote a safe and healthy working environment.

The Ministry comprised the following *six (6) Divisions*, which have a staff of approximately three hundred and four (304) persons.

(1) LABOUR ADMINISTRATION DIVISION

This Division comprise:-

- a) *Manpower Unit (National Employment Service)*
- b) *Labour Inspectorate Unit*
- c) *Occupational Safety and Health Unit*
- d) *Conciliation Unit*
- e) *Trade Unions Unit*

(2) CO-OPERATIVE DIVISION

(3) ENTERPRISE DEVELOPMENT DIVISION

(4) INFORMATION TECHNOLOGY DIVISION

(5) HUMAN RESOURCE SERVICES DIVISION

This Division comprise:-

- a) *The Friendly Societies Unit*
- b) *Public Relations Unit*
- c) *Legal Unit*
- d) *The General Administration Unit*
- e) *The Accounting Unit*
- f) *The Human Resource Unit*
- g) *The Library*

(6) RESEARCH AND PLANNING DIVISION

Section 7 i (a) i

Effects of Functions on Members of the Public

The role of the Ministry of Labour and Small and Micro Enterprise Development impacts in almost every constituent element of work, from individual to Corporation. The Conciliation Unit impact upon the members of the public is seen in its management of conflict, which arises from time to time, between Employers and Unions, acting on behalf of organized labour and between Employers and individual workers.

The guidance provided in the formation and registration of a Trade Union, ensures the adherence to the Trade Union Act and clarifies the procedure to be followed by a Trade Union to facilitate a healthy system of Industrial Relations in Trinidad and Tobago.

Section 7 i (a) ii

Categories of Documents in possession of the Ministry of Labour and Small and Micro Enterprise Development

- 1) General Administration Documents
- 2) Reports
- 3) Personnel Files
- 4) Letters
- 5) Strategic Plans for the Ministry
- 6) Divisional Work Plans
- 7) Position Descriptions
- 8) **Laws and Legislation:** All Labour legislation pertaining to Trinidad and Tobago
- 9) **Regulations:** All regulation relating to labour laws of Trinidad and Tobago

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- 10) Consultants' Report for the Ministry of Labour
- 11) Briefing papers for Senior Management
- 12) Cabinet Notes and Minutes
- 13) Advice from other Public Authorities
- 14) Policy and Procedure Documents
- 15) Publications
- 16) Brochures
- 17) Booklets
- 18) Notes
- 19) Forms
- 20) Certificates
- 21) Circulars

Section 7 (i) (a) (iii)

Materials prepared for publication or inspections.

1. Title:

Report of the Cabinet appointed Multipartite Advisory Committee to redesign the Employment and Training Programme; The New employment Training Programme September 2001.

Author/s:

The Cabinet appointed Multipartite Advisory Committee to redesign the employment and Training Programme.

Brief:

The Report identifies the recommendations of a committee established to redesign the operations of the Public works initiative in Trinidad and Tobago, which has been called by several names including, special Works, DEWD, LIDP, URP and ETP.

The recommendations all surround the policy focus of "Sustainable employment through Skill Development", which was the mission statement of the Employment and Training Programme (ETP). The recommendations therefore attempt to set up an essential training component within the programme, geared at empowering the workers to self-realization.

Section 7 (1) (a) (iv)**Literature Available by Subscription**

There is no literature available by subscription from this Ministry.

Section 7 (1)(a) (v)

Procedure to be followed when accessing a document from any Division of the Ministry of Labour and Small and Micro Enterprises Development.

How to Request Information

- **General Procedure**

It is the policy of the Ministry to respond to all requests, for information both oral and written. However, in order to have the rights given by the FOIA (for example the right to challenge a decision if your request for information is refused), **an application must be made in writing.** Therefore, you must complete the appropriate form

(Request for Access to Official Documents) available in the Reception Areas of the Ministry, for information that is not readily available to members of the public.

- **Addressing Requests**

To facilitate prompt handling of your request, please address it to the Designated Officer or alternate of The Ministry of Labour and Small and Micro Enterprise Development [see Section 7 (1) (a) (vi)].

- **Details in the Request**

Applicants should provide details that will allow for ready identification and location of the records that are being requested. If insufficient information is provided clarification will be sought from the applicant. If you are not sure how to write your request or what details to include, please do not hesitate to communicate with our Designated Officer.

Requests not handled under the FOIA

- A request under the FOIA will not be processed to the extent that it asks for information which is currently available to members of the public, either from this public authority or from another public authority (for example brochures and pamphlets etc.)

