

LABOUR

Insight

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Santa and his extended family spread Christmas cheer at

BIGWU'S CHRISTMAS FANTASY

Union reaches 50 years
milestone in May 2024

50

More details
to be shared
on Anniversary
Celebrations



**Former Acting President,
Comrade Mario Als,
called to the Industrial
Court bench**

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NEGOTIATIONS HIGHLIGHTS

The following updates highlight some of the recent settlements negotiated for branches and individuals. A full report will come in the next publication of the Labour Insight.

SETTLED

PAN-AMERICAN LIFE: 01/01/2021 – 31/12/2024

An agreement was reached on a 12% increase over the period, with improvements to sundry allowances as applicable.

GUARDIAN MEDIA LIMITED: 2023 –2026

A 10% increase (2-2-3-2-1) on all cost items

EASTERN CREDIT UNION (BU1/BU2/BU3):

BU1: 2019-2022 & 2022 - 2025

BU2: 2018-2021 & 2021 - 2024

BU3: 2019 - 2022 & 2022 - 2025

Negotiations for the three (3) bargaining units were concluded for two bargaining periods which saw an increase of 7% for each of the two periods.

PECU Credit Union: 2021-2024

While they would have recently celebrated their 50th Anniversary (in 2020), PECU Management signed off on a 7% increase for their workers with their representative Union, BIGWU. Increases were spread 2-3-2 and caters for retroactive salaries for all staff.



From Right: Cde Debbie Ottley (BIGWU), Cde John Mark Lee Wah (BIGWU 2nd Vice President), Cde Don Devenish (BIGWU President), Cde Monifa Karamoko-Farrell (PECU Branch President), Cde Teneshia Edwards-Ross (PECU Branch Secretary), Cde Jaunvon Roach (ALRO), Mr Dale Carrington (PECU General Manager), Mr Victor Quintin (PECU President), Ms Khadine Wright-Prescod (PECU Secretary), and Mr Dexter Baptiste (PECU Asst. Secretary).

SMITH ROBERTSON & COMPANY LTD: 2015-2019 & 2020-2024

Two collective agreements were signed off for workers at this Distribution Company. After Consolidation of COLA, workers benefitted from a 15% increase in 2015-2019, and a 12% increase for 2020-2024.



From Left: John Mark Lee Wah (2nd VP, BIGWU), Cde. Noel Duncan (Branch Executive Committee Member, Smith Robertson Branch), Mr. Peter Welch (CEO, Smith Robertson & Co), Cde. Octavia Williams (Branch President, Smith Robertson Branch), Cde Debbie Ottley (Organising Officer, BIGWU), Cde Don Devenish (President, BIGWU), Cde Hayden Hernandez (Labour Relations Officer, BIGWU), Ms Jennifer Deonarine (IR Consultant, ZATOPEK Solutions Inc.) and Melissa Sealey-Haye (HR Manager, Smith Robertson & Co.)



In Trade Dispute #58 of 2020 against Kenson Production Services, the worker was able to get a settlement of \$350,000.00 after being summarily terminated at the request of a client.



BIGWU launches OCCUPATIONAL SAFETY & HEALTH Compliance Drive to prioritize worker safety



In a significant move towards ensuring the safety and well-being of workers, BIGWU has launched an Occupational Safety and Health (OSH) Compliance Drive across its branches to ensure worker safety and well-being. The primary objectives of this compliance drive are twofold: to assess the level of compliance with the existing OSH legislation and to foster a collaborative effort in systematically resolving any identified issues within a specified timeframe.

Nine branches were selected to start the project, with the employers written and asked to provide essential documentation such as Annual Risk Assessments, listing of their Health and Safety committee members, Fire Certificates, and First Aid provisions at their various locations. This information will be used by the designated representative for the subsequent branch visits and inspections to verify the company's compliance with OSH regulations, ensuring a thorough examination of workplace conditions.

This initiative, sanctioned by the Union President - Cde Don Devenish - emphasizes the importance of shared responsibility between management and the Union in creating and maintaining a safe working environment. The goal is to achieve full or near-full compliance with OSH legislation and foster a culture where employee safety is paramount.

BIGWU's commitment to the OSH Compliance Drive reflects a proactive approach to safeguarding the well-being of workers, promoting a culture of safety, and ensuring that every member of the Union can work in an environment that prioritizes their health and security. Through this initiative, BIGWU sets a commendable example for other organizations, emphasizing the critical role of collaborative efforts in achieving and sustaining high standards of occupational safety and health.

More branches will be identified in 2024 until all the branches have been investigated and reviewed.

