

HOUSE OF REPRESENTATIVES*Friday, June 02, 1995*

The House met at 1.33 p.m.

PRAYERS[MADAM SPEAKER *in the Chair*]**PUBLIC ACCOUNTS COMMITTEE****(Resignation of Member)**

Madam Speaker: Hon. Members, I have received a letter from the Member for Naparima (*Mr. Subhas Panday*) advising that he has resigned from the Public Accounts Committee. At a later stage of the proceedings a Motion will be moved for a replacement for the Member for Naparima on the committee.

PAPERS LAID

1. The Defence (Rates of Pay and Allowances) (Amendment) Regulations, 1995. [*The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley)*]
2. Loan Agreement (Environmental Management Project) between the Republic of Trinidad and Tobago and the International Bank for Reconstruction and Development. [*Hon. K. Valley*]

ORAL ANSWERS TO QUESTIONS

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, of the questions on the Order Paper today, the Government will be answering the following five: Nos. 83, 115, 152, 154 and 156, and we are seeking a deferral of two weeks for the other questions.

The following questions stood on the Order Paper:

Construction of Community Centres

- 70.** Could the Minister of Community Development, Culture and Women's Affairs state:
- (a) The locations where community centres are earmarked for construction during 1995 from the EC grant of \$18.5 million and the estimated cost of each such community centre?

- (b) Would any portion of this grant be made available for the repairing and refurbishing of existing community centres? *[Mr. T. Sudama]*

Media Time for Opposition

89. Could the hon. Prime Minister indicate:

- (a) Whether Government has taken, or intends to take, steps to ensure that the official Opposition in Parliament obtains state-sponsored media time to express its views on Government's actions?
- (b) The sums of moneys the Government spent on public relations and media time since it got into office? *[Mr. R. L. Maharaj]*

**Government Lobbyists
(Award of Contracts)**

92. Would the Prime Minister inform this honourable House:

- (a) (i) whether the contract to a Washington-based firm to serve as lobbyists for the Government of Trinidad and Tobago was awarded by the Central Tenders Board, which is the agency established by law for the award of contracts for the provision of goods and services to the Government?
- (ii) If the answer is in the affirmative, would the Prime Minister provide this honourable House with a certified copy of the minutes of the meeting of the Central Tenders Board at which this decision was taken?
- (iii) If the answer is in the negative, would the Prime Minister advise this honourable House why normal tendering procedures were not followed in this instance?
- (b) Would the Prime provide this honourable House with the names of the other firms that were considered for the sad contract, and the criteria which were used to ensure that the most suitably qualified firm was selected, so that the country could derive the optimum benefits for the expenditure incurred in the payment of remuneration to the firm selected?
- (c) Would the Prime Minister inform this honourable House whether the relationship which existed between a senior Government Minister and an employee of the selected firm in any way influenced in selection of the said firm? *[Mr. B. Panday]*

**Edinburgh 500
(Playing Facilities)**

- 95.** Could the Minister of Sport and Youth Affairs state:
- (a) Whether the playing facilities at Edinburgh 500 fall under her ministry?
 - (b) If the answer is in the negative, would the Minister indicate whether any efforts have been made to bring these facilities under the supervision of her ministry? [*Mr. R. Palackdharrysingh*]

Playing Fields Under Five Acres

- 96.** Could the Minister of Sport and Youth Affairs state:
- (a) How many playing fields in this country are under five acres in size?
 - (b) Whether such playing fields would be enhanced to encourage sporting activities.
 - (c) If not, what alternative arrangements would be made for the members of such sporting communities? [*Mr. R. Palackdharrysingh*]

**Project Pride
(Status)**

- 143.** Could the Minister of Works and Transport state what is the status of Project Pride at Piarco airport since the turning of the sod almost one year ago? [*Mr. C. Rajaram*]

**Installation of Telephone Service
(off Warren Road, Bejucal)**

- 152.** (a) Would the Prime Minister indicate whether there are plans to install a telephone service to the residents of Ramlal Trace (off Warren Road, Bejucal)?
- (b) If the answer is in the affirmative, would the Prime Minister indicate when this service is likely to be supplied? [*Miss H. Bhaggan*]

Questions, by leave, deferred.

Mr. Sudama: Madam Speaker, question No. 70 has been on the Order Paper for a very long time. In fact, on the last occasion it was excluded completely from the Order Paper. I made a protest and I see it has re-appeared on the Order Paper and still we cannot get an answer. I believe the Standing Orders must be changed to enforce—

Madam Speaker: Which of the Questions is it?

Mr. Sudama: Questions No. 70. It has been on the Order Paper for months and months, I cannot get an answer, and the Government is now asking for a deferral. Is there a Minister of Community Development, Culture and Women's Affairs?

