



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

5th Session – 10th Parliament (Rep.) – Volume 35 – Number 34

**OFFICIAL REPORT
(HANSARD)**

THE HONOURABLE WADE MARK
SPEAKER

THE HONOURABLE NELA KHAN
DEPUTY SPEAKER

Friday 8th May, 2015

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*Leave of Absence**Friday, May 08, 2015***HOUSE OF REPRESENTATIVES***Friday, May 08, 2015*

The House met at 1.30 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, I have received communication from the hon. Carolyn Seepersad-Bachan, Member of Parliament for San Fernando West who has asked to be excused from today's sitting of the House. I have also received communication from Mr. Patrick Manning, Member of Parliament for San Fernando East, and Mr. NiLeung Hypolite, Member of Parliament for Laventille West, who have both asked to be excused from today's sitting of the House.

The leave which the Members seek is granted.

JOINT SELECT COMMITTEE REPORTS**(Presentation)**

Mr. Speaker: The hon. Member for Arima. Is he there? Leader of the House, please.

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, on behalf of the hon. Member for Arima, I wish to present the following reports. [*Pause*]

Mr. Speaker, we are advised that the Member for St. Augustine, as a Member of the committee, will present those reports.

Mr. Speaker: The hon. Member for St. Augustine, Minister of Legal Affairs and Justice.

Municipal Corporations and Service Commissions

The Minister of Legal Affairs and Minister of Justice (Hon. Prakash Ramadhar): Mr. Speaker, I have the honour to lay on the table on behalf of the Member for Arima:

Tunapuna/Piarco Regional Corporation

Seventeenth Report of the Joint Select Committee of Parliament to inquire into and report on Municipal Corporations and Service Commissions on a review of the administration and operations of the Tunapuna/Piarco Regional Corporation.

Penal/Debe Regional Corporation

Eighteenth Report of the Joint Select Committee of Parliament appointed to inquire into and report on Municipal Corporations and Service Commissions on an inquiry into the administration and operations of the Penal/Debe Regional Corporation.

Thank you.

URGENT QUESTIONS

Mr. Speaker: Hon. Members, you would recall at the last sitting held on Wednesday, May 06, 2015 there was an agreement between both sides to defer three unanswered urgent questions to today's sitting. I now call upon the Member for Chaguanas West to pose his urgent questions.

Return of CLICO to Shareholders

Mr. Jack Warner (*Chaguanas West*): Thank you, Mr. Speaker. To the Minister of Finance and the Economy:

Now that CLICO has been declared solvent when will it be returned to its shareholders?

Mr. Speaker: The hon. Minister of State in the Ministry of Finance and the Economy. [*Desk thumping*]

The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh): Thank you very much, Mr. Speaker, and on behalf of via press conference, had the Minister of Finance and the Economy in relation to question No. 1 posed by the Member for Chaguanas West, the Central Bank on the 27th of March 2015, announced a resolution plan for CLICO which is currently being implemented with the respective insurance portfolios being prepared for sale, after which, the residual balance will be returned to the shareholders. Based on what is being done at this time, an exact date has not been determined for the return of CLICO to the shareholders.

Mr. Speaker: The hon. Member for Chaguanas West.

Mr. Warner: If I get you clearly, Minister, you cannot say when.

Hon. R. Indarsingh: As I said, it is a work in progress that is being done and I cannot give you—I am in no position to provide a specific date.

Mr. Speaker: The hon. Member for Chaguanas West.

CLICO
(Balance Owed to Government)

Mr. Jack Warner (*Chaguanas West*): Thank you, Mr. Speaker. To the Minister of Finance and the Economy, question 2:

What is the current outstanding balance owed to the Government by CLICO?

Mr. Speaker: The hon. Minister of State in the Ministry of Finance and the Economy.

The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh): Mr. Speaker, according to the Central Bank of Trinidad and Tobago and the Ministry of Finance and the Economy, the current balance outstanding, after taking into account the recent payment by the Central Bank on behalf of CLICO, is approximately TT \$12.830 billion. The current balances are as follows:

- As assignee of the rights of the resident STIP holders in the statutory fund—\$4.498 billion;
- As assignee of the rights of the non-resident STIP holders—\$1.109 billion;
- As assignee of the rights of the mutual fund holders—\$1.135 billion;
- Preference shares, to the value of \$4.992 billion plus dividends accrued estimated as at September 2014 to be \$1.089 billion; and
- Ordinary shares to the value of \$7.2 million.

Mr. Speaker: The hon. Member for Chaguanas West.

CLICO Assets
(Details of)

Mr. Jack Warner (*Chaguanas West*): Thank you, Mr. Speaker. To the Minister of Finance and the Economy:

Which CLICO assets have been sold, at what price and to whom they have been sold?

Mr. Speaker: The hon. Minister of State in the Ministry of Finance and the Economy.

The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh): Thank you, Mr. Speaker. According to the Central Bank of Trinidad and Tobago, it is barred under the strict statutory confidentiality which falls under section 56 of the Central Bank Act, Chap. 79:02 as it touches and concerns the affairs of CLICO, an institution registered under the Insurance Act, Chap. 84:01 (falling under the secrecy provisions) from revealing such information.

The Central Bank will, when appropriate, in the due performance of its objects or objectives under the Central Bank Act, disclose the information on the sale of assets. However, one sale that can be revealed at this time is the sale of the Methanol Holdings (Trinidad) Limited, the MHTL shares, to the minority shareholder, the Consolidated Energy Limited as it was pursuant to an Order of the International Court of Arbitration dated the 24th of August, 2014 at a price determined by the court, of US \$1.75 billion.

Mr. Speaker: The hon. Member for Chaguanas West.

Mr. Warner: Thank you, Minister. Can you give me the substance of the secrecy clause to which you referred in your statement; what the clause says?

Hon. R. Indarsingh: Mr. Speaker, at this point in time I have not had that particular clause or information with me, but I could get it for the Member for Chaguanas West.

Mr. Speaker: The hon. Member for Chaguanas West.

Chaguaramas Development Authority (Details of Remuneration of CEO)

Mr. Jack Warner (*Chaguanas West*): Thank you, Mr. Speaker. To the Minister of Planning and Sustainable Development:

Given the state of the economy, can the Minister state what is the present salary and other terms of the Chief Executive Officer of the Chaguaramas Development Authority?

Mr. Speaker: The hon. Minister of Planning and Sustainable Development.
[*Desk thumping*]

The Minister of Planning and Sustainable Development (Sen. The Hon. Dr. Bhoendradatt Tewarie): Mr. Speaker, I will answer the question precisely but I need to give some context. The salary of the CEO in 2010—

Mr. Warner: I never asked that, “yuh know”.

Sen. The Hon. Dr. B. Tewarie:—was \$40,000 per month, and housing allowance of \$2,800, entertainment of \$1,500, landline telephone of \$500, a company vehicle between \$450,000 and \$550,000, gratuity, 20 per cent of base salary.

On the 21st of January 2013, the chairman of the CDA wrote to the Minister providing a comparator recommendation by two companies, the Odyssey company, which had reviewed comparator salaries with the following institutions: the Judiciary of Trinidad and Tobago; National Library and Information System Authority; National Entrepreneurship Development Company Limited; Trinidad and Tobago Postal Corporation; Trinidad and Tobago Bureau of Standards; Regulated Industries Commission; Trinidad and Tobago Mortgage Finance Company Limited and Trinidad and Tobago Securities and Exchange Commission.

On the basis of that comparator study, the company, that is to say, Odyssey, recommended for the post of the CEO of CDA a base salary of between \$56,000 and \$75,000, cash allowances of \$5,000 to \$10,000, a performance bonus payable on the attainment of 80 per cent of annual performance targets, company vehicle, \$350,000 to \$550,000, gratuity, 20 per cent of base salary and executive medical.

Hollick Rajkumar and Associates, which was the other company to review comparator salaries for CEO, reviewed at EMA, e TecK, HCL Group of Companies, HDC, National Insurance Board, National Insurance Property Development Company Limited, Trinidad and Tobago National Petroleum Marketing Company Limited, Trinidad and Tobago Electricity Commission and the Water and Sewerage Authority (WASA).

On the basis of these, they recommended a salary of between \$56,000 and \$84,000 and pointed out that the midpoint would be \$70,000, a company vehicle, \$350,000 to \$450,000; cash allowances equivalent to 5 per cent of base salary, gratuity, 20 per cent of base salary; major medical, including overseas executive health plan, and coverage amount three times base salary for group life insurance.

The chairman wrote to me on the 26th with this information asking if he could proceed with the matter, and I replied to the chairman on the 26th of January indicating that I would prefer the board to sign off on the compensation package. “I would like you to rethink the compensation package in the context of a performance bonus on delivery of identifiable results and the achievement of objectives, and you should work out a reasonable formula that is fair to the CEO but also demands performance at a high level of achievement.”

On the basis of that, the salary of the Chief Executive Officer of the CDA is today as follows: base salary, \$60,000 a month; housing allowance, \$5,000 a month; vacation travel allowance, nil; motor vehicle, \$450,000 to \$550,000, fully maintained; entertainment allowance, \$1,500 a month; telephone, \$500; annual bonus, three months' salary; executive health coverage to include executive medical check-up annually; vacation leave, 20 working days; paid sick leave, 14 days; gratuity, 20 per cent of base salary.

That is my answer, Mr. Speaker.

Mr. Warner: Supplemental.

Mr. Speaker: Yes. The hon. Member for Chaguanas West.

Mr. Warner: Minister, can you tell me what was the base salary of the CEO immediately before this one?

Sen. The Hon. Dr. B. Tewarie: Well, the only information I have here is that it was \$40,000 a month.

Mr. Speaker: The hon. Member for Chaguanas West.

Mr. Warner: Does the CEO also have access to a villa at Macqueripe?

Mr. Speaker: The hon. Minister.

Sen. The Hon. Dr. B. Tewarie: That is not stated in the documents here, but I believe that to be true. Yes.

Mr. Warner: Thank you very much.

1.45 p.m.

ORAL ANSWER TO QUESTION

Mr. Speaker: Yes, questions on notice. The Leader of the House.

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Yes, Mr. Speaker. Yes, we are in a position to answer questions today if there is anybody willing to ask the questions today. Mr. Speaker, may I say that the Minister of Energy and Energy Affairs, Sen. the Hon. Kevin Ramnarine, is in the Chamber today and left his desk and his other meetings to be here in the Parliament to respond to questions on the Order Paper. So we are in a position to proceed.

Mr. Speaker: The hon. Member for Chaguanas West.

Mr. Jack Warner (*Chaguanas West*): Mr. Speaker, I would like to ask all the questions for those Members in front who have asked them and whose questions are to be answered today. I do not have them here, but I would like to ask them.

Mr. Speaker: All right.

Mr. J. Warner: Can I get a list, please?

Mr. Speaker: Yes. The hon. Member for Chaguanas West.

Mr. J. Warner: Can I have a list, please.

Mr. Speaker: Oh, a list. It is only one question.

Mr. J. Warner: Thank you. [*Crosstalk*]

Mr. Speaker: Please, please, please.

Mr. J. Warner: Everything for you all is a laughing matter, eh?

Mr. Speaker: The hon. Member for Chaguanas West.

National Gas Company Funding (Constituency of St. Joseph)

142. Mr. Jack Warner (*Chaguanas West*) on behalf of Mr. Terrence Deyalsingh (*St. Joseph*) asked the hon. Minister of Energy and Energy Affairs:

Could the Minister state:

- (a) the specific projects that the National Gas Company funded in the constituency of St. Joseph;
- (b) the cost of each project during the period 2010-2014;
- (c) whether during the period 2010-2014 these projects were implemented in consultation with the past and present Member of Parliament?

The Minister of Energy and Energy Affairs (Sen. The Hon. Kevin Ramnarine): Thank you very much, Mr. Speaker. The answer to question 142 from the Member of Parliament for St. Joseph is as follows—[*Interruption*]

Dr. Gopeesingh: Who has abdicated his responsibility?

Sen. The Hon. K. Ramnarine: Who is not here, but I will still give the answer, it being posed by the Member for Chaguanas West in the absence of the Member for St. Joseph.

Oral Answer to Question
[SEN. THE HON. K. RAMNARINE]

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The specific projects funded by the National Gas Company in the constituency of St. Joseph during the period 2010—2014, and the cost of those projects are as follows:

1. Donation to the Sisters of St. Joseph of Cluny in the Caribbean and their address is Maracas, St. Joseph. Contribution, \$5,000;
2. The St. Joseph Carnival Committee. Address, 48 Sunrise Drive, Mount Hope, and the amount \$20,000;
3. The National Amateur Athletic Association of Southern Main Road, Curepe, \$14,365;
4. The Arthur Lok Jack Graduate School of Business at Max Richards Drive in Mount Hope, which is in the constituency of St. Joseph, \$735,830;
5. The Employers' Consultative Association of Trinidad and Tobago, of Samaroo Road, Aranguez—again in the constituency of St. Joseph—\$5,850;
6. And the final one, the Rotary Club of Maracas/St. Joseph—which is again in the constituency of St. Joseph—\$2,500; for a total of \$783,545.

Mr. Warner: Supplemental.

Sen. The Hon. K. Ramnarine: No, I have not finished.

Mr. Speaker: He is not through as yet.

Sen. The Hon. K. Ramnarine: Yeah, there is a part (c). So that would cover the answer to part (a) and part (b) of question 142.

With regard to part (c), funding of projects or donations made by the NGC are based on requests from NGOs, schools, CBOs, sporting bodies. Contributions are also made within the framework of the NGC's Corporate

Social Investment policy, or CSI policy which, Mr. Speaker, is national in its outlook.

The CSI policy of the NGC is not constituency specific, but has a national outlook. If the need arises the company will consult with the MP for the area. However, that was not the case in the aforementioned projects, and that concludes the answer to question No. 142, Mr. Speaker.

Mr. Speaker: The hon. Member for Chaguanas West.

Mr. Warner: Thank you, Mr. Speaker. For all these donations you gave out in St. Joseph, was the Member of Parliament consulted especially for Lok Jack's \$735,000?

Mr. Speaker: The hon. Minister of Energy and Energy Affairs.

Sen. The Hon. K. Ramnarine: Mr. Speaker, I do not see the logical or causal link between the need for the NGC to sponsor academic programmes and research and so on at the Arthur Lok Jack Graduate School of Business and consulting with the Member of Parliament for St. Joseph.

If, for example, the NGC was to sponsor some programme at the University of the West Indies in St. Augustine, is it then that we must go and consult with the Member of Parliament for St. Augustine, Mr. Dookeran? If, for example, the NGC was to decide to sponsor the national cricket team whose address is Balmain, Couva, is it then that we must go and consult with the Member of Parliament for Couva South? Some of these sponsorships are very national in their outlook and, of course, you have a national company sponsoring what would be a national initiative, a national project, and in my view there is no need, therefore, to go and consult the

Member of Parliament each time you are doing that.

Hon. Member: If the Member has a request—

Sen. The Hon. K. Ramnarine: If the Member of Parliament has a specific request to the NGC, we will treat with that.

Mr. Speaker: The hon. Member for Chaguanas West.

Mr. Warner: Mr. Speaker, let me ask it slowly. From a point of view of protocol, do you not believe that it is prudent to consult, liaise or inform the Member of Parliament for the constituency of those donations? For example, Sisters of Cluny \$5,000, St. Joseph Carnival Committee \$20,000, NAAA in Curepe \$14,365, and the list goes on and on. Do you think it is prudent, Minister, from a "protocolary" standpoint to consult with the Member of Parliament for St. Joseph.

Mr. Speaker: The hon. Minister of Energy and Energy Affairs.

Sen. The Hon. K. Ramnarine: Mr. Speaker, sometimes these requests come directly from the organizations, and these are NGOs and CBOs and so on that are in need of funding. I would take on board the suggestion of the Member of Parliament for Chaguanas West that we will consult if need be with the Member

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of Parliament, but sometimes consultation with the Member of Parliament may be to the detriment of a particular NGO or in the favour of a particular NGO. I am putting that on the table, but we will take into consideration his suggestion.

INDUSTRIAL RELATIONS (AMDT.) BILL, 2015

Order for second reading read.

Mr. Speaker: The hon. Minister of Labour and Small and Micro Enterprise Development.

The Minister of Labour and Small and Micro Enterprise Development (Hon. Errol McLeod): Thank you very much, Mr. Speaker. I beg to move:

That a Bill to amend the Industrial Relations Act, Chap. 88:01, be now read a second time.

RELATED BILLS

The Minister of Labour and Small and Micro Enterprise Development (Hon. Errol McLeod): Mr. Speaker, in moving the second reading of this Bill, I seek the leave of the House to debate together with this Bill, a Bill to amend the Constitution of the Republic of Trinidad and Tobago.

Assent indicated.

INDUSTRIAL RELATIONS (AMDT.) BILL, 2015

Mr. Speaker: Hon. Minister, you may continue.

