

Ms. Bunny Rambhajan  
Chairperson  
Minimum Wages Board  
c/o Petrotrin Trinmar Operation  
P.O. Box 3941  
Point Fortin

February 12, 2015

Honourable Errol McLeod  
Minister of Labour and  
Small and Micro Enterprise Development  
International Waterfront Centre  
Level 6, Tower C  
Port of Spain

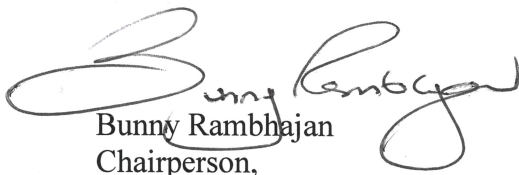
Honourable Minister,

**Re: Submission of Annual Administrative Report under Section 66D of the  
Constitution of the Republic of Trinidad and Tobago**

In keeping with the provisions of Sections 66D and 66A (ii) of the Constitution of the Republic of Trinidad and Tobago, I hereby submit the Administrative Report for the Minimum Wages Board for the period October 1, 2013 to September 30, 2014.

Please feel free to contact me should you require any further information or clarification.

Yours respectfully,

  
Bunny Rambhajan  
Chairperson,  
Minimum Wages Board

cc.  
Permanent Secretary  
Ministry of Labour and Small and Micro Enterprise Development  
Ms. Bunny Rambhajan  
Chairperson  
Minimum Wages Board

*Dw R+P  
PS, Sub 20/15  
Pse process for Submission to Parliament.  
Daph  
20/02/15.*





# **MINIMUM WAGES BOARD**

## **ADMINISTRATIVE REPORT**

**For fiscal period**

**October 1, 2013**

**to**

**September 30, 2014**



**The Minimum Wages Board Administrative Report**  
**for the fiscal year October 1, 2013 to September 30, 2014**

**1.0     Philosophy**

This report is submitted in accordance with the provisions of section 66D of the Constitution of the Republic of Trinidad and Tobago namely, an entity mentioned in section 66A (ii) is mandated to submit to the President of the Republic of Trinidad and Tobago each year *“a report on the exercise of the function and powers, in the previous year, describing the procedures followed and any criteria adopted by it in connection therewith”*.

**2.0     Reporting Period**

This Report covers the period October 1, 2013 to September 30, 2014.

**3.0     Structure**

**Legislative Framework**

The Minimum Wages Act Chapter 88:04 provides for the establishment of a Minimum Wages Board. Section 5 of the Act provides for the Minister (with responsibility for labour) to appoint a seven-member Board including:

- (a) one (1) member nominated by the associations most representative of employers;
- (b) one (1) member nominated by the associations most representative of labour; and
- (c) one (1) Government representative.

Section 10 of the Act also provides for the “Minister to assign officers of his Ministry a secretary and such other staff as may be required for the Board to perform its functions efficiently”.

**3.1     Terms of Reference**

The Board acts in an advisory capacity to the Minister with respect to minimum wages in accordance with the Minimum Wages Act. Details on the roles and functions of the Board are attached.

### 3.2 Appointment of the Minimum Wages Board

Cabinet by Minute No. 667 of March 17<sup>th</sup> 2011 agreed, in accordance with the provisions of sections 4, 5, and 7 of the Minimum Wages Act, Chap. 88:04, to the appointment of the under-mentioned persons as members of the Minimum Wages Board for a period of three (3) years with effect from the date of their letters of appointment:

Ms. Bunny Rambhajan	-	Chairman Senior Human Resource Analyst Petrotrin
Mr. Hayden Manzano	-	Member Representative of Government Ministry of Finance
Ms. Cindy Joseph-Lewis	-	Member Tobago House of Assembly (Labour Relations Officer)
Ms. Ida Le Blanc	-	Member Representative of Civil Society
Mr. Ozzi Warwick	-	Member Representative of Workers The Federation of Independent Trade Unions (FITUN) and Non Governmental Organizations (NGOs)
Ms. Reshma Goolcharan	-	Member Representative of Civil Society - Non Governmental Organization

Cabinet by Minute No. 2128 dated August 18<sup>th</sup> 2011 also agreed to the appointment of Mr. Bryan Rooplal as representative of Employers' Consultative Association (ECA). Mr. Rooplal received his letter of appointment on September 9<sup>th</sup> 2011.