Hon. K. Valley: Madam Speaker, we do not have an answer for the question as yet.

Mr. Sudama: Could we have an explanation why there is no answer for a question that has been pending for such a long time?

Madam Speaker: I think you will have to file a question. The Minister is not here and the honourable Leader of Government Business is saying that there is no answer at present.

Mr. Sudama: Can I get this right, do I have to file a question to find out why a question cannot be answered?

Madam Speaker: Ask your colleagues. I think the hon. Member knows that there is not much I can do about the answering of questions, except to appeal that the questions be answered.

Mr. Sudama: This is why we should have the Standing Orders of this House changed.

Madam Speaker: I agree.

Mr. Sudama: I think it is overdue that the Standing Orders be changed—

Madam. Speaker: That again is not within my—

Mr. Sudama: So that the Government does not treat this House with contempt, week after week to come here and ask for a deferral when questions have been pending for such a long time. Madam Speaker, I do not know whether it makes any sense asking questions at all in this House.

Madam Speaker: We move to question No. 83. The Member for Chaguanas.

Community Centres (Chaguanas Constituency)

83. Miss Hulsie Baggan (*Chaguanas*) asked the Minister of Community Development, Culture and Women's Affairs:

- (a) Would the Minister indicate the number of community centres which are located within the boundaries of the Caroni River on the north, the

Old Southern Main Road on the east, Crown Trace up to the Endeavour Flyover along the Uriah Butler Highway heading south, to the Chaguanas Main Road heading west, to Cacandee Main Road heading north to the Caroni River (Chaguanas constituency)?

- (b) Would the Minister list all the community centres within those boundaries and indicate the funds, if any, expended on each of those community centres in 1992, 1993 and 1994?
- (c) Would the Minister also state plans, if any, for any additional community centres within these boundaries and the planned expenditure on these new centres and the planned expenditure, if any, on the existing centres?

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, three community centres are located within the boundaries of the Caroni River on the north; the Old Southern Main Road on the east; Crown Trace up to Endeavour Flyover along the Uriah Butler Highway heading south to the Chaguanas Main Road, heading west to Cacandee Main Road, heading north to the Caroni River.

In 1992, 1993 and 1994 the following funds were expended on the three community centres which are located within the boundaries outlined in the question at (a): Funds expended on Munroe Road in 1992—\$7,748.95; Frederick Settlement in 1993—\$9,062.29. No funds were expended on the centre at Warren Road in the three-year period.

1.40 p.m.

At the present time, the Ministry of Community Development, Culture and Women's Affairs is considering applications for community centres from the following communities located within the boundaries identified in the question at part (a). They are:

Jerningham Junction, St. Charles, Warrenville and Martin.

The established procedure in the Ministry of Community Development, Culture and Women's Affairs for treating with applications for community centres is as follows:

- 1) The village council submits an application to the ministry for a community centre and recommends the acquisition of an appropriate site.

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- 2) The ministry seeks the approval of the Director, Town and Country Planning Division, Ministry of Planning and Development for the use of the site for the purpose intended.
- 3) On receipt of this approval, the Ministry of Agriculture, Land and Marine Resources is approached for the formal acquisition of the land by the state.
- 4) On receipt of the notice allowing entry on the land, the Ministry of Community Development, Culture and Women's Affairs arranges for the drawing and approval of building plans and the identification and approval of funds.
- 5) Construction of community centre commences.

The process which has been outlined is not yet completed in respect of the four communities to which reference is made in the question. As a result, no expenditure is yet planned.

Planned expenditure in 1995 only on the existing community centres which are located within the boundaries identified in the question at (a) is as follows:

Munroe Road - \$25,000 for general repairs and maintenance, including electrical repairs, construction of a stage, and repairs to roof, doors and cupboards.

Frederick Settlement - \$30,000 for painting, electrical repairs and repairs to stage, roof and cupboards.

With respect to Warren Road, no expenditure is anticipated in 1995. The centre has not been utilized for several years. It is situated on lands which the owner had offered to donate to the State and which the State had agreed to acquire by private treaty. Subsequently, the lands were found to be subject to a mortgage. Although steps were taken by the owner to have the lands freed from the encumbrances, steps were initiated to effect compulsory acquisition under section 5 of the Land Acquisition Ordinance. Exhaustive searches have failed to establish that the lands were ever compulsorily acquired.

The centre was abandoned by the Warren Road Village Council following repeated threats of violence from the donor of the land. The Village Council, by letter dated April 10, 1995, has indicated that it does not support the acquisition of the present site or the renovation of the existing centre, which is now in a dilapidated condition as the centre is not centrally located and is too close to the

donor's house. The council also indicated that it was applying to Caroni (1975) Limited for a parcel of land situated next to a centrally located recreation ground to construct a community centre.