Hon. E. McLeod: Mr. Speaker, I beg to move:

That a Bill to amend the Industrial Relations Act, Chap. 88:01, be now read a second time.

Before I go any further, Mr. Speaker, I should like to make two observations. One is that this Bill, the purpose of which is to strengthen and improve the industrial relations system in Trinidad and Tobago by making the system more efficient, more effective and more expeditious from the recognition to dispute settlement. There is also a need to create an independent dispute settlement process in the formation of the conciliation and mediation service, and to foster the independence of the Industrial Court.

It is under this very important rubric, Mr. Speaker, that I am going to elaborate a little bit on the intentions of the Government in this Bill, but there is another observation, a very important observation which I wish to make. That observation is that quite often we go contrary to the sometimes quite explicit

contracts of employment that we have. Even in cases where there is no recognized bargaining unit representing those persons affected by the particular contract of employment, we will find that walking off the job once might be considered a mistake, might be considered such a mistake that will come out of ignorance of one's employment contract; walking off the job twice illegitimately can provoke particular sanctions; and walking off the job three times can lead to serious consequences for those who have walked off the job.

I bring this Bill today so that both sides of this honourable House can respond and participate in a debate that deals with very important matters, upon which the successful process of economic development ought to take place. But there are members in this employment situation—employment—doing work on behalf of all of the citizens of Trinidad and Tobago, doing work in the interest of industry in Trinidad and Tobago, there are some of us as workers who have walked off the job. I see empty benches across the floor. [*Desk thumping*]

Dr. Moonilal: They should not be paid.

Hon. E. McLeod: And in such circumstances—thank you very much, hon. Leader of Government Business—one is not normally paid when one walks off the job as persons have so done.

Mr. Speaker, we would have heard on many occasions in the recent past, that this Government has been refusing to respond to the workers' agenda, and sometimes a confused public can be misled, or an uninformed public can be seriously misled by "misinformers"—some of them doing that deliberately. When one says that attention is not being paid to the workers' agenda, one ought to continue to say what that agenda is so that people can be properly informed. There is a workers' agenda that this Government has been pursuing from our very first day in office, but there is another one which is being peddled by "misinformers" and which says, for instance, that we should deal with matters such as the reform of the Constitution of Trinidad and Tobago and the reform of local government.

2.00 p.m.

Some have even gone to the extent to say that the Local Government Ministry, on their assumption of office, if that will happen at all, the Local Government Ministry will be disbanded. I wish to record in this honourable House that there are thousands of workers who are currently employed by local government, and our objective is to make all of our systems efficient so that they will effectively contribute to our social and economic development wherever they might be. That

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workers' agenda calls for transparency and accountability, investigation into criminal wrongdoing. It talks to food, security; it talks to old age pension and the elderly, youth development, women, the differently abled, children, health, education.

Now, I do not know that a Ministry of Labour and Small and Micro Enterprise Development, as is currently defined, would have responsibility for those issues that I have mentioned, it calls for a treatment of culture, the steel band movement and many other issues. And, of course, it does mention the Industrial Relations Act; it mentions the Industrial Court. It talks to, in two sentences, the Retrenchment and Severance Benefits Act and so on. I wish to have recorded in this House that in 2010, with a coming together of representatives of five organizations, political organizations, we set about determining a manifesto for the 2010 elections, and there were representatives of each of the five organizations contributing to the development of a manifesto, which upon our coming into Government, we adopted and identified as government policy.

Insofar as the labour content of that manifesto is concerned, representatives of that organization that considered itself, and that propagated, that it was representative of labour and the trade unions, the two representatives of that organization on instructions from the controlling bodies in their organizations went to that manifesto committee—I would like to call it—and proposed on behalf of their organization, such matters as are identified on pages 50 and 51 of the People's Partnership Manifesto, and it starts off by saying:

“Workers...”—will be brought to—“the Centre”—so as to—“...Build a Productive Nation”

And it elaborated that:

“Labour within Trinidad and Tobago should be organised as a positive force for economic development.”

And that:

“We will partner with labour unions to work beyond the frontiers of traditional collective bargaining of higher wages and better working conditions.”

And that:

“These considerations, important in themselves, must be seen within the framework of workers taking up their responsibility to participate in decision-making and control at the level of the firm, as well as the national level. The

major emphasis of organised labour then, would be the economic development of country, ensuring this development so that workers' rights can be protected and their conditions improved. We further declare that there should be decent jobs and job security for all. In this regard, the following general principles should be adhered to."

Very important, very fundamental opening statement here. And we go on to say:

"Achieving a more equitable distribution of wealth" That is to:

- Ensure that the objective of decent work, which includes the right to join a trade union and the right to collective bargaining, focusing especially on workers in the security sector, fast food industry, retail sales and those employed by contractors, who are particularly at risk, benefit from a more equitable position of wealth
- Adhere to the general objectives of the"—International Labour Organization—"position on Decent Work"

Then, we went to some "Proposals":

"Amendments Will Be Made to the Industrial Relations Act (IRA)"

And in such amendments, we will deal with:

- “(i) The right of workers to join a trade union of their choice...”—and that these provisions will—“be enforced and protected
- (ii) Currently the status of certain classes of workers, (including domestic workers, gardeners, amongst others) is not fully protected. The rights of these workers require legislative attention and this will be done”

There is an important section here that says:

The—“extreme provision...”—of the process of decertification of trade unions—“is to be removed and replaced with more equitable measures to ensure that infractions by parties are dealt with more objectively.”

And then we dealt with the:

“Appointment of Judges to the Industrial Court... Keeping with the Following Principles”

That is:

- The need for an independent Judiciary

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- Removal of ministerial/political interference in the process of appointment of judges
- The need for security of tenure for judges to ensure a fearless Judiciary”

That is Judiciary insofar as the Industrial Court is concerned. And I might say that even with our not having such legislated provision at this time, I can say for the entire world to hear, that the judges in our Industrial Court in Trinidad and Tobago, since 1965, have been nothing but as independent as you can find them. [*Desk thumping*] They have independently dealt with the issues brought before them and we are seeking only to reinforce that.

“The following pieces of legislation will be reviewed for improvements...

- Retrenchment and Severance Benefits Act
- Repeal of Workmen’s Compensation Act”—and to be replaced by an Employees Injury Benefits Act
- Occupational Safety and Health Act

The Maternity Protection...

The Minimum Wage”—Act.

“The Master and Servants Ordinance...

Migrant Labour”

Now, this is quite a lot although written in just a few sentences, but we have been labouring. This Government has committed itself so intensely to the issues that are written in this document that, as we speak here today, we have been able—in addition to attending to these identified issues, we have been able to create the environment in which 97 collective agreements have been settled. [*Desk thumping*] There is not one that had been settled over the period 2007 to 2010, April 30. Not one of them.

As a matter of fact, we would have seen the figure 1 appearing in two situations where the Government offered, I think, about three or four different unions: 0-0-1. We settled 97. [*Desk thumping*] And, at first, there were those who were questioning our numbers and at that time we were identifying 57 settlements and then 63 and then 78, and they were questioning those numbers—“so many agreements have not been settled, it is not true; we doh have so many unions.” We were not checking unions, we are checking bargaining units.

Today, when they seem to have satisfied themselves that our numbering is correct, today, with 97 having been settled—and I have not talked yet about 27 in a second round and three in a third round over the past five years. Today, they are saying, “Oh, Minister of Labour and Small and Micro Enterprise Development and Prime Minister boasting about what they are doing with the workers’ agenda but they are not identifying that we have some collective agreements that have been outstanding still since 2007”. I am not disputing that. As a matter of fact, the record will point to about five collective agreements that are still to be settled, and it emphasizes the abandonment of the collective bargaining process by this Government that we have succeeded. [*Desk thumping*] That is what it has done.

But I did not intend to labour that too much, except to say that insofar as the true agenda is concerned, this Government, within 120 days of our coming into office, improved the minimum wage from \$9 to \$12.50 per hour. [*Desk thumping*] And soon thereafter, we amended the Maternity Protection Act bringing maternity protection benefit to internationally accepted levels. [*Desk thumping*]

Dr. Gopeesingh: Tell them how many weeks. Fourteen weeks.

Hon. E. McLeod: Fourteen weeks. We repealed the Masters and Servants Ordinance, a relic of our colonial past. [*Interruption*] Yes. And we identified our work, we identified our process, we identified our going forward on a decent work agenda as has been adopted by the International Labour Organization, Mr. Speaker, for everyone in the society. But there is still much work to be done and we are going to continue to ensure that, in fact, workers, even those who might feel misguided at this point in time, will be brought to the centre of our development [*Desk thumping*] and that this Government is not ending its function and its work, insofar as workers are concerned, with the enactment of these Bills; we are committed to doing that.

2.15 p.m.

But all of what is to be done could not humanly be done in five years, given the resources that we have at our disposal. We need more time to do more work, so I see our being here for another five years, at least, to encourage that.

Mr. Speaker, before I continue to discuss the contents of the Bill, let me, very briefly, highlight some important aspects of the history of industrial relations in Trinidad and Tobago. I am going to do that very briefly. There are so many stories and they are such long stories; they are so impacted by very important occurrences. I am going to limit my relating anything about the history of industrial relations to strictly industrial relations, not so much to the many fights

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and the many skirmishes that had taken place as we sought to form a more decent approach to industrial relations in Trinidad and Tobago. And there are some of us who, it would appear, are not familiar with the struggle that had been put up for more decent industrial relations in the country.

In 1965, the then Government enacted the contentious Industrial Stabilisation Act to regulate strike action by workers and to establish the Industrial Court. The Industrial Stabilisation Act (ISA) ended the voluntary system of industrial relations and helped formalize a system to properly address industrial relations. The ISA included limitations to industrial action by both parties and was viewed by trade unions as being unconstitutional. In 1972, however, the ISA was repealed and replaced by the Industrial Relations Act. And there were many struggles in which people engaged, as we came to that point.

The amendments to the Industrial Relations Act are intended to strengthen the collective tripartite partnership, reinforce the industrial relations system and set a landscape for 2015 and beyond, for harmonious labour management relations.

Let me emphasize, Mr. Speaker, that this is not an attempt to curtail, or to prevent, to ban strike action. It is an attempt to have the players in the industrial relations scenario become more mature [*Interruption*] and responsible—thank you very much, colleague—become more mature to see Trinidad and Tobago as a small place in which 1.4 million persons live. And on the basis of the activity, the economic and other activity in this small place, it is on the basis of that, that we eke out a living.

And, we need to be enhancing the opportunities that we have, more and more, so that the cake that everybody is calling upon us to share, to cut up and to distribute, that that cake, perhaps, has a little bit more flour, has a few more eggs, has a little bit more yeast so that it can be a bigger cake, so that bigger slices can be offered to all of our citizens—and that calls for maturity. It calls for maturity. [*Interruption*] “Yuh feeling to eat cake now”. [*Laughter*] Watch the sugar, though.

This Bill contains, Mr. Speaker, 27 provisions. I will take you through very quickly. Clause 5, for instance, of the Bill, deals specifically with the recognition of domestics and other vulnerable workers who were excluded and unprotected under the Industrial Relations Act. Now, there were reasons we are told. There were reasons, I think we know some of them—I know some of them—that the IRA was written the way it was written and enacted.

But this is 2015. This is no longer those days of the Masters and Servants Ordinance. There will be some inconvenience that persons will feel. For instance, in establishments where one has the right to take strike action, and one would suggest that such strike action is taken legally, after going through a particular process and it is really a matching of the strengths of the worker, as against the strengths of the employer, and our Constitution allowed us to join trade unions and so on. So that we will get into those processes. And when we would have had work interruptions in such places, of course one suffers some inconvenience and so on. So all of that may well have been considered in the drafters of the IRA determining that there are certain persons who, based on where and how they are employed, will be exempted from the definition of “worker”. We cannot continue to go that way.

Indeed, pressure is being brought to bear on Trinidad and Tobago, at the level of the International Labour Organization on this question. And Trinidad and Tobago, Mr. Speaker, sits on the governing body of the ILO. That is as we sit here in the Parliament of Trinidad and Tobago. That is what the governing body of the ILO is. So here you have a member of the governing body identified with the exclusion of certain categories of workers in Trinidad and Tobago from the definition of “worker”. We cannot continue to go like that. And I know that there are those in our society who are not supportive of our bringing the domestic worker into the realm of who a worker is. But Government must do what Government must do.

There will always be objection to certain things that we want to do but we do not just take that and say: “Well, Mr. Whoever is against this, so we will not go with it.” But there are so many who we do not know ever whose future, whose today’s existence depends on their being respected and properly recognized and I will not be a part of a Government that refuses to recognize every worker in Trinidad and Tobago as a worker. [*Desk thumping*]

Domestic and vulnerable workers now have rights that other workers in the economy have enjoyed for more than 50 years, such as the right not to be harshly and oppressively terminated, the right to have redress at the Industrial Court and to be protected by the principles of industrial relations. And one remembers Clothill Walcott as she struggled on behalf of these domestic employees. But we must also recognize all areas of the consequences of whatever we do. Later on I should address this issue again.

Mr. Speaker: May I advise hon. Minister that you have until 2.37, so you just have about 13 more minutes. So you will have to be guided, in terms of time.

Hon. E. McLeod: Thank you very much, Mr. Speaker. I thought that I might get some of the time that the other side have abandoned. [*Desk thumping*]

Clauses 6, 7 and 8 deal essentially with our amending the Constitution essentially to deal with the Judicial and Legal Service Commission that will be called upon to appoint judges of the Industrial Court. The Industrial Court, as you know, is led by a President who has the qualifications to be a member of the higher Judiciary. We are proposing that non-lawyers join those lawyers whom we have in the court and to be named Justices of the Industrial Court. We have sought to improve the qualifications of both lawyers and non-lawyers who are members of the Industrial Court and we are seeking to remove whatever political influence, ministerial and other influences, that one might now perceive as being influences in determining judges for the Industrial Court. We want to make it really independent.

Which body do you set up to deal with that? It is the Judicial and Legal Service Commission; and to have the Judicial and Legal Service Commission deal with non-legal persons is to call for an amendment, and such amendment requires a three-fourths majority. Yeah. And we thought that we would invite Members opposite, if they were present, to join with us because we are aware that in 1994 or thereabouts, there was the Wilson Committee appointed by the then PNM administration, under section 80 of the IRA, to consider amendments to the Industrial Relations Act. They made all of their recommendations, a number of which we support today, but that was the last time that anybody heard about it. I do not want to get into any finger-pointing, but the whole country is aware that the People's National Movement, in Government and out of Government had never been supportive of the workers of Trinidad and Tobago.

2.30 p.m.

I thought that they might come today with a position, a changed position insofar as that is concerned, because I am aware that approaches were made to them for their support insofar as the workers' agenda is concerned.

Clause 9 now seeks to expand the jurisdiction of the court, to allow for the court to hear matters under other pieces of employment legislation. The starting process of the collective labour relationship is the right of a trade union to be recognized and so on, Mr. Speaker. Clauses 10 to 17 address these issues.

Clause 10, for instance, speaks to the quality of professionals required in the modern era of industrial relations to conduct such a process. For example, the Secretary and officers of the Board, that is the Registration Recognition and

Certification Board, must possess qualification in industrial relations law or social services. Under the current IRA, section 23(5) states that:

“All applications for certification of recognition and questions as to the appropriateness of bargaining units brought before the Board shall be determined by a majority of the members...”

Clause 11 amends section 23(5) of the IRA, from a majority decision-making process, to involve tripartite partners, and the Chairman. Therefore, in clause 12, the quorum for meetings of the Board is reduced from five to four, thereby improving efficiency.

Mr. Speaker, why does it take so long for a recognition claim to be examined and decided upon? I recall for 10 years, a union which I had the distinct honour and privilege to lead, for 10 years, that union was pursuing a recognition claim against former Amoco; 10 years, and there were all kinds of games being played. Expeditious determination, as has been outlined in several reports, can mean more than three years, which effectively denies persons of the rights afforded to them under the Act and the Constitution.

We are changing, Mr. Speaker, in our amendments here, we are changing the system that allows for a subjective interpretation of an important time limit, by defining “expeditious” to be within six months. No application for recognition should take more than six months to be determined; finalized.

Section 34(2) of the current IRA states:

“Where it appears to the Board that more than one union has as members in good standing more than fifty per cent of the workers comprised in an appropriate bargaining unit, it shall certify as the recognized majority union that union which has the greatest support of the workers determined by preferential ballot, being in any event more than fifty per cent of those workers.”

That is another important issue that we must attend to with some immediacy, Mr. Speaker.

Clause 14 of this Bill clarifies the steps that the Board must take in the recognition process, and also gives the time limit for filing objections.

Clause 14 also limits the Board’s determination of member in good standing, for the purpose of granting recognition to the union.

