

THE WORKERS' AGENDA

Adopted at the Joint Trade Union COSSABO
Sunday 18 April, 2010

Within the past year, we have seen a rise in strategic collective actions by trade unions from both federations- FITUN (Federation of Independent Trade Unions and NGOs) and NATUC (National Trade Union Centre), and by unions that are unaffiliated. These actions have consistently led to positive outcomes not only for their respective members, but for the country at large.

We can recall last October, when the entire labour movement condemned the move by the government to decertify the Communications Workers' Union and the Transport and Industrial Workers Union. Together, unions responded in a massive show of force and solidarity. That plan to decertify those unions was aborted by the government. More recently, joint actions by the trade unions in their support of the Public Services Association and opposition to the Trinidad and Tobago Revenue Authority (TTRA) contributed to the eventual collapse of the Bill to establish the TTRA. We should also not understate the impact of the mass actions of The People's Democracy in November 2009 and the picketing of Parliament on December 18th, the PM's Office and the headquarters of UDeCOTT in contributing to the collapse of the Manning government.

Very significantly, the participation of trade unions in The People's Democracy contributed immensely to our spirit of unity. Further, the bringing together of trade unions and other civil society organizations under the umbrella of The People's Democracy enabled us all to deepen our appreciation of the fact that both the labour movement and civil society share common issues, concerns, goals and aspirations.

One of the discussions labour leaders have had is on the role that the labour movement must play in the current political landscape. The opportunity is now ripe for our collective intervention to influence the political direction that our country will go. **Now is the time for us to intervene to ensure that we get not just an exchange of government but good governance in Trinidad and Tobago!**

In this regard, leaders of the labour movement had decided that as we move towards consolidating a solid, strategic and direct plan for labour's intervention the active participation of all our second rank officers and activists is necessary. We have therefore agreed to hold a Joint Conference of Shop Stewards and Branch Officers (COSSABO), with the overarching theme "**Towards a Workers' Agenda**". By this we are not referring to only workplace issues, but all the social, economic and political issues that affect working people, farmers, fisher-folk, self employed, small business people, the unemployed; men and women, young and old. **Over 500 workers** from 15 Trade Unions responded to call and participated in the COSSABO to develop a workers' Agenda.

"There should be an adequate means of livelihood for all, that labour should not be exploited or forced by economic necessity to operate in inhumane conditions but that there should be opportunity for advancement on the basis of recognition of merit, ability and integrity"- **Trinidad and Tobago Constitution**

LABOUR

- ✚ For many years the labour movement has called on the governments to conduct a comprehensive reform of labour legislation
- ✚ The existing labour laws are archaic and do not comply fully to international labour standards.
- ✚ The Gov't has ignored the 4 CARICOM model labour laws, which have been designed by the ILO

- **The severe limitations on the right to strike should be removed:** It should be noted that in Barbados there are no limitations on the right to strike.

- **Prevent Decertification of Trade Unions:** There is a need to excise from the IRA, the provision which allows an employer to seek decertification of trade unions.

- **Facilitate Workers' Right to Join a Trade Union of Their Choice:** A limit of three (3) months needs to be put in place for the determination of recognition claims which are made to the Registration, Recognition and Certification Board; the present requirement of fifty-one percent (51%) membership of workers in one particular union for that union to obtain recognition by the Recognition Board should be amended to twenty percent (20%); the law must allow for workers to join trade unions of their choice. The present restrictions on trade unions in terms of workers categorised in essential industries, violates international labour standards

- **Appointment of Judges to the Industrial Court:** There should be security of tenure and pensions for Judges of the Industrial Court and their appointment by an independent body, similar to that of High Court Judges.

- **“Worker within the meaning of the Act”:** Employers should not be able to use provisions related to “worker in good standing” and “worker within the meaning of the Act” to delay and prevent trade unions from representing individual workers, who come from a non-unionised environment.
- **Prohibition of Certain Sectors to Take Industrial Action:** the prohibition of certain groups of workers from taking any form of industrial action, under penalty of eighteen (18) months imprisonment needs to be amended.

- **All workers must be recognised as Workers:** The term “worker” should be amended to include drivers, domestic workers, etc..
- Ministry of Labour and Small and Micro Enterprise Development should revisit its mandate to make it functional to the needs of the labour movement

Amendments/Reform to other pieces of labour legislation:

Repeal of the Retrenchment and Severance Benefits Act, No 32/85

- This law does not provide for payment of severance pay to workers who are faced with Company closure, such as winding up, receivership and liquidation.

Amendment of the Companies Act

- Severance payments ought to be prioritised in terms of ranking of creditors. It is wrong for payments to banks, shareholders, and other creditors before severance payments are made.

Repeal of Workmen's Compensation Act and replace it with a modern Employee Injury and Disability Act

- The present Occupational Safety and Health Act also need to be amended to deal with the environmental aspects of occupational health and safety.

Amendments to the Supplemental Police Act.

- Amend the Supplemental Police Act to provide for (non-precepted) security officers to be represented by the Estate Police Association under the IRA.