JUDGMENT CORNER

**OSHA No. 21 of 2015
- OSH Authority & Agency v Smithfield Farms**

In this Industrial Court Judgment, the OSH Authority & Agency initiated legal proceedings against Smithfield Farms for multiple safety and health offences/violations at the workplace which were in contravention with Sections 74 (1) (d) and 74 (1) (e) of the OSH Act, .

In presenting their case, OSHA&A identified the 9 breaches of the OSH Act, which were highlighted to the company in their April 2014 Improvement Notice. These breaches included the company's **failure to provide a Safety and Health Policy, absence of an Emergency Response Plan, and no suitable and sufficient Annual Risk Assessments.** At that time the Company was also **not in possession of a Fire Certificate neither did it establish a Safety & Health Committee,** as well as adequate washing, sanitary and clothing accommodation/conveniences for staff.

The Company's contention was that insufficient time was given to remedy all 9 breaches, however, upon further investigation the panel was stunned to note that four (4) years would have elapsed and yet the company was still not 100 percent compliant with the identified issues.

In delivering this judgment, the panel found serious breaches, including a high degree of risk and danger. The lack of essential safety measures, and the Company's reasons for delay, such as the need for Board Approval, was also highlighted as highly unacceptable. The judgment emphasized the company's duty under the OSH Act to create a safe working environment and the need for prompt corrective actions.

Smithfield Farms was fined \$20,000.00 for each offense with this Judgment underscoring the importance of proactive measures in ensuring workplace safety and holding companies accountable for their duty under the Occupational Safety and Health Act. The fines are meant to serve as a deterrent, emphasizing the gravity of safety breaches and the responsibility of employers to safeguard workers in the workplace.

This judgment is available on the Industrial Court Judgment Database: <http://www.industrialcourt.org.tt>



BIGWU'S CHILDREN'S CHRISTMAS PARTY

CENTRE OF EXCELLENCE – DECEMBER 2, 2023



"Tis the season for joy and laughter, and what better way to celebrate than with "A Christmas Fantasy"!

This year, the hall was filled with twinkling lights, festive decorations, and the sweet aroma of holiday treats, enough to cater to the 845 children and about 500 adults who attended the party. They played, jumped, bounced, ran, blew bubbles, face painted, coloured, drank, ate and had a great time with the numerous games, gifts, refreshments, and goodies that would create memories for a lifetime.

Our Christmas party would not be complete without a visit from the jolly old man himself - Santa Claus - who along with Mrs. Claus, the elves and several helpers from the North Pole, put on a show! The children lined up eagerly, anticipation gleaming in their eyes as they waited to share their wishes with the Jolly old man in the red suit, who ensured to spread happiness and joy to all.





The Union would like to express its heartfelt thanks to the following companies and individuals, without whom the 2023 Children's Christmas Party would not have been possible: Avalanche Treats, GKL Caterers, Darryl's Foods, Chuckles, Tinkerbell & Friends, First Citizens Bank, T&T Mortgage Finance, Republic Bank Ltd, Eastern Credit Union, Fire Services Credit Union, Cathedral Credit Union, Environmental Management Authority, Eximbank, Export Centres, CCN TV6, Aero Services Credit Union, Tatil, Tatil Life, Smith Robertson, T&T Securities And Exchange Commission, Police Credit Union, WESCU Credit Union, PECU Credit Union, PSCU Credit Union, BGWU Credit Union, Port Authority, Export TT, JMMB, SECU Credit Union, TATECO Credit Union, New India Assurance, Dollar Valu Supermarket, GIGWU, STANDBYPOWER Generator, T&T Postal Workers Union, Pan American Life Insurance, and Tru Valu Supermarket.



Special Thanks to you, our members for bringing your children to the event, as well as the General Council and Committee Members who assisted in the various stations and Games.



Scan me to see more photos-->
or head over to our Facebook page,
FB.me/BIGWU868



In Loving Memory of *Elsa Rabathaly* "KIMLIN"

JANUARY 11, 1941 - DECEMBER 10, 2023
FOREVER IN OUR HEARTS



CONSTITUTION REFORM COMMITTEE ADOPTED BY THE GENERAL COUNCIL



AUGUST 2023: Members of the Constitution Reform Committee.
FROM LEFT: [Front row] Shawn Hendrickson (Venture Credit Union), Charmaine Cedeno-Alleyne (Pan-American), Tracy-Ann Ramkissoon (First Citizens), **[Back row]** Wesley Francis (BIGWU Office), Anderson Sooparie (Securities & Exchange Commission), Ronald Corke (Eastern Credit Union), Emmanuel Downes (Guardian Media Limited), and Hugo Henry (Aero Services Credit Union).