Responding to your Requests

- **Retrieving documents**

The Ministry is required to furnish copies of documents only when they are in our possession or we can attempt to retrieve them from storage. If we have stored the information you want in the National Archives or another Storage Centre, we will retrieve it where possible in order to process your request.

- **Furnishing Documents**

An applicant is entitled to copies of information we have in our possession, custody or power. We are required to furnish only one copy of a document. If we cannot make a legible copy of a document to be released, we may not attempt to reconstruct it. Instead, we will furnish the best copy possible and note its quality in our reply.

Please note we are not compelled to do the following:

- a. Create new documents. For example, we are not required to write a new program so that a computer will print information in the format you prefer.
- b. Perform research for you.

Time Limits

- i. **General**

The FOIA sets certain time limits for us to decide whether to disclose the documents you have requested. If we fail to meet the deadlines, the FOIA gives you the right to proceed as if your request has been denied. We will try diligently to comply

with the time limits, but if it appears that processing your request may take longer than the statutory limit, we will acknowledge your request and advise you of its status. Since there is a possibility that requests may be misaddressed or misrouted, you may wish to call or write to confirm that we have received the request and to ascertain its status.

- ii. **Time Allowed**

We will determine whether to grant your request for access to information as soon as practicable but no later than thirty (30) calendar days as required by Section 15 of the FOIA. If a decision is taken to grant access to the information requested, you will be permitted to inspect the documents or be provided with copies, if you so request.

Section 7 (1) (a) (vi):

Officers in the Public Authority are responsible for:

- (1) The initial receipt of and action upon notices under section 10;
- (2) Requests for access to documents under section 13; and
- (3) Applications for correction of Personal Information under section 36 of the FOIA.

The Designated Officer(s) is:

Administrative Officer IV
Deanne Ambrose
Level 13, Riverside Plaza
Besson Street
Port of Spain
623-4241 Ext. 2058

The Alternate Officer(s) is:

Director Human Resource Services
Bianca Browne
Level 10, Riverside Plaza
Besson Street
Port of Spain
623-4241 Ext. 2105

Section 7 (1) (a) (vii)

Advisory Boards, Councils, Committees, and other bodies (Where Meetings/Minutes are open to the public)

At the present time there are no bodies that fall within the meaning of this section of the FOIA.

Section 7 (1) (a) (viii)**Library/Reading Room Facilities**

The Library/Reading Room in the Ministry of Labour and Small and Micro Enterprise Development is located at the:
Address: Level 7, Riverside Plaza, Besson Street, Port of Spain.

Other contact information:

Telephone: 624-2039

E-mail: min_labour@Trinidad.net

The Library/Reading Room is open to the public between the hours of **8.00am and 4.15 pm** from Mondays to **Thursdays and 8.00 am to 4.00pm** on **Fridays.**

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Policy of the Public Authority for provision of copies of documents held in the public domain.

1. Certain provision of documents may be subject to a small charge to cover administrative costs.
2. No smoking, eating or drinking is allowed in the Reading Room/Library.

Section 8 Statements

Section 8 (1) (a) (i)

Documents containing interpretations or particulars of written laws or schemes administered by the public authority, not being particulars contained in another written law.

1. Service Acts and Regulations.
2. Laws of the Republic of Trinidad and Tobago.
3. Guidelines for contract employment in Government Ministries.
4. Legal notice No. 40 of 1999
The Minimum Wages order of 1999
5. Legal Notice No. 158
The Minimum Wages (Catering Industry) Order 1991
6. Legal Notice No. 159
Minimum Wages (Shop Assistant) Order 1991
7. Legal Notice No. 160
Minimum Wages (Household Assistants) Order 1991
8. Gazette No. 3112:
Petrol Filling Station Employees Order 1982
9. Legal Notice No. 10
Minimum Wages (Security Industry) Order 1995.
10. Legal notice No. 1 Minimum Wages (National Minimum Wage) Order 2003.
11. Legal Notice No. 63 gazette #49 minimum wages order 2005.

Section 8 (1) (a) (ii)

Manuals, rules of procedure, statements of policy, records of decisions, letters of advice to persons outside the public authority, or similar documents containing rules, policies, guidelines, practices or precedents.

1. Circular Memos to Permanent Secretaries.
2. Circulars and Circular Memos to Permanent Secretaries in respect to the guidelines for the administration of devolved functions.
3. Manual of Terms and conditions of employment in the Public Service
4. Cabinet Notes and Minutes.