Workers sometimes decline or they are with neglect to become involved in the trade union at their workplace, and they remember that trade union only when something happens to them. There are workers who are in places where they feel sometimes that they are being denied opportunities to become members of unions, and something happens and one goes to a trade union, well, I have been suspended or I have been dismissed and so on, and the trade union says, well, pay some dues and we will represent you. When such representation reaches the Industrial Court, the employer would challenge the good standing or lack of it, of the worker in the union. I mean, it sounds a little bit absurd. It is the union and the particular worker to deal with that issue. It is not for anybody else to deal with that issue, Mr. Speaker, but we understand why it was there, and we are seeking to move it now and—[*Interruption*]

Mr. Speaker: Three more minutes, hon. Minister.

Hon. E. McLeod: Yes. Perhaps, Mr. Speaker, anybody who wishes, as an employer, to challenge that in any serious way is wanting us to deny that there are important human rights issues and so on, that are well recognized by the United Nations, and so on.

So, the big issues in these amendments: one, the process of decertification of a union that has allegedly taken illegal action. Now, let us examine that for one minute. A union's leadership, sometimes at the secondary level or at the primary level, mobilizes workers, they take action, that action is not in conformity with the provisions of the Act, and that employer then, affected as he is affected, and one understands that, he approaches the court, seeks injunctive measures against the union. And the remedy that is sought, is a decertification of the union. That is a ridiculous thing.

Now, employers also sometimes commit illegal action, and I do not know that workers can approach a court, to have that employer decertified, neither do we want the employer to be decertified, because we depend on the jobs inside of there for people's well-being. We are moving to level the playing field. If you go contrary to the process, and so on, and it is deemed illegal, you are subject to paying hefty fines, Mr. Speaker.

I am sure that my colleagues who will follow me, will develop on a number of these issues that I have not had the time to explain in any deeper way.

So for the time being, I wish to thank you very much for the opportunity.
[*Desk thumping*]

I beg to move, Mr. Speaker.

Question proposed.

Mr. Speaker: I would like to remind hon. Members that leave has been granted for the debate on both Bills to be taken together.

Mr. Jack Warner (*Chaguanas West*): Thank you, Mr. Speaker. I appreciate your indulgence. Thank you very, very much. Mr. Speaker let me begin by saying I had no intention of speaking on this Bill today, and I did give that assurance to the Member for Oropouche East, the Leader of Government Business, but as I sat here listening to what I would describe as the requiem of the Minister of Labour and Small and Micro Enterprise Development, the Member for Pointe-a-Pierre, I felt compelled to speak, Mr. Speaker, and I will do so very briefly.

About three weeks ago, FITUN, the Federation of Independent Trade Unions and a Non-Governmental Organisations, FITUN, invited the ILP to sit and meet with them, to discuss some of the problems which they were experiencing in labour. The ILP was represented by its political leader and its Chairman, Mrs. Rekha Ramjit. We spent two hours with them. I sat here today and I heard nothing of what they said were their real concerns. I could not believe it, and when you consider that the PP Fyzabad Accord, what some people describe now as “Fyzabad discord”, Fyzabad Accord was signed in Fyzabad, with five bodies, five entities, one of which at that time was the political leader of the MSJ, who now has neither M nor S nor J, and he, I am told, the Member for Pointe-a-Pierre, hon. Errol Mc Leod, had been put there by the MSJ to represent labour.

Mr. Speaker, in the discussion we had with the FITUN people, Mrs. Ramjit and I, we were told by them that this is the worst period for labour under the present Minister, the present administration. It is easy to understand why they were saying so, because after five years, with five weeks to go, the Member for Pointe-a-Pierre, who initially was put there to represent labour, has brought to the Parliament this Bill; five years. It is symptomatic of what is being done by turning sod here, turning sod there, hospital here, hospital there, of course, all in a cosmetic arrangement to look good. Go ahead, do that and see if you succeed, but nobody would really believe the efficacy and the genuine nature of what is being done here today. I will tell you why.

Mr. Speaker, this Bill, the draft Bill, was sent to FITUN dated April 14, they received it on April 24. So it took 10 days from Port of Spain to Barataria; 10 days. If they were even hopping, it would have taken less. Mr. Speaker, on April 24, they were told by the Minister of Labour and Small and Micro Enterprise Development, the Member for Pointe-a-Pierre, the most distinguished former President General of the Oilfields Workers’ Trade Union, who fought and

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struggled for workers in this country—they were told they had seven days to reply, and they have to reply by May 01; seven days.

Five years you had, but you gave them seven days to reply, because it is a hustle, it is a scramble, because you have a deadline to meet, to look good before the country. So, I promise to be brief, but it hurts. It hurts when I see what is taking place here, in terms of the kind of cosmetic arrangement being made last minute, and things are being done—I will take my grandmother’s words—“lablash, lablash, vaille-que-vaille”, with little or no consideration for what are the real concerns of others.

When they got this on April 24, to reply by May 01, one week after, on May 08, we are here. So if even they had replied by some magic, and you had to call them for discussion, in between, by May 08 we are here. Mr. Speaker, what were the concerns of FITUN? And since the Minister did not read it in his Bill, I will raise it from the document which they gave out. What is good, I have 30 and 15, 45 minutes to read two pages. I speak very fast, but I promise you today, I will speak very slow, because what they are saying here is important. Let me tell you something. One of the things they have said, I will jump the page, they have said, I quote:

“What is quite disturbing is the fact that as a Federation, we were not consulted on this Draft Bill before it was laid in Parliament.”

Mr. Speaker, they were not consulted on the draft Bill before the Bill was laid in Parliament, and this is by a Minister of Labour and Small and Micro Enterprise Development, whose record spans being the head of one of the most powerful unions in the country.

2.45 p.m.

I asked earlier on: where is the protocol, Mr. Speaker? Where is the protocol? Where is the give and take? If even you do not like them, that is okay. If even you do not want to eat with them, I said before, that is okay. If even you do not want to sleep with them, okay. You do not even have to carry them to drive with you in PM 1 but, Mr. Speaker, you have to work with them. I am saying this is damning because, at the end of the day, I would have thought that the correct thing to do would be to consult with the trade unions, particularly FITUN—of course, the other people, they have a different arrangement—but FITUN, because they have real problems.

Mr. Speaker, what does FITUN say? Let me read it into the record—signed by Joseph Remy, President and dated Wednesday, May 06, 2015. I call it fateful Wednesday, Wednesday gone. What did he say? I read it:

“The Federation of Independent Trade Unions and Non-Governmental Organizations, FITUN, would like to express its grave concerns with respect the Bill that was laid in the House of Representatives on Friday 1st May, 2015, by the Minister of Labour, Small and Micro Enterprise Development, to amend the existing Industrial Relations Act, the IRA.”

FITUN continues:

“Our preliminary review of the provisions contained within this Bill sends some very worrying signals to FITUN and by extension all Trade Unions within its fold. While we have not had the opportunity to do an in-depth analysis of the entire Bill...”

And I say to you, Mr. Speaker, understandably so, the rush, because they have a deadline to meet:

“While we have not had the opportunity to do an in-depth analysis of the entire Bill, we have observed and carefully noted ‘Part VA’ of the Bill whose heading: ‘CANCELLATION OF CERTIFICATE OF RECOGNITION AND OTHER SANCTIONS FOR FAILURE TO REPRESENT A MEMBER OR WORKER’”

They are saying, Mr. Speaker, I continue, this

This—“...is of major concern to us. The provisions contained within this Part makes it mandatory for a Trade Union to represent a worker, even though that worker refuses to join the”—trade— “Union...”

That is what it says here. You do not have to join at all, he says here, Part VA. And also the person, he says here, does not have to pay dues, but they have to represent a worker all the same even though that worker refuses to join the Union and pay Union Dues.” I continue: [*Interruption*] I would give you a copy just now.

“In essence, this effectively says to workers that they don’t have to be a dues paying member of a Union to be given”—recognition—“by the Recognized Majority Union. We see this as strangling and choking the Union’s ability to operate and give effective representation to all its members.”

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I continue:

“In addition to this provision, ‘Part VA’, gives those same non-members of the Union the right to Petition the Industrial Court to seek to have the Trade Union’s Certificate of Recognition cancelled...”

I would say it slowly again, Mr. Speaker, because nothing was raised here. The Member glossed over as, of course, you see, he is God’s gift to labour. He was bringing this Bill and this Bill, of course, he says, would be the be-all and end-all of everything. And, of course, he talked about the IRA and the ISA and so on and so on, but has he perfected the Bill? Has he discussed it with them? Has he taken up their concerns? Mr. Speaker, the answer is no. I continue, Mr. Speaker. I would go back:

“In addition to this provision, ‘Part VA’, gives those same non—paying—members of the Union the right to Petition the Industrial Court to seek to have the Trade Union’s Certificate of Recognition cancelled if they feel that as non-members, they were not given effective representation.”

What madness is that? What madness is that? Where is our sanity of late, especially this week? Mr. Speaker, I continue:

“These new provisions are diametrically opposed to the positions adopted in recent public statements made by the Minister of Labour, Small and Micro Enterprise Development, who, albeit wrongfully, alluded to his Government’s efforts to save three (3) Unions from the threat of the Cancellation of their Certificate of Recognition in 2010, when in fact the attempt to cancel the Certificate...of those Trade Unions was made in 2009. In addition, they are totally opposed”—and—“they”—means here the PP Government—“to the recommendations of the Workers Agenda of 2010.”

I want to add, by the way, Mr. Speaker, when they sat with the ILP—and they gave us 10 points, the Workers Agenda—we accepted eight of those and asked for an explanation of two, and those explanations came subsequently and we also approved them, all 10.

“FITUN has also observed that there are other provisions contained...”—
[*Interruption*]

It is only me alone, give me a “bligh nah”, it is me alone, please.

“FITUN has also observed that there are other provisions contained within this Bill which are aimed directly at the heart of the Trade Union Movement. Once

again, just as happened when the Industrial Stabilisation Act and subsequently the Industrial Relations Act were enacted, we are seeing an obscene act of collusion between the Government, the Employer Class and Big Business, in collaboration with those reactionary and backward elements of the Trade Union Movement to curtail the progressive march of the Independent Trade Unions.”

I would say it again, I feel I have said it a little too fast. I would say it again. I have time; I would say it again, Mr. Speaker.

Dr. Moonilal: You have plenty time.

Mr. J. Warner: Plenty time and it is me alone. So, I would say it again.

“FITUN has also observed that there are other provisions contained within this Bill which are aimed directly at the heart of the Trade Union Movement. Once again, just as happened when the Industrial Stabilisation Act and subsequently the Industrial Relations Act were enacted, we are seeing an obscene act of collusion between the Government, the Employer Class and Big Business, in collaboration with those reactionary and backward elements of the Trade Union Movement to curtail the progressive march of the Independent Trade Unions.”

They continue, Mr. Speaker.

“These provisions, if allowed to become Law, will see the wanton exploitation of workers and the entrenchment of Contract Work in Trinidad and Tobago.”

The most wicked form of work is contract work. Mr. Speaker, in contract work you cannot get a mortgage, you cannot get a car loan, you cannot get anything and you are at the beck and call of the employer—you are contract work—and the worse form of that I know is in the public service, but I continue.

“Workers would be left more defenseless against the rampaging exploits of unscrupulous Employers who would use every opportunity to exploit and victimize workers and disenfranchise the work place against democracy that was engendered by the progressive Trade Union Movement.”

I go back again:

“What is quite disturbing is the fact that as a Federation, we were not consulted on this Draft Bill before it was laid in Parliament. Oh what a shame on those who are supposed to know better!”

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Oh what a shame on the Member for Pointe-a-Pierre. Oh what a shame, they are saying, on the Minister of Labour and Small and Micro Enterprise Development, the one they believe, Mr. Speaker, who should know better. Mr. Speaker, I continue:

“It is also a crying shame that these draconian provisions are perpetrated on workers by those who cosmetically cloaked themselves in the robes of Trade Unionism in the past...”

They are saying, therefore, Mr. Speaker, that this is being done by those through cosmetic measures—I get it right this time—cloaked themselves as pillars of the trade union movement of the past.

“...but now that they have tasted the seductive cocktail of state power, they have brazenly stripped themselves naked and have exposed their selfishness, greed and treacherous tendencies.”

Mr. Speaker, FITUN continues:

“FITUN is calling on all right thinking Trade Unionists to take a stand against this attack on the Trade Union Movement. We demand that this Bill be withdrawn from the Parliament and the Trade Union Movement be allowed the opportunity to examine its provisions, thereafter there must be a period of genuine consultation between all affected parties and interest groups to arrive at a way forward for any amendment to the Industrial Relations Act. We commit to mobilize all workers to mount a strong challenge against this anti-worker and anti-Trade Union Bill.”

Mr. Speaker, they end by saying:

“A word to the wise is sufficient.” If this Bill was supposed to be the panacea for all the ills of the trade union movement, why this letter? If this Bill is supposed to be the cure and the be-all and end-all for all the evils which the movement has been experiencing, why are they so bitter?

When I went to that meeting with Mrs. Ramjit to represent the ILP, there were over 14 trade unions there. We sat around a table with about 30 to 40 persons, angry people. At the head, of course, you had Mr. Roget and Vincent Cabrera, and you had of course, Ozzie Warrick and a host of them. All of them came there and with one voice they were saying: “This is not good.”

Mr. Speaker, is it wrong to come off from your high horse to condescend and to sit down and talk with them? If even after talking to them you do not accept their advice, that is okay. You do not have to, but at least do the correct thing and

consult with them. It reminds me of the run-off Bill when nobody was consulted. It is the same kind of behavior, Mr. Speaker, because the fact is, there is this belief that only the ideas that are good come from that side. Nobody else has any ideas and, definitely, not FITUN.

Nowhere you have heard—the Minister spoke just now—you got the impression that there is a group of trade unions that is opposed to what he is saying, especially Part VA—Part VA telling you that you have to represent workers who do not pay your dues, who are non-members—and those very workers could then take you to the court to get you decertified because you have failed to represent them. What lunacy is this, Mr. Speaker?

I am saying, therefore, if this had come from a neophyte, a labour neophyte, I would be a bit more understanding, but it cannot be when I know for a fact that the Member for Pointe-a-Pierre, the Minister of Labour and Small and Micro Enterprise Development, for over 20 years championed the cause for labour. I ask him today: what happened to the last five? What happened to the last five? As they have asked here: is it that, of course, you have become so seductive with the cocktail of state power? What has happened, Mr. Speaker?

Why when we come here the things we say outside when we reach here we tend to forget? Mr. Speaker, if you are outside and you listen to people talk and you put them in Parliament, they change overnight. Why, Mr. Speaker? You were put here for a purpose, and you were put here to represent labour in the main.

I recall one day I asked the Member for Pointe-a-Pierre: since you are not in MSJ, who do you represent? He said: “I represent Kamla.” I say, what? He said: “I represent Kamla,” [*Desk thumping*] You might thump the desk, because you may feel that is something to be proud of but for me, that is something to be ashamed of, because the fact is you were put there to represent labour and Kamla could never be a substitute for labour. Never!

Mr. Speaker, “I tell all yuh this, yuh know”—I tell you I would be short. Mr. Speaker, if the friends we had before we came in this House we do not have after we leave this House, we have failed. Mr. Speaker, if the friends we had before we became big jefe parliamentarians with Prados and so on, if the friends we had before this era we do not have after, we have failed and, therefore, I will end by saying, you do not have to scorn the base degrees by which you did ascend; you do not have to. At the end of the day, I want to say—[*Interruption*] I say again, it is me alone chief. I mean, I am not the Member for Diego Martin West, I am here as the Member for Chaguanas West—[*Interruption*]

Hon. Member: Too far.

Mr. J. Warner: Too far? Diego Martin West, Chaguanas West, I am the West, Chaguanas West. All right. Mr. Speaker, the thing is that next year when you are here, [*Point to his seat*] I would behave differently over there.

Mr. Speaker, so I end by saying that I would like some consideration or some explanation to be given to these unions. I am asking that this Bill be deferred until there is proper consultation with the trade unions and, particularly, FITUN; anything else, this Bill is doomed to fail.

Mr. Speaker, I thank you.

3.00 p.m.

Mr. Speaker: The hon. Member for Couva South, the Minister of State in the Ministry of Finance and the Economy. [*Desk thumping*]

The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh): Thank you very much, Mr. Speaker, and I am very proud to join this debate at this point in time, as it relates to the amendments to the Industrial Relations Act being jointly debated with the Constitution (Amdt.) Bill. Mr. Speaker, after having listened to the Member for Chaguanas West, is either that when the Member for Chaguanas West met with FITUN he would have been misled by the representatives of FITUN because there has been ongoing consultations with the Minister of Labour and Small and Micro Enterprise Development and the Ministry of Labour and Small and Micro Enterprise Development, as it relates to this particular piece of legislation.