The Public Sector Negotiating Committee (PSNC) to be disbanded immediately.
This committee interferes with and delays the collective bargaining process

The amendment of the Maternity Protection Act, 1/2000 to provide for fourteen (14) weeks maternity leave which is the international standard. In addition, Day Care Centers to be built by Government and Companies.

An immediate increase in the Minimum/living Wage

The repeal of the Master and Servants Ordinance, which is an old colonial law and contrary to the Decent Work policy of the International Labour Organisation

The repeal of all laws that prohibits the freedom of assembly,

A Proper Policy on Migrant Labour

- **We propose:**
 - The immediate establishment of a tripartite authority to monitor and regulate migrant labour.
 - The reform of the system of work permits to ensure that jobs that can be performed by nationals are not being allocated to non- nationals, especially in the current economic crisis where unemployment is increasing; and the transfer of skills and knowledge to nationals in cases where non-nationals are employed. There must be trade union representation on the Works Permits Committee.
- **The cessation of policies and actions of restructuring state companies and the public service that results in retrenchment and the loss of trade union recognition.**
- **The discontinuation of the policy of using Contract Labour in the Public Service, Teaching Service, and State Sector generally** as this results in job insecurity, and inferior terms and condition of employment, and has been demonstrated to result in avenues for corruption. In industry, health and safety are also seriously compromised.

- **The immediate discontinuation of plans for the integration of the Cipriani College of Labour and Cooperatives with the University of Trinidad and Tobago**

Constitution Reform and Local Government Reform

- The working document on Constitutional Reform MUST be withdrawn.
- The Ryan/La Guerre report on the public consultations conducted MUST be made public.
- Local Government reform to give more power to local government to avoid more centralised power
- There be set up a proper, transparent process for constitutional reform by establishing a Civil Society Oversight Committee and a Secretariat for informing citizens about the Constitution, collating viewpoints and proposals and putting them in the public domain for debate, and ultimate approval by referendum.

Possible reform for the constitution

- Term limits
- Fixed elections
- Civil Society Senate
- Referendum
- Right of recall
- Must address the relationship between Tobago and Trinidad

Transparency and Accountability

Forensic Audits based on the evidence *of the Uff Enquiry and in UDeCoTT, in particular, and also at Petrotrin (billion dollar cost over-runs on refinery upgrade projects), Estate Management Development Company (EMDC), University of T&T (UTT)* ought to be carried out as soon as possible. The outcomes of these audits including the **T&TEC Street Lighting Implementation Union (SLIU)** audit ought to be made public in keeping with our demand for maximum transparency and accountability

Investigation into Criminal Wrongdoing

- That investigation into any possible criminal wrong doing based on the evidence given to the Uff Enquiry, be expedited by the Police and/or DPP. Similar investigations to be initiated following forensic audits re: UDeCoTT, Petrotrin, T&TEC, EMDC, UTT.

Good Governance

- The White Paper on Public Procurement must be made law/implemented with immediate effect; the Anti-Corruption Laws must be urgently updated and must provide for whistle blowers to give evidence of wrong-doing.

Food Sovereignty

- A new consciousness by the government to be reflected in the development, through a participatory process of a clear and articulate vision for farmers, farming and the administration.
- A new farmer friendly incentive programme developed with the participation of the farming industry stakeholders
- An immediate halt to the destruction of agricultural land and projects.
- Immediate honoring of the Ministry of Agriculture's own "Cost of dairy production survey" of 2006, plus inflation factors since then.
- A comprehensive developmental plan for all sectors.
- A farmers' voice in the Senate (this in the context of our proposed process of constitutional reform).
- Dialogue between cane farmers and the administration to develop an appropriate exit strategy articulated by the European Union:
 - Compensation for cane farmers;
 - Socio-support measures and;
 - A pending environmental impact assessment of the closure of sugar industry.
- The development and implementation of a national land use policy through consensus with all stakeholders including all the lands formerly of Caroni (1975) Limited. Also lands of Petrotrin, Trento, Tritopec etc.
- The immediate stop to the environmental destruction of the mangrove, hatchery beds and wetlands
- An immediate review of the compensation plan for flooding and natural disasters and notifiable diseases.
- A comprehensive system of insurance for food producers.
- A proper policy for ensuring adequate levels and skills of labour for the agricultural sector, including a "Farm School", so that (young) persons who are either unemployed or employed in less fulfilling jobs could enter into food production.
- The immediate establishment of the Fair Prices Commission so that price gouging could be identified and consumers could benefit from fair prices of food and other essentials.

Old Age Pensions and the Elderly

- The immediate reinstatement of the Old Age Pension Act. Pensions must be an entitlement and not a grant.
- Harmonization of NIB and Pensions.
- All pensions should be indexed in line with inflation. And the OAP should be increased to a level that would allow the elderly to enjoy a decent quality of life.

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- All Public and Private Buildings should have available toilet facilities etc for the elderly in keeping with the law.
- That there be established Community facilities for the Elderly
- That special provision be made for the delivery of government and public services to all Senior Citizens, including such things as the renewal of passports, renewal of NIS status etc.