**Road Fatalities
(1990—1994)**

115 Mr. Raymond Palackdharrysingh (*Caroni Central*) asked the Minister of Works and Transport and Minister of Local Government:

- (a) How many road fatalities occurred in each of the following years 1990, 1991, 1992, 1993 and 1994?
- (b) The number of mishaps that occurred as a result of drivers under the influence of alcohol and other psychotropic substances?
- (c) What measures are put in place to curb the incidence of drunken driving and/or driving under the influence of drugs?

The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert): Madam Speaker, over the period identified, road fatalities occurring in Trinidad and Tobago have ranged from a low of 127 to a high of 161 as follows:

<u>Year</u>	<u>Road Fatalities</u>
1990	135
1991	148
1992	127
1993	161
1994	144

These statistics were obtained from the Traffic Branch, Police Service, Ministry of National Security.

Mishaps occurring as a result of drivers under the influence of alcohol and other psychotropic substances were as follows:

<u>Year</u>	<u>Alcohol/psychotropic related deaths</u>
1990	19
1991	18

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<u>Year</u>	<u>Alcohol/psychotropic related deaths</u>
1992	29
1993	29
Total:	92

These statistics were obtained from the Traffic Branch, Police Service, Ministry of National Security.

The preventative measures presently in place to address the problem of drunk driving and/or driving under the influence of narcotic drugs or psychotropic substances have been addressed from the legislative aspect as well as the educational.

Legislation addressing this problem can be found in the Motor Vehicles and Road Traffic Act, Chap. 48:50, section 70 which states:

- (1) Any person who, when driving or attempting to drive or when in the charge of a motor vehicle on a road, is under the influence of drink or a drug to such an extent as to be incapable of having proper control of the vehicle, is liable on first conviction to a fine of two thousand dollars and to imprisonment for six months and on any subsequent conviction to a fine of four thousand dollars and to imprisonment for twelve months.
- (2) A person convicted of an offence under this section shall, without prejudice to the power of the Court to order a longer period of disqualification, be disqualified for a period of twelve months from the date of the conviction for holding or obtaining a driving permit, and on a second conviction for a like offence he shall be permanently disqualified for holding or obtaining a driving permit.
- (3) Any constable may arrest without a warrant any person committing an offence under this section.

Awareness campaigns have been launched on a collective basis among the Traffic Management Branch and the Transport Division, Ministry of Works and Transport as well as the Traffic Branch, Police Service, Ministry of National Security such as:-

- increased uniform police patrols on roadways
- increased police road blocks
- advertisements
- educational programmes

The Traffic Management Branch, Ministry of Works and Transport is currently in pre-production of a sequel to its programme "Nice Folks on the Street" television series which will deal with deaths on the nation's roads inclusive of driving under the influence of alcohol and drugs.

Mr. Palackdharrysingh: Madam Speaker, are there any plans by the Ministry of Works and Transport to introduce the breathalyzer as a measure to curb the incidence of drunk driving?

Hon. C. Imbert: Yes, Madam Speaker, this aspect is being given active consideration by both the Ministries of Works and Transport and National Security, but there are certain administrative matters which need to be properly defined and addressed before the legislation can be taken to the next stage.

Telephone Service (Ramlal Trace)

152 Miss Hulsie Bhaggan (*Chaguanas*) asked the hon. Prime Minister:

- (a) Would the Prime Minister indicate whether there are plans to install a telephone service to the residents of Ramlal Trace, (Off Warren Road, Bejucal)?
- (b) If the answer is in the affirmative, would the Prime Minister indicate when this service is likely to be supplied?

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, the Telecommunications Services of Trinidad and Tobago Limited has advised that it expects to provide telephone services to the residents of Ramlal Trace by the end of 1995.

1.50 p.m.

Prevention of Flooding (Central Trinidad)

154. Miss Hulsie Bhaggan (*Chaguanas*) asked the Minister of Works and Transport and Minister of Local Government.

- (a) Would the Minister indicate whether he intends to undertake any development programme to prevent flooding in central Trinidad in 1995?
- (b) If the answer is in the affirmative, would the Minister provide details of the programme and a schedule for implementation?

The Minister of Works and transport and Minister of Local Government (Hon. Colm Imbert): Yes, the Minister intends to undertake a programme of river improvement works to mitigate flooding in central Trinidad in 1995.

The Ministry of Works and Transport is currently engaged in improving that section of the Caroni River between the Uriah Butler Highway and the Silver Bridge.

Additionally, construction of an embankment, as well as the backfilling of the Old Caroni Watercourse in the St. Helena area is at present being undertaken. Furthermore, a number of main watercourses have been programmed for improvement in 1995 in central Trinidad.