What is important to note is that there has been ongoing discussions with not only FITUN, but the National Trade Union Centre of Trinidad and Tobago, the business community, the International Labour Organization, since August of 2010 until 2011, as it relates to consultations with social partners—August 2010 to January of 2011, elements for consideration in a worker-based agenda on feedback from workers at different levels within the society. So, I think that it is important to set the record straight here this evening, because this Government, led by the hon. Kamla Persad-Bissessar and People's Partnership Government, has placed on the front burner that there must be an ongoing process of social dialogue and consultation, and also, to ensure that the mandate of the manifesto—that contract that we went to the people with, prior to May of 2010, Prosperity for All—to ensure that there is people-centered development and also to ensure that the standard of living and improvement in the quality of life for all was fulfilled.

Mr. Speaker, to say the least, the Draft Bill was sent to FITUN on April 14 and a mandate was required, their feedback was required within seven days, is not in keeping with the process of social dialogue which has been the main platform from which the Minister of Labour and Small and Micro Enterprise Development has been engaging with all stakeholders since he has been fulfilling this responsibility. It is important to note, Mr. Speaker, that the last time the Industrial Relations Act was amended in Trinidad and Tobago was 19 years ago, 19 years ago, and I would expect that any responsible organization committed towards the furthering of the interest of its membership would always be advocating for and putting on the front burner and in the public domain what they would have wanted.

I am sure that if a lull of 19 years would have existed, at least within five years, they would have been able to put forward before the Minister of Labour and Small and Micro Enterprise Development—“These are the clauses or these are the issues that we would want to have thoroughly addressed in an amended Industrial Relations Act”. Mr. Speaker, to say the least, the Member for Chaguanas West concluded or based on the submissions of FITUN, that this was the most anti-worker and anti-labour and anti-union Government in the history of Trinidad and Tobago. I know that the Member for Chaguanas West is quite familiar with the history of Trinidad and Tobago based on his responsibility in another place, and I know for a fact that he is quite familiar that the most anti-union and anti-worker political party that exists in Trinidad and Tobago since 1956 is the People’s National Movement, Mr. Speaker. [*Desk thumping*]

I want to say to all and sundry, especially the national community, because today I thought that the PNM, who would have been meeting with members of the labour community within recent time, would have been present in the Parliament of Trinidad and Tobago to advocate what they wanted to see in the Industrial Relations Act on behalf of the labour movement who have now been their newfound friends. But I want to remind the newfound friends of the PNM what was the state of play prior to May of 2010, and the Minister of Labour and Small and Micro Enterprise Development and the Member for Pointe-a-Pierre, and the former President General of the Oilfields Workers’ Trade Union has given an insight into the state of play. The state of play before May of 2010—and it has impacted upon workers throughout Trinidad and Tobago, Mr. Speaker.

We must not try to sidetrack or we must not try to sweep it under the carpet. The state of play, prior to May of 2010, was that for the first time in the history of—for the first time in 17 years, Trinidad and Tobago had gone into an economic

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recession. It experienced negative economic growth for the first time. Inflation was at 16 per cent, core inflation was at 16 per cent and food inflation was fluctuating between 30 to 35 per cent. The collective bargaining process was being suppressed. I want to reiterate that point, Mr. Speaker—the collective bargaining process was being suppressed by the State at that time. The State at that time, the revenue was coming in based on oil price at a peak of US \$147 per barrel of oil, and natural gas was fetching US \$9 per MMBtu during the period of the PNM between 2002 to 2009.

Mr. Speaker, in spite of the increased revenue that the PNM had enjoyed during that energy windfall between 2009 to 2010, the offer that they could have only made, or the offer that they would have instructed the agents of the collective bargaining process to put on the negotiating table, was 0-0-1. As the Member for Pointe-a-Pierre would have indicated, Mr. Speaker, not one collective agreement was settled by the PNM at a time when they were enjoying a windfall revenue when energy prices were at an all-time high, and that, for me, was suppressing and undermining the collective bargaining process. I think that it is important to put that in the proper historical context of the overall modus operandi in the way that the PNM has treated the labour movement in Trinidad and Tobago since 1965 to 2010, and we cannot escape that, Mr. Speaker.

We cannot escape that because the PNM has treated the labour movement with a sense of contempt, arrogance. They have used the heavy machinery of the State at every point in time whenever they would have felt they would have been threatened by the actions of the labour movement. In five years of this administration that has been led by the hon. Kamla Persad-Bissessar, we have ensured—I want to place that on record, Mr. Speaker—that the PP Government has upheld the collective bargaining process. In lean times, oil price has fallen under \$50 per barrel, we, as a result of the international dynamics, have revised the budget for 2014/2015. But, in spite of having revised the budget for 2014/2015, we remain committed to fulfilling the principles of good collective bargaining and that is why we have been able to settle 78 negotiations. We have settled 27 in a second round, and so far we have settled three collective agreements in a new round, Mr. Speaker. [*Desk thumping*] [*Interruption*]

Hon. Member: Third round.

Hon. R. Indarsingh: In a third round.

Mr. Speaker, it is important also to understand that as a result of stabilizing the economy of this country, workers now have additional purchasing power. We

have moved the economy of this country back from negative economic growth. Over the last two years, Trinidad and Tobago has been experiencing positive economic growth and it has been measured in the vicinity of 1.2 per cent, and because of the strong macroeconomic fundamentals of this country, today we are seeing, or we have seen, that for the first time in the history of this country, based on the statistics which have come from the Central Statistical Office, unemployment is at 3.6 per cent and inflation is in single-digit figures. We must do the comparisons, Mr. Speaker, in the context of where we were and where we are today from an inflation point of view, from a core inflation and also, a food inflation point of view. That, in itself, because of the way we have managed the inflation in this country, workers have been able to benefit with additional purchasing power because of having additional money to purchase basic food items and so on.

Also, that commitment to the ordinary man in the society, and dealing and addressing the issue of inflation and food inflation, was realized when this Government took off, through the leadership of the Prime Minister, removed VAT from thousands of food commodities in Trinidad and Tobago, thereby facilitating additional purchasing power for the working class of Trinidad and Tobago. So, to say that this particular Government has been the most anti-worker and anti-labour and anti-union Government in the political history of Trinidad and Tobago, Mr. Speaker, is the furthest thing from the truth. Mr. Speaker, we must understand that this Government has not imposed any taxes on the working class of Trinidad and Tobago for the last five years. [*Desk thumping*] How could that be anti-worker and anti-union and anti-people?

3.15 p.m.

Mr. Speaker, additionally, in spite of what has prevailed and through the reformatting of the budget, the Prime Minister has mandated that there will be no cuts in social spending, whether it is from an education point of view, the health sector or housing, and these are things that are near and dear to the workers of this country. We must understand the commitment of this Government to ensure that prosperity for all continues to be the *modus operandi* until the general election is called, and we will continue that beyond the results of the general election.

When I heard the Member for Chaguanas West, who, as I said, has a clear sense of the history of this country based on his profession in another place, come to the conclusion that this is the most anti-labour and anti-worker Government in the political history of Trinidad and Tobago, I just want to, in the context of the

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state of play that existed—because we have to understand how the PNM was wielding the machinery of the State before May of 2010.

They suppressed the collective bargaining process. They did not put an offer on the table and so on. You can recollect too that they moved to decertify the Transport and Industrial Workers Union and also the Communication Workers' Union at TSTT. Based on the actions of the PNM, we saw the shortcomings in the Industrial Relations Act, and in keeping with that commitment of social dialogue and ensuring that unions have the right to operate in an environment of what we would call “free collective bargaining”, and ensuring that we wanted to foster good and stable industrial relations practices, we wanted to ensure through the amendments that certain issues which have negatively impacted upon the society, we do not want them to continue to prevail. One of the issues that will be addressed as a result of the amendments is the whole question of this decertification of unions.

So we must never forget the attempts of those in the past, and the PNM who have absented themselves today en masse, to decertify unions who have had a rich sense of history and track record in the trade union fraternity of Trinidad and Tobago.

Mr. Speaker, just to show you how the PNM wielded the heavy hand of the State during that period between 2008—2010, you will recollect that the Prime Minister of Trinidad and Tobago, the hon. Member for Siparia, in the House of Representatives read a statement as it related to the interception of communications. During that statement as it relates to the interception of communications, the hon. Prime Minister divulged to the national community that a number of prominent citizens in this country were subjected to wiretapping of their phones under a covert project, code named “Operation News” which commenced in 2005.

The targets were a number of politicians who sit in this particular House, a number of Members of Parliament in the persons of the hon. Prime Minister, the Member for Tabaquite and the Member for Oropouche East. The Member for Chaguanas West was also a target of this phone tapping and also a number of trade unionists in Trinidad and Tobago, which included, and the list would have read: Errol Mc Leod, Clyde Weatherhead, Rudy Indarsingh, David Abdulah, Robert Guiseppi and Lyle Townsend, just to name a few, to show you the heavy

hand of the PNM and the State machinery in dealing with the labour movement in Trinidad and Tobago.

I will come to the amendments which have been proposed as it relates to the Bill. It is always important to show and display the consistency of the People's National Movement in relation to how they dealt with the labour movement in Trinidad and Tobago.

I am sure, Mr. Speaker, you would be quite familiar with the march for peace, bread and justice of 1975. It is important that if we are to place the labour history of this country in the proper historical perspective, we must relate to books and we must relate to historical facts which will set the record straight.

I want to read from an Imprint publication entitled, *Crisis*, edited by Owen Baptiste. Owen Baptiste, and in this particular publication, Owen Baptiste indicated in the foreword, and I quote:

“AFTERWARDS, Dr. Eric Williams, Prime Minister of Trinidad and Tobago, was to say that had it been another Third World country ‘the first thousand would have been shot’—mowed down by police bullets. As it happened, nobody was killed. In fact, not a shot was fired. However, many people were mauled and beaten by the police, including one pregnant woman, the wife of a member of the Fire Services, on her way to the market. Among the injured, too, were members of the Press who complained vigorously that the police had disregarded their cries that they were journalists and, in the case of photographers, not only rained blows on them with baton and rifle butt, but seized their cameras and destroyed their film.

When the tear gas had cleared and the sound of running feet had faded in business place, home and churchyards—wherever refuge could be found from the onslaught of heavily-armed policemen spoiling for a riot—29 people were arrested and, subsequently, charged with taking part in an illegal march. There were trade unionists, oil workers, sugar workers, cane farmers and, as in the case of Port of Spain, architect, John Humphrey, people unconnected with oil and sugar—the two industries whose workers had organized the abortive march from San Fernando to the capital in search of ‘bread, justice and peace’.”

If you go through this particular piece, this brilliant piece that focused on “Bloody Tuesday”, you would see hundreds of policemen armed with batons and full riot gear to confront the labour movement in Trinidad and Tobago.

That confrontation has also played out itself with the Atlantic LNG strike, when they went after the workers in Point Fortin who were seeking an equitable wage in the context of the work that they were doing on Trains 1, 2, 3 and 4. You must ask who gave the instruction, who mobilized the coast guard to come up, who mobilized the army and who gave the instruction for the police to beat Mr. Thompson and charge the seven workers for advocating their interest in the context of a fair wage.

The list could go on and on, because some of the new-found friends of the PNM were hustled off in the most unceremonious of manner. I should not say “hustled off”; they were carted off, they were dragged, they were held by the scruff of their pants when participating in what we would call “legal demonstration” outside of the Red House in relation to advocating the interest of workers.

Mr. Speaker, it is important to understand, and I will come back to focus on who was the most anti-labour and anti-worker and anti-union government in the history of Trinidad and Tobago. But I also want to focus on the Bill and clauses which would impact positively on workers who seek an improved standard of living through the collective bargaining process and the process of representation, which is clearly outlined by the Industrial Relations Act.

You will permit me, Mr. Speaker, to probably repeat some of what has been pointed out, or observed by the Member for Point Fortin because I too, during my tenureship at the All Trinidad Sugar and General Workers’ Trade Union, would have encountered some of the problems that this particular Bill seeks to address on behalf of the working class and on behalf of the trade unions in this country.

As has been clearly pointed out by the Minister of Labour and Small and Micro Enterprise Development, the amendments are designed to strengthen and improve the industrial relations system in Trinidad and Tobago, through more effective and more expeditious representation in the context of the recognition of the union to dispute settlement—from the stage of recognition to dispute settlement.

Mr. Speaker, it also addresses or zeroes in on the issue of an independent dispute settlement process in the formation of a conciliation and mediation service. Also we have to look at the whole question, or examine the whole question of promoting the independence of the Industrial Court of Trinidad and

Tobago. We must understand the history, as I said, of the PNM. They are not here today, but the country must always be reminded of the sins of the PNM, how they attacked the independence of the Industrial Court, how they disrespected the independence of the Industrial Court of Trinidad and Tobago.

One glaring example I will always recollect was the closure of Caroni (1975) Limited. When that particular VSEP, or forced VSEP, was offered to the 10,000-plus workers via the Minister of Agriculture, Land and Marine Resources, it was never done through the human resource manager and the management of Caroni (1975) Limited. It was a sad day for industrial relations in this country, when a Minister of government and a Cabinet Minister being accompanied by the corporate secretary of a state company, in the person of a fella now seeking to become the Member of Parliament for Mayaro, Clarence Rambharat, and a person by the name of Selwyn Bhajan. [*Interruption*]

Mr. Speaker: Hon. Members, the speaking time of the hon. Member has expired. Would you like an extension?

Hon. R. Indarsingh: Certainly, Mr. Speaker.

Mr. Speaker: Hon. Members, the question is that the speaking time of the hon. Member for Couva South be extended by 15 minutes.

Question put and agreed to.

Mr. Speaker: You may continue, hon. Minister.

3.30 p.m.

Hon. R. Indarsingh: Thank you, Mr. Speaker, and thank you colleagues. The important thing that I was saying, for the first time in the history of this country a Cabinet Minister attempted to become a human resource manager of a state enterprise, assumed that role, intimidated, bullied workers to the point where he held three public meetings within the geography of the industry at Woodford Lodge, at Sevilla, at Waterloo, the Caroni Research Station, and bullied workers if they did not accept what was being offered by the Government at the time, they would be fired. They would be placed on the breadline.

Even when the union was able to secure an injunction at the Industrial Court of Trinidad and Tobago, the then Minister of Agriculture, Land and Marine Resources, John Rahael, on the instructions of the Cabinet of Trinidad and Tobago, said that we will not respect the ruling of the Industrial Court. This was realized on a Friday evening, and he said by Monday morning we will begin to fire every employee of Caroni (1975) Limited.

Dr. Khan: He said every Indian.

Hon. R. Indarsingh: My colleague from Barataria/San Juan is saying, is indicating to me that he said that he will fire every Indian in Caroni (1975) Limited.

But more important, as I said:

“Clause 9 of the Bill would”—seek to—“amend section 7 of the Act to empower the Court to hear and determine matters brought before it under the Act and other written laws and to impose fines up to a maximum of seventy-five thousand dollars for the failure to comply with orders or awards.”

How many times, Mr. Speaker—and I am sure that based on your experience in another place—how many times have workers, thousands of individual workers in this country who were not protected by what we could call a recognized majority union status, gone to trade unions, joined them individually, had their matters ventilated, whether it was at the bilateral stage or at the conciliation stage of the Ministry of Labour and Small and Micro Enterprise Development; or even when an award was handed down or an order was handed down by the Industrial Court of Trinidad and Tobago, workers have suffered, their families have suffered simply because companies have not upheld and a substantial penalty had not been imposed upon companies to comply with the orders of the Industrial Court, and I think that this particular order—this particular clause attempts to bring a sense of balance within the framework of good industrial relations practices.

Mr. Speaker, also, during my tenure, my 20-odd years of experience in the context of being a union officer at the All Trinidad Sugar and General Workers’ Trade Union in different capacities, the issue of recognition has been a thorn in the side of trade unions, and also for workers who seek, through what we would call collective bargaining, to advance their standard of living and their quality of life—where in spite of sometimes having 51 per cent and more of the members in good financial standing, that the recognition process lingers on for year, upon year, upon year.

In fact, there are instances where workers have been engaged in this recognition process for more than 10 years in Trinidad and Tobago. Sometimes when quorums of the Registration Recognition and Certification Board—there are supposed to be quorums to address the issue of recognition—we have certain processes unfolding whereby sectors absent themselves, further frustrating the whole recognition process and Mr. Speaker:

“Clause 13 of the Bill would amend section 32 of the Act to provide for the determination of applications for recognition within six months of the date of application.”

In addition to that, Mr. Speaker:

“Clause 20 of the Bill would amend the Act”—to ensure—“by deleting the requirement of a worker to be in good standing in his union. It also widens the definition of the ‘employer’ to include those persons who employ one or more worker in a domestic capacity.”

Mr. Speaker, the policy of this Government to recognize or bring within the fold or the purview of the Industrial Relations Act to ensure that there are represented classifications of workers such as domestics and also, chauffeurs and so on, is in keeping with international standards, labour standards, which are recognized by the International Labour Organization to which Trinidad and Tobago is a signatory, to which Trinidad and Tobago sends delegations on an annual basis in meeting and treating with, advancing the interest of not only workers, but the business community in Trinidad and Tobago. I am sure that when we speak of developed-nation status, Mr. Speaker, we must be prepared to adopt and implement—adopt and implement—standards that have been part of the fundamental *modus operandi*, if I should use that phrase, of the International Labour Organization.