In beginning the planning work towards the Union's next Biennial Conference of Delegates (October 2024), eight (8) members of the Union's General Council volunteered themselves to assist with the much needed review and reform of the Union's Constitution.

Revised in 2013, this document is very important for the day-to-day operations of the Union as, apart from being the highest law in the Union, it establishes the rights, responsibilities, and values of all BIGWU's members and leaders.

The Committee will review and make recommendations on proposed amendments to the Union's constitution after engaging and consulting with the Union's membership at each branch. An official timeline or Terms of Reference has not yet been set, however, the Comrades were advised of the process required to arrive at a 'white paper' which would be presented at the 11th Biennial Conference in 2024.

FORMER ACTING PRESIDENT, COMRADE ALS, CALLED TO THE INDUSTRIAL COURT BENCH

For a second time, BIGWU will bid farewell to Comrade Als, the former Acting President of the Union.

After retiring as the Acting President of the Union in October 2022, Comrade Als willingly returned in October of this year (2023) to contribute and assist in the mentoring, and development of BIGWU's Labour Relations Officers. This engagement was geared at him mentoring Labour Relations Officers, while providing leadership, technical advice and guidance on the interpretation and application of Labour legislation, industrial court judgement and ILO conventions in keeping with good industrial relations, principles and practices.

His one-year contract, however, has been unexpectedly curtailed as our esteemed Comrade has been called to serve on the bench of the Industrial Court as a Judge. This is a momentous occasion for us all as Comrade Als' appointment is the fourth such call from among the executives of BIGWU. He is preceded by His Honour Mr. Patrick Rabathaly, His Honour

Mr. Kyril Jack (deceased), and His Honour Mr. Vincent Cabrera who was called to the bench in 2019.

We wish His Honour Mr. Als all the best in this new phase of his life, and savour the few remaining days within which we can still fondly refer to him as Comrade Als.



OCTOBER 2023: Comrade Mario Als meeting with Comrade Don Devenish and some of BIGWU's Labour Relations Officers.

INDUSTRIAL COURT GETS A NEW FEMALE PRESIDENT, HER HONOR MRS HEATHER SEALE

In a momentous and forward-looking development, the Industrial Court of Trinidad and Tobago now makes way for its second-ever female President - Her Honour Mrs. Heather Seale. The announcement of Mrs. Seale's appointment to this prestigious position as the 7th Industrial Court President follows the conclusion of the exceptional tenure of Her Honour Mrs. Deborah Thomas-Felix, another trailblazer and the first female President of the Court.

Mrs. Heather Seale, a member of the court since 2004, emerges as an accomplished leader, poised to shape a new era of judicial excellence. Armed with a Master's Degree in Occupational and Environmental Safety and Health, Mrs. Seale's credentials reflect a profound understanding of the intricacies of the industrial landscape. Beyond her academic prowess, she brings a wealth of experience as a Certified Mediator, a dedicated lay leader at the Unity Centre of Faith, and a mentor at St. Francois Girls' College - her alma mater.

The Office of The President expressed gratitude to the outgoing President, Mrs. Deborah Thomas-Felix, emphasizing that, throughout her tenure, it was her development of a talented pool of members that paves the way for Mrs. Seale's ascendancy to the presidency. The statement underscores Mrs. Seale's appointment as a strategic move toward ushering in a new era of leadership marked by her impressive qualifications and diverse experiences.

Mrs. Heather Seale's elevation to the presidency is not just a

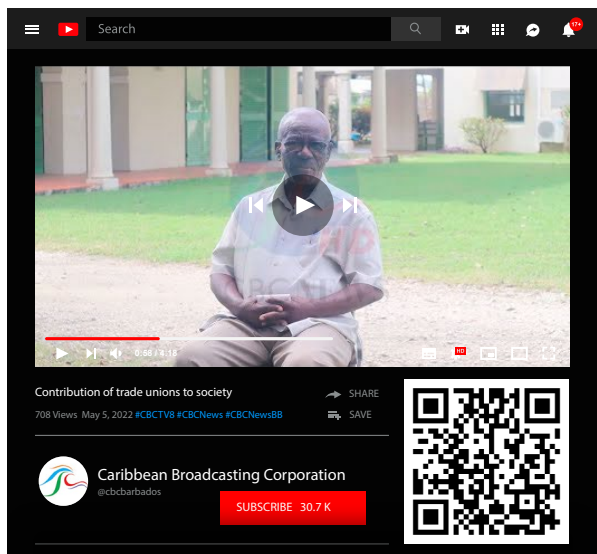


At Left, the newly appointed Industrial Court President, Mrs Heather Seale, receiving her instruments of appointment from Her Excellency Christine Kangaloo O.R.T.T, the President of the Republic of Trinidad and Tobago. INSET: Former Industrial Court President, Mrs Deborah Thomas-Felix.

changing of the guard; but it symbolizes a significant endorsement of her capabilities as a forward-thinking leader ready to tackle the challenges and opportunities that lie ahead.