The details are outlined as follows: Caroni Village Outfall, drains 1, 2 and 3, between the Old TGR and Frederick Settlement, east of Works Office, Caroni and west of New St., Caroni; 1,000, 1,200 and 1,700 metres of drainage improvement works, respectively is presently being undertaken by the Drainage Division Centre.

The Guayamare Diversion, west of the Uriah Butler Highway, 1,500 metres of drainage works is being carried out at present, using soft terrain equipment.

A number of other projects which are programmed for 1995, such as the Kelly main drain, 1,200 metres of excavation and cleaning works; the St. Helena main drain, between the Guayamare River and Madras Road, 3,500 metres of cleaning and excavation works. The Munroe Road outfall drains; the Madhosingh ravine in El Carmen, 4,000 metres of drainage works.

There are also the alligator outfall, the Government School drain, the Pundit outfall; each of these with approximately 1,200 metres of drainage work. The Marchine River in Endeavour, 2,000 metres of cleaning excavation and shaping. The McBean main drain, the Chandernagore River and Diana River, 3,000, 2,000 and 800 metres of improvement and cleaning works, respectively.

In addition, the Ministry of Works and Transport, through its Drainage Project Implementation Unit, is in the process of preparing a number of drainage and flood control projects for which implementation is expected to begin by December, 1995.

The scope of these works includes:

- (i) Realignment and reconstruction of embankments along the Caparo River between the Southern main Road and the Montrose Main Road Junction in the east and Perseverance Road in the west.

- (ii) Construction of the Caparo River/Honda River bifurcation head-works.
- (iii) Improvement works to the Honda River.
- (iv) Reconstruction of the bridge on the La Cave Road.
- (v) Construction of improvement works to the culvert inlet and outlet at the Solomon Hochoy Highway.

These works when implemented will bring immediate relief to the traditional flood prone areas west of the Southern Main Road and Montrose Main Road including Montrose, longdenville, lange Park, Enterprise, and so forth, and are expected to be completed in one year, that is by December, 1996.

In the medium to long term, 1997-1999, other phases of the works will be implemented inclusive of flood detention basins or storm basins, along the Ravine Sable River and at Todds Road and Flanagan Town. The construction of these flood detention basins will alleviate flooding of the upper catchment areas such as Caparo Village, Todds Road, Palmiste Village and the Brasso Caparo Main Road.

County Councils Employees Credit Union

156. Mr. Sahid Hosein (Siparia) asked the Minister of Finance:

- (a) Is the Minister aware that members of the County Councils Employees Credit Union Co-operative Society Limited are experiencing difficulties in obtaining their share payments from this organization upon retirement or resignation?
- (b) Could the Minister indicate if the operations of this organization are being monitored and, if so, can he say if it is solvent and, if it is, can he indicate why the difficulty in paying members on a timely basis?

The. Minister of Finance and Minister of Tourism (Hon. Wendell Motley): Madam Speaker, the Minister of Finance is painfully aware that members of the County Councils Employees Credit Union Co-operative Society Limited are experiencing difficulties in obtaining shares payments from the credit union upon retirement and resignation.

The operation of the Trinidad and Tobago Credit Union Movement, including that of the County Councils Employees Co-operative Society is being monitored continuously by the co-operative Division of the Ministry of Labour and Co-operatives and the Credit Union League of Trinidad and Tobago.

An officer of the Co-operative Division of the Ministry of Labour and Co-operatives has been assigned to conduct an indepth inspection of the operation of the County Council Employees Credit Union. This inspection is expected to be completed and a report submitted to the Commissioner for Co-operative Development by the end of June, 1995.

It is, therefore, not possible to comment at this time on the solvency of the said credit union, nor is it prudent to speculate as to the reasons for the difficulties it is experiencing in meeting disbursements to its members as they fall due at this time.

DEFINITE URGENT MATTER
(Rising Prices of Basic Food Items)

Miss Hulsie Bhaggan (Chaguanas): Madam Speaker, in accordance with Standing Order 12, this is to seek leave to discuss the issue of the rising prices of basic food items as a definite matter of urgent public importance. This matter is definite because it deals with basic food for survival.

Madam Speaker, I have identified 15 basic food items which have been arrived at as a result of consultation with the population of Trinidad and Tobago.

I have brought those items for you, madam Speaker, so the House can become conscious of the basic food items—

Madam Speaker: Hon. Member, we are not going onto the debate. The basket is not necessary at this time.

Miss H. Bhaggan: Madam Speaker, I want to enumerate the items—

Madam Speaker: Hon. Member, it is not necessary to show me the items, you can enumerate them!

Miss H. Bhaggan: Madam Speaker, the items are: flour, rice, sugar, cooking oil, condensed milk, Irish potatoes, cheese, split peas, red kidney beans, tinned sardines, onions, table salt, margarine, baby milk and washing soap.