So, Mr. Speaker, it is in the context of widening the net for coverage, it is in the context of seeking to bring to order and to make employers accountable—especially in the context of individual workers who from time to time are exploited; they do not get their just due when orders are handed down by the courts and so on—we are seeking as a Government additional protection and coverage to the poor, the oppressed and the downtrodden in Trinidad and Tobago. So this Bill, the amendments to the Industrial Relations Act, must be seen in this context.

Mr. Speaker, we must also understand, as I continue to show to this House and not only to this House, the national community, that this Government, in addition to legislative amendments to the IRA and settling—if we add it up it may be over 100 collective agreements in five years—and ensuring that the Maternity Protection Act is now up to international benchmarks as recognized by the International Labour Organization. It is no longer 13 weeks, but it is 14 weeks in keeping with international convention. This Government has, as I said previously, controlled core inflation, controlled food inflation.

This Government has been able, Mr. Speaker, to deal and address the issue of the minimum wage in Trinidad and Tobago. For a number of years those on the other side who are absent today, would have threatened in successive budgets to

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increase the minimum wage. In fact, if my memory serves me correct, in a budget presentation I think of somewhere in and around 2006 or 2007, Prime Minister Patrick Manning threatened—I should use that word—threatened in his budget presentation, or enunciated in his budget presentation, that the minimum wage would be increased. Between every year and every public engagement, whether it was the annual convention of the People’s National Movement, the minimum wage would be increased. It was in eight years at a time of a great windfall from an energy revenue point of view, it was increased by \$1. And in less than five years, this Government has moved the minimum wage from \$9 to \$15 per hour, Mr. Speaker. [*Desk thumping*]

So how could the Member for Chaguanas West, based on his consultation with the Federation of Independent Trade Unions, come to the conclusion that this is the most anti-worker, anti-union, anti-labour Government in the history of Trinidad and Tobago?—when I know for a fact that the Member for Chaguanas West is a student of history. He understands the history of Trinidad and Tobago better than many of us, in being someone who would have taught history in the secondary school system of Trinidad and Tobago, Mr. Speaker.

In addition to the very fact of increasing the minimum wage, you must look in—we must be able to examine how this Government has been able to bring a sense of joy and a sense of comfort to all workers and citizens of Trinidad and Tobago. Because if, Mr. Speaker, this Government through the leadership of the Prime Minister and the Cabinet of Trinidad and Tobago had mishandled the economy of this country, there could have been no development in the health sector.

Only yesterday I witnessed the hon. Prime Minister and Member for Siparia together with the Members for Arima, Barataria/San Juan and Oropouche East turning the sod for the Arima hospital. [*Desk thumping*] What was painful for me is that it was indicated by the Member for Arima that they have waited on this hospital for 45 years. Five Ministers of Health were unable to deliver this hospital to the citizens of Arima and we have been able to ensure that there has been a total transformation in the health sector, whether it is the Arima hospital, the Teaching Hospital, the Couva children’s hospital, the extended opening hours of the district health facilities and so on, and the Point Fortin hospital and soon the Penal, and the oncology centre has moved from beyond the foundation stage. The legacy of the PNM was that the oncology centre never got beyond the foundation stage. The health sector, Member for Chaguanas West, is serving the labour movement and serving the people of Trinidad and Tobago. [*Desk thumping*]

3.45 p.m.

Mr. Speaker, so it is development in education, the 95 schools that have been built; it is infrastructural development, whether it is the Valencia By-Pass Road, the highway to Point Fortin, the Diego Martin highway, the interchange, the Couva/Preysal interchange, improved road network; it impacts positively on the mind frame and mindset of workers, you have a more committed workforce to the development of Trinidad and Tobago. And it is in this context this Government will go down in history as being the most progressive, [*Desk thumping*] the most favoured Government as it relates to the labour movement in Trinidad and Tobago, and I am sure that as we continue to march beyond 2015 we will bring unparalleled and unprecedented delivery to the labour movement and all citizens of Trinidad and Tobago, Mr. Speaker. [*Desk thumping*]

Mr. Collin Partap (*Cumuto/Manzanilla*): Thank you, Mr. Speaker, and let me say what a pleasure it is to rise to contribute on these two pieces of legislation, the Industrial Relations (Amdt.) Bill, 2015 and the Constitution (Amdt.) Bill, 2015.

As you know, my father was a former labour Minister in the last regime [*Desk thumping*] and he was the first labour Minister to bring the Minimum Wages Act to this House [*Desk thumping*] under the last UNC Government, and it pains me to hear the Member for Chaguanas West, come and lay to our Minister of Labour and Small and Micro Enterprise Development, the attacks and the barrage that this Government is anti-labour, and the Minister is anti-labour. It pains, Mr. Speaker.

Mrs. Persad-Bissessar SC: One of the best trade union leaders.

Mr. C. Partap: One of the best trade union leaders, [*Desk thumping*] served with distinction for over 30 years. And you know, I have to say there is no Opposition here so the new Leader of the Opposition, the Member for Chaguanas West, he said there was change overnight.

Mr. Warner: Mr. Speaker.

Mr. Speaker: Member, the Member is objecting. Please!

Mr. C. Partap: Withdrawn, Mr. Speaker, withdrawn. I should say the lone Member of the Opposition, the de facto. [*Interruption*]

You know, change overnight, he has gone from FIFA to corruption buster, from Government to Opposition, and in politics there is change overnight, but

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also in politics in the last five years you saw a change in this country that you have never seen before. [*Desk thumping*] As the Minister, the Member for Pointe-a-Pierre, in his opening remarks said, over 88 industrial negotiations were settled and that was unprecedented in history. You know the moving—my friend, the Member for Couva South—of the minimum wage from \$9 to \$15 over the last five years, is that not labour friendly? Is that not helping people?

Mr. Speaker, you know, this legislation has been in the making for 19 years, and the PNM Government sat in Government when they were there and did nothing about workers' rights, did nothing about the Industrial Court, they did nothing about labour. Because, why? They did not care about labour. They did not care about people, and that is the difference when you look on this side. The Members that stay and fight, every day when we come to Parliament we fight, and we fight for the people of Trinidad and Tobago. We do not fight for certain parts, we fight for the whole of Trinidad and Tobago, and we represent the whole of Trinidad and Tobago, 29 seats, Mr. Speaker—sorry, 27 seats.

Mr. Speaker, and that brings me to a meeting we had yesterday in my constituency where there were over 500 people and they were there because this is a progressive Government. They want to be part of something greater in the next five years, and when you go and you see the work that is done throughout this country—and my friend, the Member for Couva South, hospitals, roads, unprecedented work. Sometimes I think the people in front of us, when they are here, they are jealous. They are jealous about what has been done over the last five years. And you know, delivery, one of the hallmarks of this Government, and this Government will be a blueprint for any Government in Trinidad and Tobago because we have set the bar very, very high when it comes to delivery.

Schools, the Minister of Education, over 124 schools built. In my constituency two alone; Early Childhood Care and Education centres, four alone in my constituency; water being run, you are now receiving 24/7 water. In my constituency, it went from, I think, 30 per cent to 60 and 70 per cent in some places. [*Desk thumping*] Roads, jobs being created, housing; since we have this new housing thrust by the Minister of Housing and Urban Development, our offices are flooded with people every day, because they are seeing the joy, and this Government is giving, and this Government is working, and this Government is providing. A protection of the environment, drainage, flooding, it takes four or five days of rain before there is even flooding in the constituency.

Mr. Warner: Mr. Speaker, a point of order. I hate to do it, but 48(1), please. I hate to do it.

Mr. Speaker: All right, if you could just relate your contribution to the matter before us. Okay!

Mr. C. Partap: Yes, Mr. Speaker. All of these things relate to labour, because we are all labourers. [*Desk thumping*] Whenever you drive on a road, the workers use the road to get to their places of work, like the Valencia By-Pass Road. When it takes two hours going and coming, workers will now be able to reach to work earlier. Services and products are able to get through Sangre Grande and Valencia at a much quicker rate. So, it is related, Mr. Speaker.

Mr. Speaker, let me go back to the Bill. Some of the recommendations and improvements for the development, and the reforms that are taking place in this Bill:

- The organizing structure of the Industrial Court of Trinidad and Tobago, and the criteria for the appointment and removal of judges to the Industrial Court;
- The existing methods and procedures adopted in resolution and trade disputes;
- The provision relating to the Registration Recognition and Certification Board;
- To submit proposals for the reform and development and improvement of the foregoing;
- Implementation with objectives for removing existing delays in hearing and determining trade disputes; and
- The setting up of improved methods for effective and expeditious resolution of trade disputes and of improving the procedures relating to the recognition of trade disputes.

These are just some of the tenets of the Bill that is before us. And, you know, we have come very, very far, and the other requirements of this Bill, the other clauses include the changes in the qualification for the retirement of judges, the criteria for the appointment of committees and boards, and the decentralization of dispute procedure to allow for the appointment of multiple tribunals across the

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economy to deal with the rights, disputes and the granting of short-term recognition for the construction projects less than three years duration.

Mr. Speaker, in other words, this Bill is cleaning up some of the Industrial Relations Act, cleaning it up, making it more worker-friendly, making the Industrial Court more people-friendly, giving judges their just due in the Industrial Court. Mr. Speaker, the Bill allows workers the right to join the trade union of their choice, and recognizing certain classes of workers which were not protected; domestic workers, migrant workers, these workers were not protected under the previous legislation, and that is why it has been amended to include these workers. These workers face the threats of termination, and they could be terminated immediately without having any recourse. And having this piece of legislation gives them the protection that they need. The protection of workers is one of the key tenets of this Bill.

And clause 5 deals with this, the recognition of domestic workers and other vulnerable workers who were excluded protection. Domestic workers and vulnerable workers now have the rights like that of any other worker in the economy, such as:

- The right not to be harshly and oppressively terminated;
- The right to redress in the Industrial Court; and
- The right to be protected by the principles of industrial relations.

Mr. Speaker, if it is one thing that we should pass this Bill for, it is this. It is this clause 5. Clause 5 speaks volumes. You know, when I was a lawyer in London, employment law was one of my—how would you say?—my forte. It was something I liked, because it helped workers. And in the UK you had a procedure where every worker was protected, and you could not have been fired, you could not have been called to do work which you were not hired to do. And when I saw this, it warmed my heart when I read it, because it looks like we are heading progressively towards a developed country style of industrial relations.

Mr. Speaker, I remembered while I was up there, many people would come and then you would have to look at their matter, whether or not they were just fired, whether they were given warnings, whether they were given time and, you know, these are some of the things when we have a society like ours that is developing, rapidly developing I must say, under this Government, you must have the protection, because without the protection everything falls apart. A worker could go to work tomorrow and he could be summarily terminated, and this one

piece of legislation, clause 5 in the Bill, helps the workers that had no rights, no voice. It gives them that voice, and it gives them that protection under the law. It is something that whenever you talk about industrial relations, and this is not a people-friendly Government, a lot of workers would fall under this category.

Workers in supermarkets, workers at the gas stations, workers who work at the stores, the grocery stores, they fall under this protection. And I cannot understand why the Member for Chaguanas West would have come and said that this Government is not worker-friendly. It pains me.

I remember under the last regime, I was in the Leader of the Opposition's office at the time and there was a march around the Red House, and certain members of the trade union movement were carted away, arrested and carted away from the precincts, from around the Parliament, and they were beaten too and taken to the police station. You are telling me that that former Government that we replaced, they were people-friendly.

Many of them sit in front of us right now, they sat in that Government, and you are telling me that this Government, which has done nothing of the sort, you can protest freely, you can fill up Woodford Square and come and march. Sometimes we come to Parliament and there are workers—

Mr. Sharma: They are unable to fill it up.

Mr. C. Partap: Yes, unable to fill it up, as the case may be.

4.00 p.m.

You come to Parliament and you hear workers shouting at you, and this Government has done nothing of the sort. Workers are allowed to protest, they are allowed to act and react, freely. We have never put, you know, any labour leader in jail or anything like that. We have never done that. This Government has never done that. The previous one did, not this one.

So, Mr. Speaker, that one provision, that one clause says it all for this Bill. And I must thank the Member for Pointe-a-Pierre, the Minister of Labour and Small and Micro Enterprise Development, for having included this into the amendments for the Act, because it shows the progressive nature of this Bill.

Mr. Speaker, clauses 6, 7 and 8, under the Industrial Relations Act, the Industrial Court is to be recognized as the "superior Court of record". However, the members of the court are not afforded the respect. Previously, they were not afforded the respect of Supreme Court justices, and the Bill has now changed that. They are going to be recognized as members of the Industrial Court and they would be called "Justices" of the Industrial Court under clause 7, and they would

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be appointed by the JLSC, which is the Judicial and Legal Service Commission under the Constitution.

Mr. Speaker, your “judges” under clauses 5, 6 and 8, under these clauses are to be appointed by an independent commission under the Constitution. They are not appointed by a Minister, they are not appointed by a Prime Minister, they are appointed by an independent commission under the Constitution. Mr. Speaker, this depoliticizes [*Desk thumping*] and secures the independence of the court, and this is something, as I again said earlier, on our road to development, this is progressive legislation, very, very progressive legislation.

So friends who are aligned to a political party will not sit in the Industrial Court and rule upon matters that will affect workers and unions. You know, there will be independent, clear minded, clear thinking people sitting there looking at the law and looking at the facts before them. And the facts will determine the outcome and not if it is their political party in power or their friends or whatever; It is the fact and the law that will determine the outcome. And having an independent Industrial Court is key, and I will have to take myself back again to London when we were there, when I was there. The tribunal that would sit and hear employment matters was a very fair tribunal, and I never lost a case in front of that tribunal. [*Desk thumping*]

Mr. Sharma: Wonderful, wonderful.

Mr. C. Partap: I batted 3-0 before I was recalled back home.

Dr. Moonilal: And you are still not out. [*Laughter*]

Mr. C. Partap: Not out, not out, I never lost a matter. And its—[*Interruption*]

Mr. Indarsingh: It sounded like a senior counsel.

Mr. C. Partap: Not a senior counsel yet. But, Mr. Speaker, that is the, you know, holistic nature of the reforms that are coming, the holistic nature of the reforms, and to hear that this is not labour friendly, again, it pains me. Because what is not labour friendly about an independent Industrial Court? What is not labour friendly about justices being called justices? What is not labour friendly about that? And you know, you tend to think that some people would come here and they would just say things just for saying it sake without reading the legislation, and holding up letters and saying, X, Y and Z. But this is what you call progressive legislation.

Mr. Speaker, clause 9 of the Bill, under section 7, seeks to expand the jurisdiction of the court to allow the court to hear matters on other pieces of

employment legislation in other areas. The court now has the ability under this Act to now hear those matters also. And that is another key tenet of a progressive court, of a progressive piece of legislation. You know, they are able to hear all matters relating to employment, all matters, not only confined to a certain section of the law, they are able to hear all matters relating to employment legislation. That is another key and that is what you need in this country, and as the Member for Pointe-a-Pierre, I am sure when he went through this he would have, you know, relied on some of his experiences when he was the labour leader in his past and it would have helped him when he was going through these reforms.

Mr. Speaker, the starting process of the collective labour relationship is the right of a trade union to be recognized and registered to bargain collectively with an employer. If the process of recognition is flawed or inefficient the industrial relations system suffers. And this, Mr. Speaker, over the last, you know, years upon years had been issues that have been burning in several sectors. And clauses 10 to 17 address some of these issues.

Clause 10 speaks to the quality of the professionals required in a modern era of industrial relations to conduct such a process. For example, the Secretary and officers of the Board must possess qualifications in industrial relations law or social sciences. So again, you know, you have professionals coming in and they must possess qualifications in the particular area.

Mr. Speaker, under the current IRA, section 23(5) states:

“All applications for certification of recognition and questions as to the appropriateness of bargaining units brought before the Board shall be determined by a majority of the members...”

And clause 11 amends section 23(5) of the current IRA from a major decision-making process to involve tripartite partners and the chairman. That means you are bringing together everyone, Mr. Speaker. It is not the Board.

I remembered when my dad used to tell me about the tripartite partners, you would have workers, you would have labour and you would have business. And you have this Board here together now with all of the interests. They are all interests, the whole labour, the employment interests are there.

Mr. Speaker, clause 12 states that the quorum for meetings of the Board is reduced from five to four and therefore having more efficiency. Efficiency, Mr. Speaker, because sometimes, you know, you would have five people and they would not show up so you lower the—

Mr. Sharma: Attendance.

Mr. C. Partap: The attendance, the quorum.

Mr. Speaker, clause 13, again, on the issue of efficiency under section 32(1) of the current Act:

“The Board”—is required to—“expeditiously determine all applications for certification brought...”—to it.

Expediently, determinations as have been outlined in several reports can mean up to three years, Mr. Speaker, which effectively denies the person of the rights afforded to them under our Constitution.

