

ONE HUNDRED AND THIRD REPORT

OF THE

SALARIES REVIEW COMMISSION

OF THE

REPUBLIC OF TRINIDAD AND TOBAGO

March 16 , 2015

ONE HUNDRED AND THIRD REPORT OF THE SALARIES REVIEW COMMISSION

Review of the Salary and other conditions of service of the office of Registrar, Equal Opportunity Tribunal

By letter dated October 09, 2008, the President of Trinidad and Tobago conveyed approval for the Salaries Review Commission (SRC) to determine the salary and other conditions of service applicable to the office of Registrar, Equal Opportunity Tribunal (EOT). This office was placed within the purview of the SRC by Legal Notice No. 152 dated October 09, 2008.

2. At the time that the office was placed within our purview, the Commission was in the process of conducting the 2008 general review of the remuneration arrangements of all offices. In order to determine the remuneration arrangements of the office of Registrar, EOT, it would have been necessary to convene a Job Evaluation Team comprising, inter alia, members of the Judicial and Legal Service (JLS) to evaluate the office to place it appropriately within the JLS classification structure. Since it was not possible to evaluate the office at the time, in our 89th Report of June 2009, we recommended that the office of Registrar, EOT be placed in Group J5 of the JLS grouping as a temporary measure pending its evaluation. Also, since the evaluation of the office was not completed in time for consideration at the 2012 general review, in our Ninety-eighth Report dated November 29, 2013, we recommended that it continue to be remunerated in the same salary group in which the office had been placed and upon completion of its evaluation, appropriate recommendations would be formulated. The evaluation exercise for the office was completed in November, 2013.

Background

3. The EOT was established under section 41 of the Equal Opportunity Act, Chapter 22:03 (the Act) of the Laws of Trinidad and Tobago as a superior court of record which has all jurisdiction and powers conferred on it by the Act in addition to all powers inherent in such a Court.

4. Under the Act, the Tribunal has jurisdiction to:

- hear and determine complaints relating to certain kinds of discrimination, inequality or opportunity of persons of different status referred to it by the Equal Opportunity Commission;

- require persons to attend before it for the purpose of giving evidence and producing documents; and
- make such declarations, orders and awards of compensation as it thinks fit.

5. The Registrar, EOT is appointed in accordance with section 41(5) of the Act for the purpose of assisting the Tribunal in the performance of its functions. In this regard, the Registrar provides administrative, financial, legal and judicial support to the Chairman, EOT to ensure the proper functioning of the Tribunal.

Duties and responsibilities of the Registrar, EOT

6. We observe that the main duties and responsibilities of the Registrar, EOT include:

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- organizing, planning directing and controlling the activities of the support services of the Tribunal including personnel of the General Administration, Research and Communication Units;
 - preparing strategic plans for the Tribunal/Court in collaboration with the Chairman, EOT;
 - serving as Accounting Officer of the Tribunal/Court ensuring adherence to the provisions of the Exchequer and Audit Act, Chap. 69:01;
 - ensuring documentation of complaints are in conformity with the rules and practices of the Tribunal/Court;
 - signing, sealing, and issuing notices, summonses and subpoenas and preparing the Tribunal Court Lists;
 - mediating between parties when required by the Chairman, EOT;
 - presiding over proceedings relating to taxing of bills of cost and signing such allocaturs which are thereafter enforceable.

7. The incumbent is accountable to the Chairman, EOT for the judicial and administrative operations of the Tribunal. With respect to the discharge of the functions of Accounting Officer and those pertaining to the disbursement of funds of the Tribunal/Court, the Registrar is accountable to the Minister of Finance and the Economy.

Qualifications, Training and Experience

8. We are advised that the holder of the office of Registrar, EOT is required to be in possession of a Bachelor of Laws Degree and a Legal Education Certificate and must have been admitted to the Bar of Trinidad and Tobago. In addition, the incumbent must have extensive knowledge of the Equal Opportunity Act and the Rules of Practice and Procedures of the EOT with at least five (5) years' experience as an Attorney-at-Law as well as experience in administration. Also, the incumbent must possess extensive knowledge of the practices and procedures of office management and financial management.