This matter is urgent because 26 per cent of the population are living below the poverty line; 17.9 per cent of the population are unemployed; including old-age pensioners, public assistance recipients and low and middle income earners, are unable to survive at the most basic level. Children and senior citizens are particularly affected. This matter is of national importance because it affects a wide cross-section of the population.

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Madam Speaker, I have brought petitions signed by 20,000 persons, throughout Trinidad and Tobago, who have endorsed this call for survival basket and for the issue of basic food items to be dealt with as a definite matter of urgent importance.

In so doing, I, therefore, seek your leave to have this matter debated as a definite matter of urgent public importance.

Madam Speaker: I wish to advise the hon. Member that this matter does not qualify as a definite matter of urgent public importance under Standing Order 12. The hon. Member may wish to raise it under Standing Order 11.

**Indian Walk Government Primary School
(Suspected Poisoning)**

Mr. Mohammed Haniff (*Princes Town*): Madam Speaker, I hereby seek leave to move the adjournment of the House to discuss a definite matter of urgent public importance.

The matter is definite because it pertains to a specific issue, namely, the incident of suspected poisoning at the Indian Walk Government Primary School on Thursday, May 25, 1995.

The matter is urgent, because according to reports, 65 primary school students were rushed to the San Fernando Hospital after they complained of headaches, pains to the abdomen, vomiting and dizziness. The last child was discharged from the hospital only on Wednesday, May 31, 1995.

In addition, to date, the authorities have not been able to ascertain the cause of the poisoning, and as a result the school remains closed.

The matter is of public importance because it concerns a very serious crisis, which occurred at one of the country's public schools and brings into question the issue of the health, well-being and safety of our children while they attend the nation's public schools.

This is yet another unfortunate incident and I seek your leave.

2.00 p.m.

Madam Speaker: I have noted the use of the past tense in the varying paragraphs of the Member's petition. I wish to advise the hon. Member that this matter does not qualify as a definite matter of urgent public importance under Standing order 12, but I think it certainly does under Standing Order 11.

We come now to the Member for Siparia.

**Water and Sewerage Authority
(Deterioration of Services)**

Mr. Sahid Hosein (*Siparia*): Madam Speaker, the matter relates to the deterioration of the services provided by the Water and Sewerage Authority. It is definite because most of the services provided by WASA have reached the point of total collapse. It is urgent because at this time technicians cannot source materials to repair leaks and so when major mains are broken, they are simply shut off. Other routine maintenance works cannot be undertaken because of a lack of materials.

It is of public importance in that, given the importance of a hygienic supply of water to citizens, very often they are denied this commodity due to leaks, malfunctioning equipment and a lack of basic essential supplies. What exacerbates this already bad situation is the fact that citizens are required to pay rates in the absence of a minimal water supply.

Madam Speaker: I am not satisfied. I wish to advise the Member that this matter does not fall under Standing Order 12, but I think it can be considered under Standing Order 11.

PUBLIC ACCOUNTS COMMITTEE

(Nomination of Member)

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): I beg to move the following motion.

Whereas there exists a vacancy on the Public Accounts Committee occasioned by the resignation of the Member for Naparima.

Be it resolved that this House appoint and nominate the Member for Fyzabad to be a member of the Public Accounts Committee in place of the Member for Naparima.

Seconded by Mr. R. L. Maharaj.

Question put and agreed to.

ILO PRACTICES

[THIRD DAY]

Order read for resuming adjourned debate on question [March 24, 1995]:

“Be it resolved that this Government reaffirm its commitment to promoting the advance of democracy through the rule of law, sound industrial relations practice and Tripartism.” *[Mr. H. Breaux]*

Question again proposed.

The Minister of Labour and Co-operatives (Hon. Kenneth Collis): Madam Speaker, I continue from the last day. In my contribution I outlined the various pieces of legislation in which conventions and recommendations of the ILO are enshrined. I had outlined the responsibilities of member states when conventions are ratified by the said states

I now wish to close off by giving my full support to the motion before this House. But before doing so I should like to share with the honorable House a thought by the distinguished Director of the ILO, Mr. Michel Hansenne:

“We would only delude ourselves if we refused to recognize that our world is changing. The world will continue to change, as it always has, and no matter how unpleasant the problems and disruptions, there is no going back. The challenge that faces us is how to cope with the change, and how to guarantee fair treatment and protection for those who are most vulnerable.”

With that I thank you for allowing me to make this contribution.

The Parliamentary Secretary in the Ministry of Works and Transport (Mr. Jarrette Narine): Madam Speaker, I rise to support this motion by the Member for La Brea. Over the last 30 or 40 years we have had a lot of talk about industrial relations, but it is only one political party in Trinidad and Tobago that made the difference, and that is the People’s National Movement after coming into office in 1956.