So, you know, sometimes you have these procedures drawn out for years and years and this expedites the whole process. And at time, and I will go on, they are changing the system to allow for a subjective interpretation of the important time limit by defining “expeditious”. “Expeditious” is defined to be within six months. And this brings us in to a more progressive nature of the law. Sometimes you have these things languishing for three years and now the legislation in the interpretation has synced it to six months. So it cannot go beyond that.

Mr. Speaker, clause 14 of the Bill clarifies the steps that the Board must take in recognition of the process and also gives a time limit for filing objections. Clause 14 also limits the Board’s determination of a member in good standing, for the purpose of granting recognition to the union. So, Mr. Speaker, again, another progressive piece to the legislation.

Mr. Sharma: Very useful.

Mr. C. Partap: Mr. Speaker, section 34(2) of the current IRA states:

“Where it appears to the Board that more than one union has as members in good standing more than fifty per cent of the workers comprised in an appropriate bargaining unit it shall certify as the recognised majority union that union which has the greatest support of the workers determined by preferential ballot, being in any event more than fifty per cent of those workers.”

Mr. Speaker, clause 18 of the Bill would amend the Act to insert a new Part IIIA. New Part IIIA of the Bill which will deal with the granting of short-term recognitions for unions in respect of projects. In this Part:

“‘short-term project’ means a project in the heavy construction industry, which is scheduled to be completed within five years of its commencement.”

So, Mr. Speaker, as you can see, again, another progressive part of the Bill.

Mr. Speaker, and especially with all of the construction going on now in this country, because we are building infrastructure that was dilapidated under the last Government, and you have new highways being, the Point Fortin Highway, you had the highway in Diego Martin, you have the Valencia By-Pass and you are going to have the new causeway very soon when we get back into Government; and the new highway to Mayaro and the new highway from San Fernando to Princes Town, and these will fall under clause 18. And you know construction and the construction industry in Trinidad has taken off, it had taken off over the last five years because of the Government's focus on, you know, making sure the infrastructure is there and when the Prime Minister spoke last week Monday in Guaico, she said, you know, in order to have the growth poles you must have first the infrastructure to facilitate the poles, the growth poles. And the infrastructure is being done, and the Minister of Works and Infrastructure, the Member for Tabaquite has done a remarkable job.

Dr. Rambachan: Not all the roads are paved. [*Laughter*]

Mr. C. Partap: I will send you the list soon—has done a remarkable job and I forgot, you know when you are coming down to Piarco you have a brand new highway linking you to Piarco. That is what you call progressiveness. And I remember by dad saying when he went, I mean, I did not go with him that day, he went to the airport and he got lost coming back home because the roads are all new.

Mr. Sharma: And that was not in Brazil, eh, that was in Trinidad. [*Laughter*]

Mr. C. Partap: He was coming back from the airport, he missed the turn and he ended up in Port of Spain and he called me, he said he does not know how to come back home. That is what you call progressiveness. That is what you call new infrastructure. [*Laughter*] Because he came back to Trinidad and he got lost.

4.15 p.m.

Hon. Member: He probably got accustomed to South Africa.

Mr. C. Partap: He probably got accustomed with South Africa. But, Mr. Speaker, that is what we are trying to do, and that, again, goes back to the progressiveness of this piece of legislation and tied into it is the progressiveness of this Government.

Mr. Sharma: Correct. Correct.

Mr. C. Partap: I must always come back to that. We have progressed on every single plane, Mr. Speaker, every single plane. [*Desk thumping*] Every single plane—

Dr. Gopeesingh: Every area.

Mr. C. Partap: And in every area, and it is something, as I said before—and you must repeat it because in repeating it people understand and they remember. Mr. Speaker, clause 19 depoliticizes the dispute settlement process as the Minister is replaced by a “Chief Conciliator-Mediator”.

Mr. Speaker: Hon. Member, your speaking time has expired. Would you like an extension?

Mr. C. Partap: Yes, Mr. Speaker.

Mr. Speaker: Hon. Members, the question is that the speaking time of the hon. Member for Cumuto/Manzanilla be extended by 15 minutes.

Question put and agreed to.

Mr. Speaker: You may continue, hon. Member.

Mr. C. Partap: Thank you, Mr. Speaker. You know, I have sat in this Chamber for many years—five years—and 30 minutes flew by so quickly.

Mr. Sharma: You said a lot. You said a lot.

Dr. Gopeesingh: Because you have substance.

Mr. C. Partap: Thank you, Member for Caroni East.

Yes, Mr. Speaker, clause 19 replaces the Minister and puts in a “Chief Conciliator-Mediator”. Again, progressiveness. It takes away the political side of it. The Minister may be attached to a political party in government, and it takes that responsibility away from him and puts, again, someone independent. And you can see how this Bill is leaning towards independence of the Industrial Court, independence of the mediators, and giving the workers more freedom by giving them protection under the Act, the protection that was so sorely needed.

Clause 20, under section 51(1)(c) of the current Act, provides that the worker must be a member in good standing in his union, and I will give you a little story on this one because when I practised down south, this one came into being. This provision allows the employers to delay the dispute settlement process with a view to totally deny the rights by claiming that the worker was not in good

standing in his union. To disprove that, the union is forced to convince that the worker was, in fact, in good standing and in some instances it took years to resolve.

Mr. Speaker, I remember there was a guy who was at the NUGFW. He was a member of NUGFW and he was supposed—his back pay. He was acting in a position and he retired acting and the law, under the collective bargaining agreement at that time, said that once you acted for more than six months, when you move on—you retire—you would get the pay of the position that you were acting in. The union did not take it up, and time lapsed and he was left getting the pay of a labourer when he should have gotten the pay of a supervisor. And no matter how hard we tried, the legislation blocked us, and the union claimed that he was not a member in good standing and, as such, they did not represent him, and then when we tried to do private action, it was going to be too costly and he could not afford it. And so his matter—

Mr. Sharma: “Yuh didn go tuh Prakash?”

Mr. C. Partap: No. Prakash practises a different type of law—criminal law. We needed a civil lawyer.

Dr. Gopeesingh: A lawyer who practises in the criminal court.

Mr. C. Partap: Yes, Member for Caroni East.

So he lost his entitlement because the legislation restricted him and the union, claiming that he was not a member in good standing, did not want to pursue it. But there were other issues involved. But we tried and tried and tried, but we failed, and I am so glad, again, when I saw section 20 put in here, it puts an end to the injustices of the past. It puts an end to that type of injustice, and this is another piece, another clause, that I think is very, very, very important. Again, you come back to the argument, a labour-friendly Government, [*Desk thumping*] and a worker-friendly piece of legislation, and a progressive piece of legislation.

Mr. Speaker, clause 20 also ensures that a union representing domestic or vulnerable workers has the right to file disputes in respect of rights of all domestics employed in the households of Trinidad and Tobago—all. It does not provide for bargaining in respect of interest disputes in the household, employing less than three workers. This limitation means that domestic workers cannot strike, in respect of a single householder, less than three.

But you see, the vulnerable workers are also included, and now, as Trinidad becomes wealthier you will have domestics coming in from other countries. Some

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might come in from Guyana and some only might hire around, and there is also protection for domestic workers. And I congratulate you, Member for Pointe-a-Pierre, on having this clause in the Bill. [*Desk thumping*]

You know, we might stand here and the public outside might not take this in because when you hear the Industrial Relations (Amdt.) Bill, 2015, it does not sink in, but when you see clauses like these and it affects the common man—and that is another common thread that runs through this Government. The common man has protection, the common man has access to resources. And Member for Caroni East and also the Prime Minister, you know—the laptop—someone came up to me yesterday after the meeting and they said the giving of laptops helps the common man—and that is why I brought that in—because common people probably would not have had the privilege of having a laptop in their homes. [*Desk thumping*]

Mrs. Persad-Bissessar SC: I never had one as a child.

Mr. C. Partap: And the Prime Minister is saying she never had a laptop.

Miss Ramdial: When she was a child.

Mr. C. Partap: Oh, when she was a child. Well, Prime Minister, yes.

Mrs. Persad-Bissessar SC: When I was young.

Mr. C. Partap: When you were young. But I myself, Madam Prime Minister, it took me when I went to university, when I was 18 years old in the States. Six years old they could now type on the laptop and they could go on to Google and they could tell you everything that is going on. But when I was 18 years old, every paper had to be typed and turned in on a disk, and I had to get my friend from Ecuador. I would write his essays and he would type the essays, and he would usually get a B and I would get a C, and I did both. But that is how it went.

But as I said, the common man benefits. The common man benefits.

Dr. Rambachan: The small man.

Mr. C. Partap: The small man. The people who really need it benefits, and that is why this Government will be going back into government once the election is called [*Desk thumping*] because we have touched the common man. And I am surprised the Member for Chaguanas West is not here because he has fashioned himself as a champion of the common man, and yet this one clause, he never even touched on it in his contribution—never touched on it; never saw the value of clause 20.

Dr. Rambachan: “He here for cosmetic value.”

Mr. C. Partap: Cosmetic value. Cosmetic value only.

Mr. Speaker, clauses 21, 22 and 23 decriminalize industrial actions by removing imprisonment as a sanction and replacing them with fines. Let me repeat that because, again, that is an important clause in the legislation. Clauses 21, 22, 23 decriminalize industrial actions by removing imprisonment as a sanction and replacing them with fines. Again, another progressive piece. So that whenever you have your industrial action and you are arrested, it does not go on your criminal record. It is, as we say, a civil offence. It does not go on to your record. And then you get a fine and, you know.

But that is what you call progressiveness because I have never seen in the UK, when I was there and workers were protesting, they were summarily locked up and thrown in prison, and then hauled before the courts. It never happened like that. It never happened. And, again, I am seeing that we are moving towards First World status.

Mr. Speaker, clause 24 provides rights for the individual worker in respect of his union. The union cannot discriminate in respect of who it should represent, and this brought me back to clause 18 earlier where the union discriminated against that person who was supposed to get a supervisor’s pay. He retired as a supervisor and they discriminated as to representation. Again, this helps the common man, Mr. Speaker.

Hon. Member: Very true.

Mr. C. Partap: It helps the common man.

Hon. Member: And woman.

Mr. C. Partap: Over the years, unions have failed—and women, sorry. Thank you, Member for Fyzabad.

Mr. Sharma: “Doh forget Mother’s Day.”

Mr. C. Partap: And, yes, Mother’s Day is coming up on Sunday, and let me take the opportunity to wish all the mothers of Trinidad and Tobago [*Desk thumping*] and from Cumuto/Manzanilla, a very happy and safe Mother’s Day.

Mr. Sharma: “Doh” forget your mother in South Africa.

Mr. C. Partap: And, of course, as the Member for Fyzabad said, my mother in South Africa. And, you know, we have—we would like to say in

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Cumuto/Manzanilla—the mother of the nation right here with us as our Prime Minister. [*Desk thumping*]

But back to the Bill.

Mr. Speaker: You have three more minutes exactly.

Mr. C. Partap: Thank you, Mr. Speaker. Mr. Speaker, back to clause 24, and I will wrap up on clause 24. I know there are many other clauses but I will wrap up on clause 24.

Over the years, unions have failed to represent all workers in the bargaining units for several reasons, and this provision empowers a worker to hold his trade union, or recognized majority union, accountable in terms of representation by allowing him to petition to the court for assistance. So it allows him to pretty much take his union to court if they do not represent him, or if they discriminate in any shape, form or fashion.

Again, we are talking about the progressiveness of this legislation. And I will wrap up on clause 24. I know there are many clauses, but these are some of the provisions that I have just outlined, and you can see how it affects the common man, how it affects the worker, how it affects the discrimination of workers, how it affects workers that have not been protected in the past, how it affects the Industrial Court, by giving the court—and I think clause 27 gives the court increased funding which is another key aspect, the increase in funding.

So, Mr. Speaker, I know the seconds are winding down. I would like to commend the Government and the Minister of Labour and Small and Micro Enterprise Development and the Member for Pointe-a-Pierre, for bringing to the Parliament such a progressive worker-friendly piece of legislation.

Mr. Speaker, I thank you. [*Desk thumping*]

Mr. Speaker: Hon. Members, this is a good time for us to pause for tea. This sitting is now suspended until 10 minutes past five.

4.30 p.m.: *Sitting suspended.*

5.10 p.m.: *Sitting resumed.*

Mr. Speaker: The hon. Member for St. Augustine, Minister of Legal Affairs and Minister of Justice. [*Desk thumping*]

The Minister of Legal Affairs and Minister of Justice (Hon. Prakash Ramadhar): Thank you very much, Mr. Speaker. It is always a delight to speak

in this Chamber and, in particular, on a matter that is very close to the heart of all citizens of Trinidad and Tobago: the issue of rights for labour and the issue of equality in the nation. I am moved to be reminded of the saying that “a rising tide lifts all ships”, and when the People’s Partnership Government was being created—I had to reflect today, as I heard the Member for Pointe-a-Pierre speak passionately on this matter, how I became involved.

I do recall in the year 2008, as the deputy political leader of the Congress of the People, we had embarked on something called the grand consensus because it was our view, then, that the next election, whenever it would have been called, would have required all the stakeholders of the society to have a say in how the next Government will govern the nation. To that end, the grand consensus reached out as to one of its major stakeholders, the labour movement, and it is a matter of record, the testimony is clear, that we partnered from the very early days with labour to hear of the care and concerns and the need to fix a lot of the ills that labour had endured for so, so long.

The election of 2010 came as a snap election, but the groundwork had been prepared for several years, where we truly had partnered—that is, all of us: the United National Congress, the Congress of the People, NJAC, the TOP and the not yet born MSJ. We sat together to work out the People’s Partnership manifesto, and we decided as one of the major planks—in fact, the core of the People’s Partnership was about creating a higher quality of life for all of our citizens, to ensure that there was far less sense of discrimination, a greater level of participation and an enrichment at all levels of the society, materially, spirituality, emotionally. To that end, having come together as separate but independent and equal forces, not necessarily in number, but in passion and with the will to make Trinidad and Tobago a better place, the election having been called, we won a resounding mandate.

What has happened since is that many have fallen victim to short-sightedness, or to weakness to stay the course to endure difficulties to deliver on all of the promises that we had made. It is now a matter also of record that, for the largest part, the People’s Partnership manifesto has been more 90-odd per cent delivered [*Desk thumping*] and, today, we are here to deliver on a significant limb of the partnership’s tree—that is, to rectify some of the ills of the legislation that dealt with labour and industrial matters.

This legislation is about institutional strengthening, it is about ensuring that those who hold the very important office of justices of the Industrial Court are

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given tenure, that they are secured so that their judgment will not be in any way tainted, or the suggestion made that they rule in a certain way or fashion to ensure that their contracts are renewed. This is a very significant move, and to have heard the young Member for Cumuto/Manzanilla, it lifted me to no end to hear a young gentleman who practices the law, labour law and industrial law, to have understood significant changes that have come. I was asking the Minister of Labour and Small and Micro Enterprise Development, when was the last major amendment to this legislation? And he told me: “The last major amendment to this legislation was in 1987, and before that was in 1972.” Here we are today, rectifying a generation or more of inequality and uncertainty and putting things right.

Mr. Speaker, you know, it has been a very painful experience to hear many who should know better, and do know better, accuse this Government of being unfriendly to labour. What are the facts? The facts are these: when we came into office there is something that we know as the minimum wage that had been set for many years before at \$9; There was a promise by the Members on the other side, that administration, to raise it to a shameful level of \$1 more, but the real shame is not the issue of raising it by \$1, you know, they promised it but they never delivered it. One of the first things this Government did, knowing full well that we were in partnership with labour, because labour—and I will get to that in a moment. What really is labour? Who really are labour? We moved the minimum wage from \$9 to \$12.50. That was not the end of the game.

The economy was in a perilous state. We knew full well that nothing will survive if it is that we did not stabilize the economy and ensure growth and a prosperity for all, that we had all hoped and spoken of, could only occur if the economy itself grew, or if the economy was saved from destruction. To the precipice we pulled it away. With the Clico fiasco where \$20-odd billion had basically had gone down a hole and many had been saying—when we came into Government—to pay off all those who were owed, but that would have led immediately to a liquidation of all assets and to a debt without any income to fill that hole, and we took a hard but necessary decision. We staggered the payments and allowed the assets themselves to materialize, where today we are in a far better place.

When we came into Government, there were so many industrial disputes or contracts that were outstanding, and as the highest priority, it has always been a mystery to me and many on our side, how it is you could be negotiating for something in the past, to have heard that negotiations were to be dealt with, not in

terms of prospect, but what ought to have been given years behind us. That makes no sense. So a lot of effort—I want to congratulate the Minister and his Ministry for having settled, I think, upwards of 80—[*Interruption*]

Mr. McLeod: Ninety-seven.

Hon. P. Ramadhar: Oh my goodness, it never stops. A little short of 100.

Mr. Indarsingh: One hundred now.

