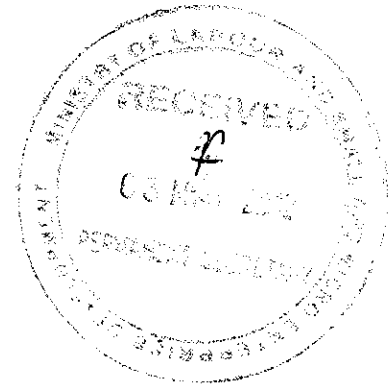


Coolman Street,
Fyzabad.

May 3, 2012

Permanent Secretary,
Ministry of Labour and
Small and Micro Enterprise Development
International Waterfront Centre
Level 6, Tower C
Port of Spain

Dir. Rtd.
Fyz. n.
3/5/12



Attention: Mrs. Shanmatee Singh Ng Sang

Dear Mrs. Singh Ng Sang,

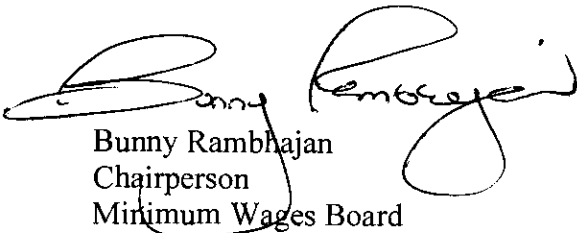
Submission of Annual Administrative Report – Section 66D of the Constitution

Reference is made to your letter dated March 31, 2012 on the above subject matter. I hereby submit for your attention the Administrative Report for the Minimum Wages Board for the fiscal period October 1, 2010 to September 30, 2011.

see folio 3a

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

Yours respectfully,


Bunny Rambhajan
Chairperson
Minimum Wages Board

MINIMUM WAGES BOARD

ADMINISTRATIVE REPORT

For fiscal period

October 1st, 2010

to

September 30th, 2011

The Minimum Wages Board Administrative Report
for the fiscal year October 1, 2012 to September 30, 2012

1.0 Background

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 before July 1st 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

The Board was re-constituted in September 2010, with the appointment/re-appointment of members up to February 25 2011. In April 2011, the Board was reconstituted. The Report covers the period October 1st, 2010 to September 30th, 2011.

3.0 The Minimum Wages Board

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 Reconstitution of the Minimum Wages Board

Cabinet by Minute No. 480 (2nd Session) of August 12, 2010, agreed to the continuation of the appointment of the under-mentioned persons as members of the Minimum Wages Board until the expiration of their term on February 25, 2011 (Minutes No. 337 of February 1, 2008 refer):

- | | | |
|------------------------|---|--|
| Mr. Ashford Sankar | - | Chairman
Deputy Permanent Secretary
Ministry of Labour and Small
and Micro Enterprise Development |
| Mr. Hayden Manzano | - | Member
Representative of Government
Ministry of Finance |
| Ms. Stephanie Fingal | - | Member
Representative of Employers'
Consultative Association of Trinidad and Tobago (ECA) |
| Ms. Cindy Joseph-Lewis | - | Member
Tobago House of Assembly
(Labour Relations Officer) |
| Ms. Ida Le Blanc | - | Member
Representative of Civil Society |

Cabinet by Minute No. 480 (2nd Session) of August 12, 2010, also 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 up to February 25, 2011, that is, for a period co-terminus with that of the other members of the Board:

- | | |
|------------------|--|
| 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. 667 of March 17, 2011, then agreed, in accordance with the provisions of sections 4, 5, and 7 of the Minimum Wages Act, Chap. 88:04, to the appointment/re-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

Mr. Hayden Manzano - Member
Representative of Government
Ministry of Finance

Ms. Stephanie Fingal - Member
Representative of Employers'
Consultative Association of Trinidad and Tobago (ECA)

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

Subsequently, Cabinet Minute No. 2128 dated August 18, 2011 noted the resignation of Ms. Stephanie Fingal - representative of Employers' Consultative Association (ECA) - and agreed to the appointment of Mr. Bryan Rooplal as representative of Employers' Consultative Association (ECA).

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, 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'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.

4.0 Meetings/Modus Operandi

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 had the full support of staff from the Ministry of Labour and Small and Micro Enterprise Development, including Secretarial, Research and Planning, and Labour Inspections Support. 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 Achievements (October 1st 2010 to September 30th 2011)

Following the reconstitution of the Board in September 2010, under the Guidance of the Honourable Minister, the Board determined that its work programme would include:

- Determination of appropriate amendments to the terms and conditions of employment in the security industry.
- Continued examination of the Sectoral Order relating to the Household Assistants Order with a view to recommending amendments to the existing terms and conditions.

- Development of a Public Awareness Programme to educate and provide awareness to workers on all aspects of the rights of workers and terms and conditions of work.
- Review 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*.
- Research and consideration of a sectoral minimum wage for the agricultural sector.

The Minimum Wages Board achieved a number of significant milestones during the October 1st, 2010 to September 30th, 2011 performance-period:

1. The National Minimum Wage was revised to \$12.50 per hour as of January 1st, 2011, based on recommendations of the Board to the Honourable Minister of Labour and Small and Micro Enterprise Development.
2. The Board met again with the Association of Security Companies of Trinidad and Tobago (ASCOTT) and the Estate Police Association (EPA), since two years had elapsed since both groups had presented their positions with regards to the Security Sectoral Order in 2009.
3. The Board reviewed and amended its proposed Draft Security Sectoral Order in light of recommendations from the Legal Advisor of the Ministry of Labour and Small and Micro Enterprise Development, and in July 2011 its final recommendation was submitted to the Minister of Labour and Small and Micro Enterprise Development .
4. A review of the 1991 Household Assistants Sectoral Order was undertaken, with position papers being presented by Board Member, Ms. Ida Le Blanc, in her capacity as President of the National Union for Domestic Employees. As at September 30th 2011, this review was still in progress.
5. Deputy Chairman, Mr. Ozzi Warwick, presented a framework for the development of a Public Education Programme which is to increase awareness of the Minimum Wage Rate and the terms and conditions which apply to workers who fall under the purview of the 2010 National Minimum Wages Order. The general philosophy underlying the proposed Public Education Programme was discussed and agreed by Board, and in July 2011, the Board met with the Communication Department of the Ministry of Labour and Small and Micro Enterprise Development to develop a draft communication programme. As at September 30th 2011, this review was still in progress.
6. The Terms of Reference, developed circa 2009, for the Procurement of Consultancy for Research on Minimum Wage Level Impacts on the Economy of Trinidad and Tobago was reviewed and amended. As at September 30th 2011, the Board was seeking guidance in establishing a way forward to procure the required services.
7. A Work Break-Down Structure was developed to identify activities required as the foundation work for determining the need for a Sectoral Minimum Wage and Terms and Conditions of Employment for Workers in the Agricultural Sector.

6.0 Outlook for Period October 1st 2011 to September 30th 2012

The Board is working towards the achievement of the following objectives during the performance-period of October 1st, 2011 to September 30th, 2012:

- Review and amendment of the Household Assistants Order, and submission of final recommendations to the Minister of Labour and Small and Micro Enterprise Development.
- Execution of Public Awareness Programme to educate and provide awareness to workers on all aspects of the rights of workers and terms and conditions of work.
- Identification of qualified and suitable providers of consultancy services re research into the *Determination of the Minimum Wage Level and Assessment of its Impact on the Economy of Trinidad and Tobago*.
- Information gathering and analysis to determine the need for the development of a Minimum Wage Sectoral Order for employees in the Agricultural Sector.