In 1956 when the PNM came to the people of Trinidad and Tobago there was a non-existence of memoranda of agreement and the non-existence of negotiations for the working masses of this country. It is a well-known fact that in 1963 Trinidad and Tobago became a part of that International Labour Organization. Since then, because of the commitment of the People’s National Movement to the working masses of this country, it was decided by the late Dr. Eric Williams to have members of the Labour Congress and the Ministry of Labour to go to the International Labour Organization every year in Geneva to keep abreast with what was taking place there.

The Member for Caroni Central used these documents extensively in his contribution to the debate. I would now quote from the book the ILO and the World of Work, Page 5 states:

“Wherever people are at work, their problems are in some way the concern of the International Labour Organization. For more than 60 years, the ILO has been bringing workers, employers and government representatives

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together to devise measures which will improve the conditions of work and the general welfare of working people all over the world.

This booklet gives a summary account of the ILO's efforts in this pursuit."

2.10 p.m.

Madam Speaker, the matter we are debating here today is as a result of the PNM coming into being in 1956 and putting certain things in place so that we can enjoy a good industrial climate in Trinidad and Tobago.

There was a period between 1986 and 1991 when the working masses of this country were being pressurized by certain things which took place. In 1991, when the PNM came back into office, we had to correct most of what was done during that time. *[Interruption]* Maybe the Member for Tobago West would bear with me so that, at the end of my contribution, she would understand what I am speaking about.

It is very easy to forget what happened in January, 1987, when the then Government wanted to build a deep water harbour in Tobago. They saw in the budget that \$50 million was being paid as COLA to Government workers, and the estimate to build the deep water harbour in Tobago at that time was approximately \$50 million. It was very convenient for the Member for Tobago East and the Member for Tobago West—forgetting the Members on the Opposition who were there at that time—to take away the cost of living allowance. A cost of living allowance was given to workers of this country in the war days. It was 72 cents per day and was called a temporary war allowance.

In 1956 when the PNM came into existence, the trade union movement, NUGE—it was not NUGFW then—approached them and enquired about the temporary war allowance. NUGE subsequently merged with the Federated Workers' Trade Union to form the National Union of Government and Federated Workers. At that time, Dr. Williams told the trade union movement that the temporary war allowance would be transformed and called a Cost Of Living Allowance. After a number of years, it was aligned with the cost of living index as the index rose, the cost of living rose.

At the time the cost of living allowance was taken away, in the year 1987, it stood at 12.84 per day for daily-paid workers. Imagine taking away \$128.40 from a fortnight's salary, not speaking about the public servants whose mortgages depended on their cost of living allowance to pay for their motor cars, houses and so forth.

I am happy that the Member for Tobago East is present because this part of my contribution deals directly with the cost of living allowance which was taken away from the working masses of this country in 1987. This was the same amount which was allocated to building the deep water harbour in Tobago.

The mistake they made at that time—because that Government had no vision—was that they did not see that the taxes would fall so that the amount collected was not \$50 million which was allocated to cost of living allowance in 1987, but about \$35 million. Because of the decrease in salary to workers, taxes went down and they had to go to the Consolidated Fund to extend the deep water harbour which is not so deep today, as is known by the international community.

In 1988, five per cent was again taken from workers; in 1989, 10 per cent. In 1988, increments were taken away; in 1988, five per cent; in 1989, 10 per cent, and all the time the allocation to the various ministries kept coming down. One must understand, in this context, that what happened in 1990 in this Parliament was a consequence of a Government acting, in 1987, against the working masses, and by 1990, it exploded. People could take it no longer.

During those years, going against the good industrial practices embodied in the Memoranda of Agreement to workers, and having this Parliament, the highest court of the land, take away salaries, cost of living allowance and increments from workers was going against the ILO.

When the PNM came back into power in 1991, as promised in its manifesto, the cost of living allowance was returned to workers against a background of people who were in government during that five-year period advising them that they should not do it. That statement was made by the Member for Tobago West on many occasions. I should like to know, when they get up here and talk about workers in this country, if they are really serious.

We know that there were economic hard times in this country. It started way back and got worse from 1986 to 1991, under that government. We came back into office 1991 and tried to reverse this. Today, while workers are enjoying the return of their benefits, they are also being offered a voluntary separation plan that is an enhanced payment of what they would have received if they had to go home or resign.

The voluntary separation plan simply means that we give back the 10 per cent and the cost of living. As a matter of fact, it was the PNM of 1991 which returned that 2 per cent, which was the court award that that government between 1986

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and 1991 refused to give to the workers of this country. The Industrial Court made that award of 2 per cent, that is \$500 million per year, to the workers.