Hon. P. Ramadhar: I am hearing more as we speak; they are apparently being settled. One hundred-plus labour contracts and settlements have been done.

In the face of that, there is much more that we have done. What we have done, we have extended maternity leave; we have ensured as a Government, first in every single budget, that the people's interests were put first, and the Prime Minister had reason to announce that lately again, that people first. So, in the last five years, this Government has raised no tax on the people of Trinidad and Tobago, [*Desk thumping*] we have laid off not a single government worker. This is the thing now, eh. What did we do also?

The Prime Minister is on record, long before she was Prime Minister, to have said, "The passport to a future that is better than today is through education". This Government has built I understand—and maybe as I speak the number might increase.

Hon. Member: Ninety-five.

Hon. P. Ramadhar: Ninety-five schools.

Dr. Gopeesingh: New schools.

Hon. P. Ramadhar: New schools. Refurbished those that they never expected refurbishment and had—[*Interruption*]

Dr. Gopeesingh: Four thousand, five hundred—[*Interruption*]

Hon. P. Ramadhar: My God, you are showing off now.

Dr. Gopeesingh:—projects in over 800 schools.

Hon. P. Ramadhar: Four thousand, five hundred projects of improvement in over—how many?

Dr. Gopeesingh: Eight hundred schools.

Hon. P. Ramadhar: Eight hundred schools. You see, what is labour? I will leave that for a little bit later because that is an important question. So that the

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children of today will be better educated. So that if you are born into less than favourable circumstance, the most certain ladder to lift yourself out of any difficulty you may have, financial, economic, or whatever you want to call it, is through education. [*Desk thumping*] So that effort to educate the young, not just at elementary and pre—[*Interruption*]

Dr. Gopeesingh: Early childhood.

Hon. P. Ramadhar:—early childhood education, takes you right up through secondary and also to tertiary, where it is not a boast of wishful thinking, but a boast of acquired fact, that over 60-odd per cent now of our population who wish can have access to free tertiary education.

Now this is a transformation of the country because, yes, we have always had education, but how are we transforming the country and the economy. It is not just about providing jobs. It is about providing a future that you could grow towards. So that today, as I stand I am reminded—because I was alive and I had the great fortune that my “aajaa”, my grandfather, my father’s father was alive—[*Interruption*]

Mr. Sharma: That is your “aajaa”.

Hon. P. Ramadhar: My “aajaa”, I said so—to have heard his stories as he came back from the cane fields, and he would wipe—this is not what I was told, it is what I saw—salt encrusted brows and he had his hat. You know, the old time fellas always had their hat. That too was encrusted in salt, and he will “shrr”, and he will then tell us stories of his day as a younger man—because by then he had prospered a bit and he had his own cane field—that he had started working to dig drains at the grand sum of 24 cents a day, where they would leave home on mornings at 3.00, do that, cut cane also and return in the late afternoon and attend to animals. But he never complained as that was a blight, but that he was given the opportunity, they held together with my “aajee” and others, my father and all of them who grew in that family, to work, and to build, and to build, and to build, and to educate themselves to the point, with all great humility, I am standing in the Chamber of the people’s Parliament of Trinidad and Tobago today.

The sacrifice that they made, they were all labourers, and therefore, anybody who could suggest that we on this side are unfriendly to labour, truly does not understand who the People’s Partnership really is. All of us understand the struggle, and I am sure many on the other side, had they chosen to be here on this very important debate, reflecting as they would, whether one or two generations before, our foreparents were like one meal away from hunger if not starvation.

And that is why as we have grown, as we have educated ourselves, and as we develop, we must never forget from where we have come, to ensure that we reach down to those yet who have to climb that ladder to be given every opportunity.

The ridicule that this Government has got for handing out laptops is insane. It could not be otherwise because in our time and in the time before us, remember the old slate with the pencil? The new slate of today is the tablet of today, and if you do not give children the tools and the equipment that are necessary to meet the challenges to their time, they will be left behind. It is as simple as that. So we are criticized by modernizing and giving what will in the nearest future be deemed as the basics of education, because now children do not compete only in their classroom.

The Minister of Education has made the statement that the children of today compete with the child of Indonesia, of China—[*Interruption*]

Dr. Gopeesingh: Singapore.

Hon. P. Ramadhar:—of Singapore, of France, the United States, Canada and every other part of this world, because the world is becoming smaller, the competition for space is becoming more intense, and we must prepare if not ourselves today, but our future children and the future generations, for the great challenges that will meet us.

To that end, what does that have to do with labour? Labour is all of us. There is no distinction between those who wish to work, who wish to produce and those who wish just to become predators, to become leeches on the society, and this Government has taken every step to ensure and to protect the working man, the average individual who all of us are related to at this point in time, to ensure that their rights are well balanced and protected because no level of society will succeed if the other parts of society do not succeed. Whether you live in St. Clair, or you live in Barrackpore, or you live in Charlotteville, if the society is out of whack, out of balance, then the society itself will fall.

5.25 p.m.

Picture, if you will, a wheel with spokes; every spoke representing one strata of society. If there is a terrible imbalance—and you know, in the old days with bicycles, you had to take it to tune up the spokes when one might be shorter than the other or longer, you had to try and even it out. This legislation is a tuning of

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the society to ensure that the workers of the society have the benefits that they deserve.

But I want to make a point. There are some in society who believe that you could take without giving. There are some who believe not in a fair day's pay for a fair day's work. That is unsustainable. The society has to reconcile itself that you cannot kill the goose that lays the golden egg. And therefore, there must be no enmity between labour and capital, there must be no distinction between those who work and those who invest, because one without the other, there is no equation for success or for future mobility. What we must not do, however, is to remove the ability and the hope and the dream of everyone. There is a song now by Rihanna. What? Is it the "American Oxygen"? I ask all to listen to it. Where you take a dime or two and make an empire.

Many who are successful in today's society, whether you belong to the Syrian community, whichever community, that many look up to in some level of envy, analyze some where they started. We all started at one time or the other on the same level: from the days of slavery to indentureship, for those who came after by boat or by plane, there is a common factor somewhere in our ancestry. The commonality is of poverty, and I repeat, one meal away from hunger or starvation.

So it is about that level and that line of improving one's way, improving one's lot, and I was making the point that this Government has ensured that no child born into this nation called Trinidad and Tobago must ever, ever be denied every opportunity to rise to the levels that they wish. [*Desk thumping*] If you take that away, then your society becomes hopeless and desolate, and then starts feeding on itself. Where hate is the order of the day, the currency is violence and the payment is destruction.

This legislation is an equalizer in a large part because the Industrial Court is an institution that protects the rights of workers and also of employers. As I made the point, there must be balance and equity. Without that, it will all fall. And it is so important that justice not just come from the Judiciary in the classic way, but from all levels of the society and to empower this institution is to really do these things.

Mr. Speaker, it is painful really for the hypocrisy of those who know far better to suggest an unkindness to labour, because one of our leading lights of this Government is one of the greatest champions of labour [*Desk thumping*] and for

labour over many decades, and he sits with us to the right of our Prime Minister. And I will tell you, it is not cosmetic because every single thing we do without discriminating, without divulging much of the Cabinet, we turn to Errol—What would labour say? What does labour want? How do we make it sure that all of us protect those rights?

So, I have dealt with the quality of life that we all want to improve. I have spoken of the increase of the minimum wage. But what are we faced with? You know, I was moved just earlier when I was reflecting, if we are accused of being unfriendly to labour, what happened to the reality of the past? When on December 18, 2009, when I had led something called the “Axe The Tax” movement throughout the nation, Mr. McLeod partnered with me, David Abdullah partnered with me, and we came outside of the people’s Parliament at the Red House in protest of what was going to happen, and someone from the Parliament, today unknown, unidentified, anonymously, gave an instruction to the police to attack. I was there.

Hon. Member: I was there.

Hon. P. Ramadhar: You were there, of course. We were all there. In fact, I had come with Rodger Samuel. And the very, one of our heroes—because David is a friend and a hero to the labour unions, I want to say that—he was arrested and carted away. But I have a photograph that I have kept and with your leave, this is what we were faced with on that day. [*Member holds up a picture*] [*Crosstalk*] Whipped and—this is a stark, a reminder to me and I keep this in my office to be grounded and to be reminded why I am in Government, why I am in politics. [*Desk thumping*] I will not be moved by the cheap and transparent camouflage of hugging up with labour and holding hands and marching with them. When you had power, you never helped—in fact, you demonized and you beat the hell out of labour. This is what has happened.

I will remember that day, Sir. You, then, walked out of the people’s Parliament together with Dr. Moonilal, together with Vasant Bharath and others, and joined with us in solidarity. We walked around because we all understood the need to protect the society. When we fought against the property tax, it was not for big business, it was not for the poor man alone, it was for all of Trinidad, including all of labour. When we brought different initiatives, it was all about protecting all of us to ensure that we had a society that felt—what shall I say? That we all belong, that we all had a place, we all had a part and we all had a sense of protection.

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When we fought against the smelter in Chatham, it was not for rich people or whoever, it was for all of Trinidad and Tobago, including the labourers from that entire peninsula. Have we forgotten when we had said we did not want it, the people did not want it, we were told then with such arrogance, absolute disrespect to the will of the people, that you should have three of them? But yet you know, I too had forgotten until I was reminded that one of the great privileges that we as a people would have had, had we had the smelter, is that we would have got, what?—free cancer treatment or testing every five years. No, no. This is the reality, but yet I hear that this Government is anti-labour.

When I see, you know, what masks itself as leadership for labour, speaking in the most atrocious tones, vile and violent, inducing inciteful language that cannot be condoned anywhere. As a leader, you speak of your Prime Minister, to put in handcuffs? When we see—and I mean, I really do not want to go there, but I think I should. I should go here that what the great institution of labour heroes has reached the point where you basically kidnap a company and force a settlement which is no settlement. You are forcing something out of fear. In other words, there is a ransom to be paid. Is that how we in a society will accept new leadership? And for those who partner with that are equally guilty. *[Interruption]* No, it is a fact. And if we are not careful, the seduction is great, you know, because you dump everything of infamy on this Government. We are the most corrupt, we are totally anti-labour, “we ineffective”. You name it, all the nastiness of the years. And if you do not pay close attention, if you repeat it—and somebody spoke about Hitler the other day and his *Mein Kampf* that if you repeat it long enough *[Interruption]* —Dr. Moonilal?—the seduction becomes a reality because of the mere repetition.

When we came into Government—and we must take the criticism for that and own up to it as men and women—when they were saying these things against us, the Prime Minister said, “Look, just do the work, do the work. Do not worry with them.” We misunderstood the power of that propaganda, because we honestly believe in truth and not lies, in reality and not fiction, and the reality is that in every corner of this nation, without discriminating for region, colour, creed, whatever, this country has risen a whole, whole lot *[Desk thumping]* in every form and fashion.

The dream of the people of Arima, for 45 years, a promise had been made, they would get a hospital. We turned the sod and I want to congratulate the MP for Arima for his steadfast insistence *[Desk thumping]* because we had heard arguments, “Well, listen, it eh too far from Mount Hope, yuh know, right. Take ah

lil 30, 40-minute traffic and yuh might make it”, but this is happening in Arima. Who do you think that hospital is for? For the “super rich” who could fly off to Miami? Sorry, I actually said that because you do not have to be “super rich” to do it. Sometimes—when we came in, you had no choice sometimes but to sell house, land, whatever, to go to take your child because they were dying. We created the Children’s Life Fund for every labourer’s child that they do not have to go through the pain of the death of a child or the potential death of a child, and we are forgetting, \$200 million was put aside to buy vehicles for the use for two weekends.

We begged. I stood outside the people’s Parliament, wrote the Speaker of the House at the time, the Prime Minister of the day and the Opposition Leader asking for a fund to be created, \$100 million, you put it there, and just the interest alone will save these children. We were met with deafening silence until the People’s Partnership Government took the corridors of power, [*Desk thumping*] and the first thing we did was that. That is for the children of labourers.

When we also created out of the nothingness on the plains—well, the hills of Couva—the children’s hospital, that is a manifest reality. In two weeks’ time, I understand from the Minister of Health, we shall also be turning the sod for the hospital in Point Fortin, [*Desk thumping*] a constituency held, I think, only nce by the NAR but every other time by the PNM. When this Government took a very difficult decision to put the resources of the nation to develop that area, known as PNM country, highway to Point Fortin, for the very purpose of a very clear thing for us who have no distinction and no discrimination against the political opposition. We say all of Trinidad and Tobago needs to be developed, so we decided a highway to Point Fortin. So that the very essence of development—as one of the speakers spoke earlier—that the nodes of development require infrastructural development to get to and from. The moment you put transport and communication in place, it will grow, it will develop. For whose benefit? For the benefit of all of Trinidad and Tobago.

So forgive me if I am sounding a bit hurt and passionate to have faced the unreal criticisms of this Government when we know what the truth is and many others just choose to ignore the truth for their own lust for power. As a friend told me, it is obvious, not just today but for a long time, the love for power has overcome the power of love on the other side. [*Desk thumping*] But power itself is not bad, what you do with power is what matters. And what have they done with power in the past?

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Of course, we are enjoying the waterfront; of course we are enjoying NAPA and SAPA, but at the same time, our children and our elderly and our less fortunate in the society were dying in droves, suffering inhumanely in the corridors of hospitals built under the British Raj with promises galore and the reality of poor, and this we have changed. Because now, every citizen knows—once you clear your mind of the emotional connections of the political loyalty you may have—that every citizen in this country knows that they have the possibility to own a home. Every citizen now knows that they have the possibility of owning land. Every citizen now knows that they have the possibility to become anything they wish to be by educating themselves and working hard, and more important than that, that the lives of their children will be better than the life that we now live.

Because this Government has prepared, not just for today but for future, and that opportunities are opening up as we are transforming the economy. And you know, we get a lot of criticisms for that: we did not transform the economy. We are a free-market economy. The Government, what it does is create an environment—Mr. Cadiz did a tremendous amount of work, Minister Vasant continued it—to create an environment of business friendly operations, that we have moved the formation of a company from 43 days to three—

5.40 p.m.

Mr. Speaker: Hon. Members, the speaking time of the hon. Minister has expired. Would you like an extension, Sir?

Hon. P. Ramadhar: Thank you very much, Sir.

Mr. Speaker: Hon. Members the question is that the speaking time of the hon. Member for St. Augustine be extended by 15 minutes.

Question put and agreed to.

Mr. Speaker: You may continue, hon. Member.

Hon. P. Ramadhar: Thank you very much. Little did I know that so much time had passed and, therefore, I must go into some of the essential matters that I must deal with.

There was an attack, and we put it that way, from the Member for Chaguanas West, in relation to these amendments. But what are the facts? Because facts are important, as someone say, they do not go away. These amendments came after tremendous consultation with the Industrial Relations Advisory Committee and it is based on those recommendations the legislation is based and these are the

persons to whom we look because these are the persons who live, breathe and sustain themselves in the environment of labour and industrial relations.

Do you know what is also very difficult to bear? That the very labour union leaders—and there are good ones, and there are those who are irresponsible and do not live up to the expectation of those they proclaim to lead. When the process for dialogue had started that would lead to the amendments and the changes we wanted, I understand after three meetings—is it Minister?—after only three meetings they abdicated, they fled and, therefore, did not participate in the development; a commonality I see here. When you have the right, you have the responsibility and the opportunity, you abdicate and you go and then go out and criticize: well I do not know, they did not do this, they did not do that or whatever. This is wrong and the country has to be reminded of these things.

I understand also that a grouping walked out of the Senate and boards in June 2012, equally abdicating responsibility to further the labour agenda that they all cry about.

There was a decertification effort for three trade unions, TIWU, CWU and Civil Aviation. But guess what? Under this Minister of Labour and Small and Micro Enterprise Development, he withdrew that effort. But they partner with the very persons or organizations that did unto them and we are doing for them. What has happened in the society? Have we lost reason? Have we lost decency because it is politically expedient and because of some other emotion for whatever reason? Because I want to tell you something, this People's Partnership Government is a terrible disappointment to many. And do you know why it is a disappointment? Because they never thought we could succeed and we have succeeded beyond their expectation. It is a terrible disappointment for those who want to have the position we have, because they know full well that the standards that have now been set, they could never attain. They criticize how many Ministers have been fired, how many of our Members have fallen short. That is nothing new. The one difference between this Government and those of the past is that those who had fallen short were lifted, sometimes airlifted into ambassadorial appointments out of the jurisdiction. This Government, when we came in, said that we will change the governance, and the COP has been insistent upon it and I congratulate the Prime Minister repeatedly for taking action when action was clear. [*Desk thumping*]

The hon. Prime Minister may be criticized from time to time for taking what some may consider too long to act. But I want to make it very, very clear, everybody could talk but when time comes for decision, it is a different

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perspective altogether. You cannot act with flippancy or reckless disregard for the rights of others. And it is only when it becomes clear to you and in your conscience the time has come, then you would take action that negatively affects the rights of others. That is the fundamental of a civilized leader. That is the fundamental of a society that must succeed because we are not reckless, capricious, or indecent in the things that we do.