The term of all appointments came to an end on April 11, 2014. The Minimum Wages Board was reconstituted on September 2, 2014. Cabinet, by Minute No. 1733 of June 18, 2014 then agreed, in accordance with the provisions of sections 4, 5, and 7 of the Minimum Wages Act, Chap. 88:04, to the appointment of the under-mentioned persons as members of the Minimum Wages Board for a period of three (3) years with effect from the date of their letters of appointment:

- |                       |   |   |
|-----------------------|---|---|
| Ms. Bunny Rambhajan   | - | Chairman<br>Senior Human Resource Analyst<br>Petroleum Company of Trinidad and Tobago Limited<br>(PETROTRIN)                                      |
| Mr. Hayden Manzano    | - | Member<br>Senior Economist<br>Ministry of Finance and the Economy<br>Representative of Government   |
| Mr. Bryan Rooplal     | - | Member<br>Manager, Human Resources<br>Guardian Holdings Limited<br>Representative of Employers Consultative<br>Association of Trinidad and Tobago |
| Ms. Cindy Joseph      | - | Member<br>Senior Labour Relations Officer<br>Division of Settlements and Labour<br>Representative of the Tobago House of Assembly                 |
| Ms. Dawn Garcia       | - | Member<br>The Public Services Association (PSA)<br>Representative of Workers  |
| Ms. Sangeeta Boondoo  | - | Member<br>Legal Counsel II<br>Ministry of Labour and Small and<br>Micro Enterprise Development  |
| Ms. Reshma Goolcharan | - | Member<br>Contracts Administration<br>PETROTRIN<br>Representative of Civil Society -<br>Non Governmental Organization                             |

### 3.3 Fees and Allowances

With effect from June 1, 2008 the Chairman and members of the Board receive fees and allowances in keeping with the Ministry of Finance's memorandum F (I): 2/1/1 dated July 31<sup>st</sup> 2008. The Board is classified under group B.

### 3.4 Income and Expenditure

The Board receives no income and does not have a budgetary line item allocated to it. As a consequence, all accounting matters fall within the purview of the Ministry of Labour and Small and Micro Enterprise Development's (MOLSMED's) Permanent Secretary. The outputs from the Board take the form of reports and recommendations. The line Ministry is responsible for all financial reports and statements.

Under the Public Sector Investment Programme, an allocation of \$700,000.00 was granted to conduct a consultancy for the *Determination of the Minimum Wage Level and Assessment of its Impact on the Economy of Trinidad and Tobago*. This project is under the purview of the MOLSMED in collaboration of the Board. However, due to the inability to finalise the Terms of Reference for the Consultancy, the project was not implemented during this financial year.

## 4.0 Operations/Reports

The Board meets on a monthly basis. However, because of the nature of its work, and in order to meet with external stakeholders, the Board, at times, is required to meet more frequently. The Board has support of the MOLSMED, including Secretarial, Research and Planning, and Labour Inspectorate. The Board has met with the Minister of Labour and Small and Micro Enterprise Development and has provided regular progress reports. The underlying philosophy of the Board is consensual decision making and consensus building, an approach which has been successful thus far. Participation and attendance have also been commendable.

## 5.0 Policies and Development Initiatives (October 1, 2013 to September 30, 2014)

### 5.1 Objectives

For the period October 1, 2013 to April 30, 2014 (the expiry date of all appointments), under the guidance of the Honourable Minister, the Board determined that its work programme would include:

- Completion of the review and analysis of the existing national minimum wage rate with a view to submitting a recommendation to the Honourable Minister of Labour and Small and Micro Enterprise Development;
- Continued review of the Minimum Wages (Shop Assistants) Order, 1991 and the Minimum Wages (Catering Industry) Order, 1991;
- Support the Ministry in the process to engage consultancy services to commence the research into the *Determination of the Minimum Wage Level and Assessment of its Impact on the Economy of Trinidad and Tobago*;
- Consult further with appropriate agencies for information gathering and analysis to determine the need for the development of a Minimum Wage Sectoral Order for employees in the Agricultural Sector; and
- Completion and submission of the Administrative Report for October 1, 2012 to September 30, 2013.

