

National Health Workers Union



GET ORGANISED!

What is the NHWU?

The National Health Workers Union (NHWU) was registered as a trade union by the Registrar of Trade Unions, Akida Mohammed, on 25th June 2014, in accordance with the Trade Unions Act Chapter 88:02.

According to the rules of the NHWU, the objects of the Union are to:

- secure the complete organisation of all health care workers in the Republic of Trinidad and Tobago;
- represent members, either collectively or individually, to ensure that their labour is sold for the highest price and the terms and conditions under which they work for the employing class is the best obtainable;
- further the interests of the Union, its members and the working-class.

How can the NHWU represent Health Workers?

Of course for the NHWU to take up a matter on behalf of a worker, that worker must be a member of the NHWU. A worker becomes a member of the NHWU when they complete the appropriate application form and pays Union contributions to cover a period of not less than eight weeks in the first instance and continues to stay in the Union by paying regular monthly dues.

The NHWU can begin immediately to represent individual workers who have disputes involving particular grievances with their employer. Some of these disputes may be warning notices, suspensions or dismissals, or any grievance concerning rights or entitlements.

For example, where a worker is entitled under their current terms and conditions of employment to a benefit and such benefit is taken away, then that employee has a grievance which falls under the category of rights. The NHWU can immediately handle these disputes. In law they are called **RIGHTS DISPUTES**.

The other kind of dispute is called **INTEREST DISPUTES**. This involves negotiating and settling collective agreements governing wages and working

conditions and other matters like pension and medical plans involving ALL THE WORKERS in the bargaining unit or units.

While a Recognised Majority Union (RMU) can handle both types of disputes, in cases where there is no RMU a worker being a member of a Union can be represented by that Union in Rights Disputes but the union cannot negotiate a collective agreement or take up other Interest Disputes.

What is an RMU?

Recognised Majority Union (RMU) means that NHWU, after being successful in recruiting more than 50% of the workers employed by an employer, will apply to the Recognition Board (a government-appointed body) for certification as a recognised majority union.

If the application succeeds, the NHWU will then be legally certified to represent those workers in interest disputes. It must be borne in mind that each RHA is a legally separate entity from the other RHAs and separate applications will have to be made to the Recognition Board for recognised majority union status for each RHA.

RMU status legally empowers a Union to represent workers for purposes of Collective Bargaining Contracts or Agreements and to handle all grievances for members of that Union in the bargaining unit or units.

What is a Collective Agreement?

A collective Agreement is a written contract negotiated between the union and the employer which contains the terms and conditions, which will govern the relationship between the employer and the workers over a period of at least three (3) years. The workers are involved in preparing proposals to the union for submission to the employer. The workers' representatives, along with a labour relations officer appointed by the union, make up the negotiating team.

The collective agreement spells out the benefits to the workers e.g. wages, leaves of absence, hours of work, allowances, procedure for handling workers grievances, and all other benefits and conditions relating to the

relationship between employer and worker. The collective agreement is signed and registered in the Industrial Court and becomes a legal document

What is an RHA?

A Regional Health Authority is a statutory authority set up by the Government of Trinidad and Tobago which opens the way to the privatisation of the health sector. Five Regional Health Authorities were established and they are legally separate entities.

Who is an RHA employee?

An RHA employee is one who was either transferred from the Ministry of Health; one who accepted voluntary separation and joined the RHA as a free agent or one who was employed directly by the RHA.

Who can apply for RMU for the RHA employees?

The National Health Workers Union or any other union that is not the recognised majority union (RMU) for any group of workers deemed to be workers in an essential industry.

What is an essential industry?

No Trade Union since 1972 is allowed by the Industrial Relations Act to represent more than one group of workers in an "essential industry". What this means to health workers is that no Union can represent RHA employees if they represent another group of workers in an "essential industry".

According to the law, Essential Industries are: Electricity Service; Water and Sewerage Services; Fire Service; Health Services; Hospital Services; Sanitation Services; Oil, Gas; Port Operations; Sugar; Communications (internal and external); Public Bus Transport Service; Civil Aviation Services; the iron and steel industry.

The RHA's as part of the country's Health Services are all classified as Essential Industries and therefore cannot

have as its recognised majority union a union that has RMU status for workers in another essential industry.

The Public Services Association (PSA), which has RMU status at WASA, the PTSC and the Airports Authority, **cannot be the recognised majority union for RHA workers.**

What can the RHA employees do?

RHA employees have taken the first step by forming a Union, the National Health Workers Union, which is the Union all employees of the health sector, both public and private, **MUST JOIN** if they are to receive effective representation. Most of the unions in the country already represent workers in essential industries, so health workers must take the bull by the horns and build their own union to advance, protect and defend their interests as health workers.

It is extremely difficult to start a union from scratch. A new union would have little in the way of resources, especially until it gains RMU status. Such a union would likely have no office, no full-time staff, no ability to employ lawyers or other advisers or undertake research.

Several experienced, well-known and competent Trade Unionists in the National Workers Union (NWU) to which the NHWU is affiliated, are assisting in training, in negotiations and grievance handling for Health workers in the country.

After many years of neglect, disrespect, low wages, inferior benefits and poor working conditions Health workers of the Regional Health Authorities have only one course of action, that is, to form your own Union and therefore take charge of your economic interests of reasonable pay, job security and good working conditions and benefits.

10th September 2014

Join the ...

NATIONAL HEALTH WORKERS UNION