But yet this Government is accused repeatedly of the most heinous, nefarious, ungodly acts and I am moved again to ask for those who hold the responsibility to guide us spiritually and morally, that includes ourselves, and spiritually in the churches, mosques and temples, to take responsibility for this nation, that if we are go to down a route where, by prejudice, we determine things, we no longer want to hear the facts or the truth but because we have ancient loyalties or racial connections and you sense there is some level of difference in something else that you cannot accept it, that you have to destroy it, no society on the face of this planet will prosper the way it should. Trinidad and Tobago is a nation of greatness waiting to happen. There are some pollutants in it but the pollutants are very small, very little.

As a friend of mine told me, and I repeat it all long, a glass of water with a drop of poison becomes glass of poison. Let me repeat that. A glass of water with a drop of poison becomes a glass of poison. We have to be able to identify what the poison in the society is. We must be able to know how to distil it so that we purify this nation to return to a state where the order of the day is logic, reason, honour, decency, integrity, straightforwardness, a fear of and a love for God, not just fear for God. There are those who earn the right to fear God but cannot say that they do love God. And that is a truth in the society. We speak about a state that, when we came into power in 2010, yes crime today is still unacceptable, but we have not said this. The police have told us and in some of the divisions, serious crime is down by over 60 per cent and in others 40 per cent. Murders, of course, are atrocious and we will never relax or be comfortable until they are far more mitigated.

But what did this Government do for the sake of labour, for the sake of the citizens every corner of this nation? It is to ensure that the resources that the police asked for they got. There are police vehicles everywhere. There are many more police officers today fully armed with technology to help them in the combat against crime. So that this nation has been well served by this Government and really the work must continue.

Today, marking the effort to change the legislation for the industrial relations and Industrial Court is significant and there are many other things we must do. Many parrot the saying that the best predictor of future action is your past action. I ask the nation truly to listen to that and truly take to their heart and look to see what the facts and the truth is as to how this Government has really acted, how we have benefited and if it is not a truth without doubt that this country is in a far better state today than it was in 2010, and the continuum that is necessary to make Trinidad and Tobago great resides nowhere else but on this side of the corridor.

Because we have faced many challenges. We have Moody's, of course, downgrading, and I ask the question—I do not know enough, I am making enquiries—how did Moody's arrive at their downgrade? Was it just a matter of looking at numbers? Or was it also a matter of speaking to members in the society who would have poured their political hatred into awaiting vessels, not knowing better. So a picture would have been painted, not just on the numbers but on the worse expectation of some and then they gloat and talk about a day of shame, when they themselves created that environment.

But things are not as bad as they would want you to believe, because questions have to be asked. The very workers that you talk about, not a single one has been sent home, not a single person would have lost their job and, therefore their home and sometimes their families under this Government. What would the other side have done? Because to get an AAA rating, there are things you could do you know? Do know what it is? All those wage negotiations, 0/0/1? That number sounds familiar? 0/0/1. Mr. Speaker, do you remember that? PNM. Layoffs, WASA, Telco in the old days; you name it, layoffs. There were IMF prescriptions. Do you remember these things? This Government has stood as a protector of the working man and woman because we believe that families have to be encapsulated and insulated from these very difficult things and we have ridden through the worst, you know.

The price of oil and gas dipped tremendously to less than 50 per cent of the expected budget. Still, no increase in taxes, no layoffs. I asked—but we have asked repeatedly but we never get an answer from the other side: what would you do? I look forward to the debate. Everybody posturing yeah, they want debate, debate. We have seen them run already. But you do not have to go to a debate for that question to be answered. Instead of walking out of the people's Parliament and talking and playing victim, answer the question. If you wish to be government, what would you do in the face of the slump in oil and gas price? What would you do? What is your strategy? What is your plan? How do you

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protect the people? Or, do you want to protect a rating at the cost of the people? We had to take those decisions. And all of us unanimously decided that the people must be protected first. [*Desk thumping*]

That is why I was there, together with our colleagues, when we came up with the name People's Partnership. People's Partnership. For the first time, there is a Government where we partner because in almost every single thing we do, we consult first. And I could tell you, the Member for Arima, he got some blows from us, because when a decision was taken to put the—what is the centre in Santa Rosa—the detention centre, a Minister of Government went against his own Government and stood with the people. That is the new democracy that we believe in because that is exceptional. In the old days, he would have been history. This Government endures. I have had great disagreement within this Government as a coalition partner, but we knew full well that the will of this Government is for the betterment of all of us and whatever difficulty we had to endure, we must, if we care about this country and the future of this country, so sacrifices have been made and will continue to be made. We are not perfect but we try to do our best because you see, our heart and our intent is in the right place and in the right direction.

As we proceed—I was making a joke the other day, that this Government is now mature to the extent that we understand the machinery of Ministries, we understand the difficulties of procurement, we understand the way to get things done, and now we are much better as Ministers and as a Government than we were in 2010. [*Desk thumping*] You could only then imagine, with the maturity and the clarity of purpose and the honesty of our heartfelt intent for the betterment of Trinidad and Tobago, what a second term will bring.

Ask yourself, then compare it to the alternative, because you see labour is where the pawns of politics sometimes are culled and people are falling very easily to propaganda. When a labour union leader could take a mannequin of a female Prime Minister—I hardly imagine he would have walked with one if the Prime Minister was male—and ridicule it. What does that tell you about who they are, what they represent, what their values are? Because that is a disrespect not to the Prime Minister alone but to all our women, to all our mothers—it is Mother's Day on Sunday—but do not be a hypocrite and talk about Happy Mother's Day and you disrespect every woman. That did not happen just in labour, it happened elsewhere, for those who wish to hold high political office.

I speak about the "Toppin Effect". We must accept what has happened. Because of an unfortunate—I do not want to describe that statement—some have

then created this myth that the “victim” of the “Toppin Effect” is not immune from criticism. Nothing could be further from the truth. No man or woman is above the law. No man or woman is above scrutiny, especially when it comes to the political stage.

5.55 p.m.

So today, as we celebrate this landmark effort to fix some of the terrible wrongs of the past, this is just one further milestone on the path that this Government has taken from day one till now. There are many other things we will continue to do, as we enhance the work environment. OSHA as an example—you see now, Government buildings being brought up to speed. Mr. Speaker—*[Interruption]*

Mr. Speaker: You have one minute.

Hon. P. Ramadhar: Thank you. This country is in a far better place, and we will make it far better as we proceed.

Thank you very, very much, Mr. Speaker. *[Desk thumping]*

The Minister of Works and Infrastructure (Hon. Dr. Surujrattan Rambachan): Thank you very much, Mr. Speaker. Let me take the opportunity to congratulate all my colleagues on their contributions that they have made here this afternoon on this really important Bill, an important day in labour history as it were, the Industrial Relations (Amdt.) Bill, as well as the other Bill that we are considering, which has to do with an Act to amend the Constitution of the Republic of Trinidad and Tobago, as published and circulated in the House.

I want to pick up from where the hon. Member for St. Augustine left off, and congratulate him, you know, most sincerely, on his observations about the relationship between labour and the Government, and the extent to which this Government has bent both backward and forward, to ensure that labour continues to have an important voice.

Mr. Speaker, we as a Government, have faced many marches in the country, organized by several labour leaders and, of course, joined by politicians from the Opposition. But, Mr. Speaker, one of the things you would have noticed, the population would have noticed, is that over time, the size of these marches dwindled, until really, they have fizzled out, and there is reason for it. It is because an intelligent population and an intelligent working class begun to understand that they were being used in order to foster and further the ambitions of some particular elements in the labour movement.

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Mr. Speaker, it was also made out that the departure of the MSJ, and David Abdulah, meant that the partnership had lost; that the partnership had diminished. The demise of David Abdulah, and I want to call it “the demise”, not departure, but the demise of David Abdulah does not define the relationship between the Government and labour. The antics of Ancel Roget, the animosity and the open hate he bears towards the Prime Minister and other Members of Government, as determined by his language, brutal language, it is a language of hate and animosity, does not define the relationship between Government and labour. In fact, in my view, it is a relationship that has remained strong, and although the attempts have been made to paint this Government as anti-labour, those attempts have failed, because the evidence of this Government being pro-labour, is indeed there for all to see.

This is—I want to repeat in the words of the Member for Cumuto/Manzanilla, Mr. Collin Partap—this is one of the most friendly Governments you will have towards labour; most friendly. [*Desk thumping*] And in the words of Mr. Ramadhar, it is not only labour friendly, but it is also business friendly because we understand as a Government the importance of creating an environment that satisfies both labour and business, because labour can exist and people can grow, and people can earn, and people can build their homes, and support their families only if business were to, in fact, flourish.

Therefore, this Government of the People’s Partnership led by illustrious Mrs. Kamla Persad-Bissessar, has been creating an environment in which business has been flourishing in this country. There is evidence to show that business has been flourishing and, therefore, jobs are being created in the country also, Mr. Speaker, to the extent that we have an under 5 per cent rate of unemployment in Trinidad and Tobago.

Mr. Speaker, what is the evidence of the fact this Government is labour friendly? I want to just point out a couple of things. When we became—when we were elected to Government in 2010, the Prime Minister had several options, she could have looked at all the Members of her Cabinet—all elected Members, sorry, and choose a Minister of Labour and Small and Micro Enterprise Development from amongst them. She could have chosen any one of us, but she chose Mr. Errol Mc Leod, one of the most successful labour leaders this country has ever seen. [*Desk thumping*]

She chose Mr. Errol Mc Leod because of his intelligence, but I think because of his balance, because of his rational way of thinking, because of his attitude to ensuring that there is fairness, not just on the side of labour, but on the side of

business also. She chose Mr. Mc Leod, and in choosing Mr. Mc Leod, what the Prime Minister effectively did, was that she demonstrated integrity in terms of the promise to make labour a significant stakeholder, in the administration and governance of Trinidad and Tobago, which was what was the promise in the Fyzabad Accord. [*Desk thumping*]

Therefore, the Prime Minister closed the gap between the spoken word and the done deal. Mr. Speaker, that says a lot for the element of trust which this population has had in the Prime Minister, because she always faithfully sticks to what she has promised. In the choice of Mr. Mc Leod, she demonstrated that integrity, because what she was doing, was carrying out the promise of the Fyzabad Accord, to make sure that labour was not just a periphery to governance, but labour be an integral part of the process of governance. But it did not end there. In our Government are other labour leaders. Mr. Rudranath Indarsingh was one of the presidents of one of the largest ever trade unions, the All Trinidad Sugar and General Workers' Trade Union, which not only dealt with sugar mind you, but dealt with a number of light manufacturing industries also.

Then also, she brought into the Senate, Sen. James Lambert, who heads one of the largest unions, the National Union of Government and Federated Workers trade union, which is in the service sector. That is a very large union. Not only is Mr. James Lambert a Member of the Senate, but he is also the Vice-President of the Senate. Mr. Speaker, you yourself were a labour leader in your own right, and today you are the Speaker of this House. [*Desk thumping*] So, to argue that this Government is anti-labour or this Government is not friendly to labour, I think that you know, that is far from the truth. There are other things this Government has been doing in order to ensure that the voice of labour is seen as a real voice.

I take the liberty to say that whenever the opportunity arises for someone to act in the position of Prime Minister of the country, on more occasions than one, and perhaps on more occasions than any other Member of the Government, Mr. Errol Mc Leod is chosen by the Prime Minister. To me, that is also symbolizing that the working class has a voice at the highest levels of administration and governance in the country. [*Desk thumping*]

Mr. Speaker, a labour leader, a true labour leader, has never been a Minister of Labour in this country. This Government is the first Government to signal its friendship with the labour movement and has done so in a very significant fashion and not just symbolic. The friendliness of this Government towards labour has also been seen in the fact, and it has been said here, that despite the economic

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challenges that we face, no person has been fired by this administration from their jobs in the public service. No one has lost their job. Even the private sector continues to claim that it has difficulty getting people to work in jobs. There are lots of things we have done to try to enhance the ability of the working class in this country to survive and to grow.

So, Mr. Speaker—[*Interruption*]

ADJOURNMENT

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Thank you very much, Member. Mr. Speaker, I beg to move that this House do now adjourn—before moving the adjournment, I believe there is a matter, a procedural matter, so I will give way.

ARRANGEMENT OF BUSINESS

Mr. Speaker: Thanks. Hon. Members, I would like to return to the item of business, Papers. Do I have the leave of the House?

Hon. Members: Yes.

Mr. Speaker: Okay. I call on the hon. Minister of State in the Ministry of Finance and the Economy.

PAPERS LAID

1. Exchequer and Audit (Electronic Funds Transfer) Regulations. [*The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh)*]
2. Telecommunications (Accounting Separation) Regulations, 2015. [*The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal)*]
3. Telecommunications (Universal Service) Regulations, 2015. [*Hon. Dr. R. Moonilal*]
4. Metrology Regulations, 2015. [*Hon. Dr. R. Moonilal*]
5. Metrology (Quantities of Goods) Regulations, 2015. [*Hon. Dr. R. Moonilal*]

ADJOURNMENT

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do now adjourn to Wednesday, May 13, at 1.30 p.m. On May 13, it is the intention of the

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Government to continue debate on: An Act to amend the Industrial Relations Act, Chap. 88:01; An Act to amend the Constitution of the Republic of Trinidad and Tobago. Both are Bills that have been dealt with today; to begin debate on a Bill entitled, an Act to provide for the creation of offences related to cybercrime and related matters; and an Act to provide for the establishment of the Trinidad and Tobago Cyber Security Agency and matters related thereto. Time permitting, we will seek to complete the debate on an Act to provide for monitoring of prescribed activities and the prevention of the diversion of precursor chemicals, and we also have to complete the debate on a Motion dealing with the Report of the Ombudsman.

Mr. Speaker, before I move, may I also indicate that we do have eight Motions that qualify for Motion on the Adjournment; there are eight. These Motions relate to community and local issues affecting citizens in Trinidad and Tobago, filed by the Member for Diego Martin North/East; the Member for Diego Martin North/East again, in fact, three by the Member for Diego Martin North/East. They involve issues dealing with residents of Maraval and Long Circular Road. They involve issues affecting constituents and citizens, relating to sporting activities. There is a Motion on the adjournment relating to health as well. There are Motions relating to energy matters, moved by the Member for Point Fortin. There is a Motion on the adjournment for dealing with social welfare issues; one dealing with water issues in the Diego Martin area. There is also one dealing with constitutional matters, and a final Motion dealing with ratings of the international rating agency.

Mr. Speaker, the Ministers have been certified with notice. The Ministers are available, ready and willing to respond to these Motions on the Adjournment. Due to no fault of the hon. Ministers, Members of the Opposition are absent at this time on the adjournment, as they were for several weeks. These Ministers are really under some burden, every single week to come to the House prepared to respond to these Motions on the Adjournment; twice. This is the third time, and the Members are not here to raise those Motions

Mr. Speaker, the Government will like to register its deep, very deep concern that Members of the Opposition appear to have abdicated their responsibility to the House, and to the constituents that they represent, by failing to be here at this time to raise important issues affecting citizens of Trinidad and Tobago, and more importantly, to get the appropriate answers and appropriate responses from the Cabinet Ministers, where those issues fall under their purview. It is a matter we intend to write the Chair on, in the coming days, as to how do we proceed where

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important issues for constituents of those areas opposite have been raised, but their representatives, with no leave from the House I understand, have absented themselves and now are unable to raise Motions, and get the necessary response and assistance from Cabinet Members who are all prepared and in the House at this time, prepared to respond. So, we intend to write on this matter to see—
[*Interruption*]

6.10 p.m.

So, Mr. Speaker, we intend to write the Chair on this matter to discuss and to look at ways in which the Government can bring relief to constituents who are represented by Members opposite—we can bring relief to those constituents—in the clear absence of their Members of Parliament who, Mr. Speaker, I would like to note are being paid to come to the Parliament to represent citizens and, at this time, are absent. It is almost as the Member for Pointe-a-Pierre said, it is really a walk-off from the job.

So, Mr. Speaker, I beg to move. [*Desk thumping*]

Mother's Day Greetings

Mr. Speaker: Hon. Members, before putting the question to have the House adjourn, may I, on your behalf, take this opportunity to send a special message to all our mothers.

A mother's work is never done. She works from morning until dawn. She spreads her love, but only once a year we say: "Mother, we wish you happy Mother's Day".

According to Mildred B. Vermont, being a full-time mother is one of the highest salaried jobs since the payment is pure love. [*Laughter*] A mother's love is the fuel that enables a normal human being to do the impossible. Saying Happy Mother's Day means more than flowers and gifts. It means saying, thank you; it means, I love you.

Happy Mother's Day to all the mothers in this honourable House, especially our Prime Minister, and to every mother in Trinidad and Tobago on the occasion of Mother's Day, Sunday, May 10, 2015. [*Desk thumping*]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.13 p.m.