## 5.2 Accomplishments

The Minimum Wages Board achieved a number of significant milestones during the October 1, 2013 to April 30, 2014 reporting period:

- 1) Completion and submission of the Administrative Report for October 1, 2012 to September 30, 2013.
- 2) Finalization and resubmission of the Terms of Reference for the procurement of a Consultancy regarding the *Determination of the Minimum Wage Level and Assessment of its Impact on the Economy of Trinidad and Tobago* to the Ministry of Labour and Small and Micro Enterprise Development.
- 3) Further review of the Catering Industry Order and the Petrol Filling Station Order.
- 4) An analysis of wages data for all elementary workers identified in all collective agreements for the period ranging from 2010 to 2014 (registered at the Industrial Court and the Ministry of Labour and Small and Micro Enterprise Development), exclusive of collective agreements for the Energy Sector, since the Board felt that this would skew the findings/conclusions.
- 5) An examination/analysis of macro-economic indicators, such as real wages, index of



retail prices, employment, productivity and their effect on minimum wage and inflation.

- 6) Compilation of data gathered from key stakeholders inclusive of representatives of the Tobago House of Assembly, the Ministry of Food Production and the Estate Police Association (EPA).
- 7) An examination of data on non-unionized workers, namely workers in the Unemployment Relief Programme (URP) and the Community-based Environmental, Protection and Enhancement Programme (CEPEP).
- 8) The conduct of a survey of businesses in Trinidad and Tobago to determine pay rates of different sizes of businesses and sectors.
- 9) The submission of a comprehensive report and set of recommendations to Honourable Minister of Labour and Small and Micro Enterprise Development which addressed the minimum wage rate as well as terms and conditions in the National Minimum Wage Order.

### 5.3 Short, Medium and Long-term Plans (October 1, 2014 to September 30, 2015)

- 1) Completion and submission of the Administrative Report for October 1, 2013 to September 30, 2014.
- 2) Further in-depth research into the diverse categories which comprise the Agriculture Sector, with a focus on wage rates, occupational safety and health legislation and enforcement.
- 3) Review of terms and conditions of employment referenced in the following Sectoral Orders:
  - a. Petrol Station Filling;
  - b. Catering Industry;
  - c. Shop Assistants.
- 4) On-going participation in and contribution to the Ministry's Public Education Programme.
- 5) On-going review of the terms and conditions associated with the National Minimum Wage Order.

## The Minimum Wages Board

### **The Board shall have the following responsibilities:**

1. The Board shall advise and make recommendations to the Minister on all matters relating to the fixing of minimum wages and terms and conditions of service.
2. Where in the opinion of the Minister, it is necessary to fix or vary a minimum wage or terms and conditions of service for any workers, either because:
  - (a) there is no machinery for the effective regulation of the remuneration or terms and conditions of service for such workers; or
  - (b) the existing machinery is not adequate or is likely to cease to be adequate for that purpose.

He shall refer the matter to the Board for their recommendation and advice.

3. (a) Upon referral by the Minister the Board shall determine whether there exists any or adequate machinery for the regulation of the remuneration or terms and conditions of service of the workers in respect of whom the referral was made or any of them
- (b) Where it is determined that regulatory machinery does exist, the Board shall examine the adequacy of that machinery and report thereon to the Minister. There shall be included in the report such recommendations as the Board may think fit for improving the efficiency of the machinery.
- (c) Where, in the opinion of the Board, there are among the workers in respect of whom the referral was made, some whose case should be dealt with separately either on the ground that there exists regulatory machinery in respect of some of the workers and not others, or that the nature of hours of employment of some workers differs from that of others or for any other reason, the Board shall so advise the Minister.
4. Where having considered a referral by the Minister, the Board is of the opinion that the Minister should fix a minimum wage or other terms and conditions of service in respect of the workers in respect of whom the referral was made or any of them, the Board shall so recommend and shall include in the recommendation:
  - (a) A proposed minimum wage;
  - (b) terms related to paid holiday and sick leave and;
  - (c) such other basic conditions, including danger money, dirt money, on-call or stand –by money as the nature of the case may be.
5. In recommending a proposed minimum wage or terms and conditions of service, the Board shall consider –
  - a. the general level of wages in Trinidad and Tobago;
  - b. cost of living;
  - c. contributions payable and benefits provided under the system of national insurance established by the National Insurance Act; and
  - d. other economic factors, including requirements of economic development, levels of productivity and the desirability of attaining and maintaining high levels of employment.
6. The Minister may accept the recommendation or advice of the Board either fully or he may reject it.