It was hard on us, but we recognized that the working masses deserved better. The first step that we had to take was to reverse what was done to the working masses of this country between 1986 and 1991. That was the reason why the people of Trinidad and Tobago had the confidence to put the PNM back into office.

It is simple. If there are negotiations going on and they are settled, then it is the Government that has to get in there and see that it happens.

2.20 p.m.

So that we have replaced the cost of living allowance and there is now a credit available to workers. Although the teachers had some difficulties in getting their bonds issued to them, the matter will be settled. The other unions are negotiating with Government and they will have those negotiations concluded. The White Paper that was issued to workers of this country indicating that the Government owed workers sums ranging between \$16,000 and \$25,000, which was taken away by that wicked government in 1986—1991, will be given back to them, although it may be given back in bonds.

Because of budgetary allocations at the present time the Government is not in a position to pay cash, hence the reason for the issuance of bonds. This is a commitment that the Government has made to pay the workers of this country what is owed to them. We are going to reverse those decisions that were taken against them between 1986 and 1991. That is exactly what the PNM Government did. The Government started from day one treating with the unions, getting the workers involved in discussions to try to put back what had been taken away from them.

Further to that, when one looks at the industrial relations climate in the country today, one cannot doubt that there are certain unions that have agreements and appeals to be settled. Because of the democratic process; because of the freedom that the People's National Movement gave in the earlier years to organize trade unions and the freedom to negotiate and to have collective bargaining and all that, today they are free to come out and demonstrate against the Government.

I can assure you, Madam Speaker, that we on this side have persons who can sit and negotiate with the unions, and that sooner or later the industrial climate that has existed over the last week or two would settle to what it was before. We

are a committed Government to the working masses and all the people that we represent.

I often refer to this document here, the *Collective Agreement on Wages and Conditions of Service for Government Hourly, Daily and Weekly-Rated Employees*, 1990—1992. Between that five year period 1986—1991 there was not a single agreement. Apart from what was taken away from the workers there were no negotiations and no agreements. This agreement came some time in 1993, but it was negotiated by this Government and we had to carry it back to 1990 and 1992. We then had to negotiate from 1986 coming right back to 1990, so that the trade unions were given the opportunity to sit and negotiate.

When I was involved in the trade union movement and these benefits were to be taken away what happened was that the trade unions were called 15 minutes before—they were not negotiated with. They were told that the Government was going to parliament to do so and so. I was on some of those talks. When I went down to the Financial Complex with my union, we were told half an hour before, that the Government was going to the Parliament to take away the cost of living allowance. We never negotiated.

Today, while I am saying that we have a Government that cares about the people of Trinidad and Tobago, which had started since 1956 to have Memoranda of Agreement, Madam Speaker, it is my duty at this point to tell the Parliament what we have done over the years, where we have reached and what would be the future.

In 1992 the collective agreement had the definition and interpretation that the employer would be the Chief Personnel Officer and so on, and what a permanent employee should mean. A permanent employee is not based on effective years of service; a permanent employee is determined by the union sitting with the employer and negotiating a permanent establishment. So that there may be workers with two years' daily-paid service who are now regular workers and would become permanent on the establishment because of the negotiations, the filling of vacancies, or keeping that number of workers on a permanent basis, so that they will enjoy all the benefits that are included in the agreement. Benefits are also enjoyed by regular and casual workers.

We also have an "effective years service." If there are 26 fortnights in one year at 10 days, it means that a worker is supposed to work 260 days for the year in order to be entitled to an effective year's service. What has happened over the years is that it started way above this, but the Government seems to have it at 200 days.

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They allow the worker 60 days, as he may not gain employment, or he may be ill and probably have to leave the country for a longer period—although extensions of sick leave is included for that. If an employee worked only 200 days in any particular year he is entitled to an effective year's service. This means that in determining seniority after 200 days within any year, one was supposed to work 260 days, and would be entitled to vacation leave.

A shift worker is also included, we see here:

“A Shift Worker shall mean employee who works on shifts which rotate in immediate succession and cover a period of twenty-four (24) hours, or who works on shifts which alternate, overlap or are stationary (fixed) and cover a portion, only of twenty-four (24) hours.”

Only of 24 hours, Madam Speaker.

“For the purpose of payment of shift premium, shift shall mean both stationary (fixed) or rotating shifts.”

So shift workers also have a premium that is paid to them. If one should work from 3.00 o'clock in the afternoon until 11.00 p.m., or from 11.00 p.m. to 6.00 or 7.00 a.m., it means that one is given an extra allowance apart from one's salaries.

What I am doing here is relating to the workers of this country that here is representation every year at the International Labour Organization Conference. Having gone there and negotiate an agreement second to none anywhere in the Commonwealth.

2.30 p.m.