The Trade Union Movement looks forward to Mrs. Seale's continuance of the court's commitment to excellence, fairness, and innovation, as enshrined by her predecessor, while ensuring that the Industrial Court remains a beacon of justice in Trinidad and Tobago.

SIR ROY TROTMAN (BARBADOS) SPEAKS ABOUT TRADE UNIONS' CONTRIBUTIONS OF TO SOCIETY



Contribution of trade unions to society
708 Views May 5, 2022 #CBCTV8 #CBCNews #CBCNewsBB

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JTUM'S 3RD BIENNIAL NATIONAL CONGRESS

The 3rd Biennial National Congress of the Joint Trade Union Movement (JTUM) took place on Friday, October 6, 2023, at the Cipriani College of Labour and Co-operative Studies (CCLCS). Led by the spirited General Secretary's report, as delivered by re-elected JTUM General Secretary, Comrade Ozzi Warwick, the Congress provided a platform to showcase the Union Federation's achievements in the past years.

One of the significant highlights of the Congress was the election of key positions, which, following spirited debates and discussions, resulted in the re-election of the incumbent members: Comrade Ancel Roget - JTUM President, Comrade Ozzi Warwick - JTUM General Secretary, and Comrade Trevor Johnson - JTUM Assistant General Secretary.



REGIONAL & INTERNATIONAL NEWS

MAJOR WINS FOR UNITED AUTO WORKERS (UAW) AGAINST THE DETROIT THREE



September 2023: (Above) US President, Joe Biden, addressing UAW Workers on the picket line in Detroit, Michigan.

Detroit, USA: The [United Auto Workers \(UAW\)](#) has reached tentative agreements with the three Detroit-based automakers: Ford Motors, Chrysler parent Stellantis, and General Motors.

[Wages have stagnated since the 2008 financial crisis](#); however, the six-week-long strike won up to a 33% wage increase for workers, inclusive of compounding and cost-of-living increases.

The efforts of newly elected UAW President Shawn Fain and the overwhelming public support for unions have helped tremendously with engagement. Before returning to the negotiating table in 2028, the UAW says it will increase organizing efforts and expand autoworker unionization. A large percentage of Americans stood behind the striking autoworkers and supported employee-led unionization among workers who see unions as a means to secure better wages and working conditions.

CANADA ADVANCES LEGISLATION TO BAN THE USE OF SCAB LABOUR

Canadian Labour Minister, Seamus O'Regan, tabled legislation on November 09, 2023 proposing to outlaw the practice of companies using/hiring replacement "scab" workers when Unions have engaged in work stoppages or strike action.

The bill, entitled "An Act to amend the Canada Labour Code and the Canada Industrial Relations Board Regulations, 2012" seeks to ban the use of replacement workers or "scabs" when a union employer in a federally-regulated industry has locked out employees or is in the midst of a strike.

Read More: <https://shorturl.at/dDJ68>

UK: BANKERS GETTING BIGGER BONUSES



United Kingdom: The Trades Union Congress (TUC) has accused the Tory government of [promoting a "greed is good" culture among bankers](#), who are now allowed unlimited bonuses after a cap on payouts was lifted. The cap was introduced in 2014 to curb risk-taking in the wake of the global financial crisis. The Bank of England and Financial Conduct Authority (FCA) announced the decision to lift the cap, which came into force on 31 October, 2023. ([The Guardian](#))

Read More:

<https://shorturl.at/adrW3>

THE PHILIPPINES RATIFIES ILO C 190



Manila Bay, Philippines: The Philippines has become the 37th country to ratify the International Labour Organization (ILO) Convention on violence and harassment, following a four-year campaign led by IndustriALL Philippine affiliates, Convention 190.

Their campaign was based on the global pledge against workplace violence and harassment. It successfully resulted in expanding maternity leave from 65 to 105 days with full wage payment. The ratification was anchored in reports of violence and harassment incidents, gaps in women-specific laws, and the government's priorities. In 2022, the Philippine National Police reported 16,158 cases of violence against women. Extensive lobbying efforts, including letters and meetings with government leaders, senators, and representatives, were undertaken. The ratification is seen as a commitment to human dignity and worker protection, with hopes that it will elevate the country's international standing in workers' rights.

Read More: <https://shorturl.at/GJQ5X>