9. We note that consequent on the evaluation of the office, the Evaluation Committee determined that the position should be placed in Group J4 of the JLS grouping. We are satisfied with the placement of the office as the general scope of duties and responsibilities, minimum training and level of expertise required for the position are similar to those of the offices of Registrar, Tax Appeal Board and Registrar, Industrial Court, both of which are also remunerated in Group J4. We took into consideration that holders of the three (3) offices are required to co-ordinate all the activities and operations of their respective Courts and to ensure that that financial and accounting functions are conducted in accordance with the financial regulations. Similarly, they perform judicial and administrative functions in that they sign and issue notices, summonses and subpoenas. Additionally, each office holder is the keeper of the official seal of his Tribunal/Court/Board and is the custodian of all court exhibits, records and documents belonging to such Tribunal/Court/Board.

Recommendation

10. Having regard to the foregoing, we recommend that the office of Registrar, EOT be placed in Group J4 of the JLS grouping as contained in Minister of Finance and the Economy Circular No. 2 of 2014 dated April 29, 2014 and detailed in the Appendix hereto.

Effective Date

11. We recommend that the revised remuneration arrangements for the office of Registrar, EOT excluding those related to Motor Vehicle Loan Facilities and Tax Exemptions and Subsistence Allowance should take effect from the date on which the office was filled, that is, November 01, 2011. We also recommend that the Motor Vehicle Loan Facilities and Tax Exemptions and Subsistence Allowance should take effect from the date of the memorandum/letter advising of the salary and other conditions of service approved for the office.

Dated this 16th day of March, 2015.


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Edward Collier
(Chairman)


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Haseena Ali


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Gerard Pinard


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Kenneth Dalip


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Monica Clement

**Recommended Remuneration Arrangements for the
office of Registrar, EOT**

<u>Salary</u>	<u>\$ per month</u>
Registrar, Equal Opportunity Tribunal	25,370 – 25,660 – 25,950 – 26,240

Professional Allowance

\$3,000 per month.

Transport Facilities

- (i) A maximum loan of \$250,000 at a rate of interest of 6% per annum repayable over a period of six (6) years to facilitate the purchase of either:-
 - (a) a new motor vehicle with exemption from Motor Vehicle Tax limited to the amount payable on a vehicle with an engine capacity of 1999cc and exemption from Value Added Tax to a maximum of \$45,000; or
 - (b) a used motor vehicle with exemption from Special Motor Vehicles Tax limited to the maximum amount payable in respect of Motor Vehicle Tax on a vehicle at (a) above and exemption from Value Added Tax to a maximum of \$45,000.
- (ii) A loan to cover the cost of Motor Vehicle Insurance premium at a rate of interest of 6% per annum.
- (iii) A maximum loan of \$20,000 at a rate of interest of 6% per annum to effect repairs to a motor vehicle.
- (iv) A Transportation Allowance of \$3,900 per month.

Subsistence Allowance

- (i) \$200 per day when travelling on official business beyond a radius of sixteen (16) kilometres from official headquarters, and where it is necessary to purchase a meal(s).
- (ii) In the case of an office holder serving in Tobago, \$200 per day when travelling on official business beyond a radius of ten (10) kilometres from official headquarters, and where it is necessary to purchase a meal(s).

(iii) When assigned/transferred to Tobago (or to Trinidad where the office holder is stationed in Tobago), the following to be applicable:-

(a) Official duty or assignment of one (1) month or less

The office holder to be eligible for hotel accommodation and meals, as necessary. In the absence of the provision of any meal(s), to be paid \$200 per day. (The provisions at (i) and (ii) above shall not apply.)

(b) Temporary assignments in excess of one (1) month and not exceeding six (6) months

The office holder to be responsible for his/her accommodation and meals. The State may, at its option, provide accommodation only for the office holder.

(i) ~~Where accommodation only is provided by the State,~~
to be paid a Tobago/Trinidad Duty Allowance of \$2,775 per month.

(ii) Where accommodation is not provided by the State,
to be paid a Tobago/Trinidad Duty Allowance of \$6,750 per month.

(c) Permanent transfer to Tobago/Trinidad (periods in excess of six (6) months)

The office holder to be responsible for his/her accommodation and meals and to be paid a Tobago/Trinidad Duty Allowance of \$6,750 per month for a period not exceeding two (2) years.

(iv) For travel abroad on official business, the provisions of Minister of Finance Circular No. 2 dated April 7, 2006 or other relevant Circular to apply.

Vacation Leave

Thirty (30) calendar days per annum.

Telecommunication Facilities

\$300 per month.

Medical Benefits

Membership in and entitlement to medical benefits as provided under the UNIMED Group Health Plan.

Pension/Gratuity

Entitlement to superannuation benefits in accordance with the provisions of the Pensions Act, Chap. 23:52.