The Differently Abled

- The adoption and implementation of a national policy on persons who are differently abled, which policies would ensure equal opportunities with respect to education and jobs. This policy must be based on the principle – “Nothing about us without us”.
- That all public buildings and private buildings in which the public is required to visit, be required by law to enable easy access by persons who are differently abled. And that all such buildings also have available appropriate washroom facilities. That there should be proper access to street and highway crossings and walkovers and to public transport.
- That special provision be made for the delivery of government and public services to the differently-abled, including such things as the renewal of passports.
- Zero rated interest on loans/mortgages for housing to facilitate acquisitions of homes

Youth

- The implementation of National Youth Policy (NYP) - adopted in 1999 - in an integrated manner, and not piecemeal as is the case.
- The restructuring of the Project Implementation Unit for the NYP, so that it is driven by the youth and in their interests.
- That 2011 be declared the Year of National Youth Development with programmes being implemented to facilitate Youth participation in all aspects of national development

Women

- A participatory process to arrive at an appropriate national gender policy using at the starting point, the 2004 Gender Policy.
- Ensure that state programmes do not exploit single mothers

Children

- Labour inspectorate to ensure that Business do not utilise child labour
- Strengthening of children's Authority
- Stiffer penalties for crimes against children
- Establish safe homes for children who are being physically and sexually abused

Health

- The immediate appointment by the Minister of Health of members of the Medical Board to the Council of the Board.
- A larger percentage of GDP to be spent on health care. We currently spend 5% (total of both public and private) while it should be at least 8%.
- Priority for primary health care with the percentage of the health budget for primary care being increased to the international best practice of 30%.
- Establishing "Centers of Excellence"- for specialty areas e.g. Neurosurgery etc..
- Improve Human Resource Management by having a single human resource management unit.
- Pharmaceutical procurement policy to ensure that CDAP drugs are effective.
- Established guidelines of Procurement and Accountability - as per the White Paper on public procurement.
- Establishment of a Proper Burns Unit at the San Fernando Hospital.

Education

- A participatory process involving all stakeholders to develop the education policies of the country and in particular the involvement of teachers in the plans and programme of the Ministry of Education
- The system of education must be changed with the involvement of all the stakeholders to be of relevance to the society and must include the history of the mass movement and the role of labour and its leaders to our development thus far.
- The recruitment of teachers to be done by the independent Teaching Service Commission and not a government agency that is subject to political manipulation.
- The end of contract labour in the teaching service.
- A participatory process to develop a comprehensive policy on indiscipline and violence in schools.
- That there be no unilateral attempt to establish a system of licensing of teachers.
- Proper security of all schools especially primary schools
- Increased financial allocation to primary schools and greater priority to the primary school system
- The introduction of a modern Mentoring & Apprenticeship Programme in all state enterprises in the first instance and offer incentives for other enterprise to do similar programmes

Culture

- Minimum 50% quota for local programming and content on TV and Radio
- Release for public comment on the Draft National Cultural Policy which will regulate the cultural sector, creating protocols for relationships between the Ministry and representative groups, policy for arts institution and funding for the sector amongst other things
- The proper resourcing of Trinidad and Tobago Film Company and the TT entertainment Company by the tripling of their budgets

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- Repeal the colonial Theatre and Dancehall Act which has been invoked to censor artists in the recent past
- 3-5% of all corporate building budgets should go toward 'corporate art' on construction. 10% of that should go towards the creation of open-air art adjacent to or on the premises of the building or in the surrounding community
- A percentage of National Lottery money should go towards a transparent grant scheme administered by a properly constituted Foundation for Arts.
- Removal of work-permit requirements for artist movements between CARICOM Islands
- The Activation of 'the National Trust' whereby certain people, places and things are declared national treasures and protected as such
- Ratification of the UNESCO Convention on the Promotion and Protection of the Diversity of Cultural Expressions (2005) and the Convention on Intangible Cultural Heritage (ICH)

The Steelband Movement

- Set up a National Steelband Factory/Institute using the expertise at UTT's Advanced Pan Tuning Programme (Manufacturing); UWI Engineering (Research)
- Ensure all bands have security of tenure for their Panyards and to encourage economic activities at the Yards
- The original legislation, Act #19 of 1999, should be re-instated and the following should be done immediately:
 - Restore the Board of Directors to administer the affairs of the orchestra
 - Develop a facility to be a permanent home for the orchestra
 - Introduce an apprenticeship system to expose a younger cadre of players to the standards of the TTNSSO
- Drum Manufacturing facility to produce consistently high quality drums for the instruments
- Chrome facility to produce high quality work on the instruments
- Access and exposure to on-going scientific research on pan, metals, etc
- Upgrade of tuning facilities of present cadre of tuners and pan builders

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Vincent Cabrera
President
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Joseph Remy
President
Communication Workers' Union

Edison Monroe
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Charles Ramroop
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Dr. Colin Furlonge
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Ancel Roget
President General
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Watson Duke
President
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