Section 8 (1) (b)

In enforcing written laws or schemes administered by the public authority where a member of the public might be directly affected by that enforcement, being documents containing information on the procedures to be employed or the objectives to be pursued in the enforcement of, the written laws or schemes. NIL

Section 9 Statements

(N.B): this section only applies to documents created since 20th February 2001.

Section 9 (1) (a)

A report, or a statement containing the advice or recommendation, of a body or entity established within the public authority.

Strategic planning and Strategic thinking: A guide to Heads of Division by Mr. K. Francis (March 2001).

Section 9 (1) (c)

A report, or a statement containing the advice or recommendations, of an interdepartmental Committee whose membership includes an officer of the public authority.

1. Title

ILO Caribbean Sub-Regional Meeting on HIV/AIDS and the World of Work 15 - 17 May 2002 Barbados
Country Report: Trinidad and Tobago
April 2002

Author:

Research and Planning Division
Ministry of Labour and Small and Micro Enterprise Development

Brief:

This Country Report was prepared in fulfillment of a requirement for attendance at the above named meeting. The Report outlines the nature and extent of the problem of HIV/AIDS in Trinidad and Tobago with focus on the workplace. It represents the findings of a quick capture survey of the responses of large enterprises to the epidemic. Information on the legal and policy framework existing in Trinidad and Tobago to deal with HIV/AIDS in the workplace and institutional arrangements and responses at the governmental, non-governmental, enterprise and union levels are provided. Lessons learnt through past experiences and priorities for further action are also highlighted.

2. Title

Report of the Small and Micro Enterprise Planning Committee - May 2002

Author/s:

The Small and Micro Enterprise Planning Committee

Brief:

The Report summarizes the recommendations of the committee set up to rationalize the development of the SME sector in Trinidad and Tobago. Specifically, it identifies the institutional framework considered most suitable, including and in particular, an implementing company which would provide loans and guide new enterprises to ensure their success.

3. Title:

Ministry of Labour and Small and Micro Enterprise Development:
Medium Term Policy Framework

2003 - 2005

Author/s:

Research and Planning Division
Ministry of Labour and Small and Micro Enterprise Development

Brief:

This document identifies the Ministry's policy areas and objectives, principle strategies and measures, performance indicators and target dates for competition of the Ministry's Programmes for the period 2003 - 2005.

4. Title

Country Profile of the Textile, Clothing and Footwear Industries in Trinidad and Tobago November 2000.

Author/s:

Ms. Jasmine Gopaul and Ms. Omalisa Baldeo, Research and Planning Division
Ministry of Labour and Small and Micro Enterprise Development.

Brief:

This study seeks to provide an understanding of the Textile, Clothing and Footwear Industries by examining their social nature (employment and labour conditions), present economic issues (economic agreements and protectionist measures), legal framework (extent of government regulation and EPZ benefits) and technology changes. It also attempts to assess the impact of globalisation on these industries.

5. Title:

Decent work through vocational training - August 2001

Author/s:

Madhuri Supersad

Brief:

This paper seeks to show that Vocational Training constitutes a vital tool for the promotion and realization of Decent Work. It also discusses the roles that the State and the social partners can play in the process.

Finally, it provides a profile of vocational training in Trinidad and Tobago within a context of decent work.

Sections 9 (1) (b), 9(1) (e), 9(1) (g), 9(1) (k) and 9(1) (j),

Not applicable at this time

Section 9 (1) (f)

A report prepared for the public authority by a consultant who was paid for preparing the report.

1. Title:

Management Audit report

Author/s:

Ernst and Young

2. Title:

Job Evaluation report

Author/s:

Ernst and Young

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3. **Title:**
Performance Measurements report
Author/s:
Ernst and Young
4. **Title:**
Training Needs Report
Author/s:
Ernst and Young
5. **Title:**
Implementation Action
Author/s:
Ernst and Young
6. **Title:**
Final Project plan report
Author/s:
Ernst and Young

Section 9 (1) (h)

Title:
Report of the Small and Micro
Enterprise Planning Committee
Author/s:
Ministry of Labour and Small and
Micro Enterprise Development

A report on the performance or efficiency of the public authority, or of an office, division or branch of the public authority, whether the report is of a general nature or concerns a particular policy, programme or project administered by the public authority.

Title:
Management Audit report
Author/s:
Ernst and Young

Section 9(1) (i)

A report containing *(1) final plans or proposals for the re-organization of the functions of the public authority, *(2) the establishment of a new policy, programme or project to be administered by the public authority, or *(3) the alteration of an existing policy programme or project administered by the public authority, whether or not the plans or proposals are subject to approval by an officer of the public authority, another public authority, the responsible Minister of the public authority or Cabinet.

Strategic Plans