Embedded in this agreement are also work centres and work areas. For example, the Tunapuna Regional Corporation extends from Blanchisseuse in the north and reaches as far as Brazil and Talparo in the south, and if a worker has to leave the work centre at Arima and travel to these far distances, he is given a traveling allowance. It does not come out of his basic salary.

We also have provisions for public holidays. Workers who work on public holidays will be entitled to overtime. Also, in this agreement there is seniority, which shall be by work classification upon the date of entering a classification. There is also classification seniority.

We move on to the age of retirement and recruitment. When I went to work in the Ministry of Agriculture in 1963, I met a worker who was resigning at the age

of 65; he had about 53 years service. So it simply meant that he started his employment when he was 12 years old. At that time it was allowed, that someone at age 12 could have been recruited as an apprentice and could have worked to retirement age and entitled to about 50 to 53 years service.

There is now a minimum age of 17 years' in the agreement. So that we would not take children off the street and employ them. They are going to have time to get their basic education out of secondary school, and at the age of 17 they will be absorbed into the service.

With regard to the hours of work, one would remember—and my colleague the Member for Princes Town will know this—that on Saturdays we had to work half day, and work earlier on the normal day and later in the afternoon. What has happened over the years is that there was a reduction on those days and when the Saturday work was taken off, the salary for that half day was included in the five days. The Government did not just take the half day off and not pay the workers.

We did not have to go to work on a Saturday, but the salary was absorbed into the five-day period. It is simply that a caring Government would not take away from workers as the last government did; take a half day off, but that half day's pay was included in their salaries for the week's work.

There are also shift workers who receive other allowances such as meal allowance and so forth. The normal workday is an eight-hour period and one did not have to work—recently we celebrated 150 years of Indian arrival in Trinidad and Tobago. I was speaking to a group of persons and an old gentleman asked me if I knew why there used to be night weddings, why there were no day weddings.

I replied, that my father had told me that it was not possible to have daylight weddings, because one had to work, so that they had night weddings. In this case, the hours of work, 40 hours a week, will provide the opportunity for extra curricula activities to further one's education and to have the weekends off so that one could have time for one's family and so forth.

Recently, we have seen in the United States that workers were refusing to work overtime. They were saying that their families lose out when they work overtime, as they do not have time for their children, and their families. In Trinidad and Tobago overtime is not compulsory. If overtime is available and you care to work because you may have some monetary problem, you work overtime.

Even people who work in the livestock industry have a special section in the agreement which tells how many rest days they should get during the fortnight.

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Normally, there is a roster for shift workers. This does not mean that you can be home for every weekend, but this roster could be so set out that a worker has to be at home at least two weekends for the month.

So the roster has to be prepared in such a manner that a worker would be allowed two weekends at home in every month, so that one can work and also have time for one's family and so forth. The watchmen in this agreement have special privileges for shift premiums etc. They even have ten-minute break periods in the morning and in the afternoon.

There is also cost of living allowance. Each worker in the bargaining unit will be entitled to a fixed COLA. The 1992 agreement prepared after 1990 says:

“With effect from January 01, 1990 to December 31, 1990, \$1.31 per day for each day of service.”

It simply means that the cost of living allowance that was owed to workers was merged with their salaries and this formula was introduced.

It continues:

“Such an allowance is to be regarded and treated as separate and distinct from the standard wage rate and is to be described as Cost of Living Allowance.”

Then there is overtime. In overtime there are many different rates, so that for the first four hours of overtime you work for a particular rate, maybe, time and half, and then it is doubled after that. If you work particularly lengthy hours the rate is trebled. So that in the overtime agreement there is also a situation where consideration was given to persons working overtime.

There is also work performed on Saturdays, Sundays and on public holidays. All these things were written in the agreement so that workers can enjoy their public holidays. If they have to work, they will be given something extra for that.

With regard to vacation leave, one to three years' effective service, 12 working days—12 working days means two weeks at home including the weekend. If a worker works one year he is given two weeks off, up to three years; four to six effective years service—16 working days; 7 to 9—18 working days; 10 to 15—22 working days; 16 to 19—25 working days; 20 years of effective service, and over—31 working days.

When we talk about working days we consider five days a week, so that would be six weeks plus one day; and if there are public holidays included it

would be extended. When someone has made 20 years of effective service, he is no longer the youthful worker he was when he came on the job market. So, Madam Speaker, recognition is given to that, and he is given more vacation leave to rest properly before he returns to work.

2.40 p.m.

We move on to sick leave, which has been very much abused over the years. Sick leave is for when a person is sick. My workers always say that they have 14 days sick leave and if at the end of the year they did not take all, they lose the portion not taken. But they did not lose it if they did not get sick. A person is allowed 14 days and an extension of sick leave up to six months. If a person is in an institution the Government pays him or her for six months. That person can go to the Chief Personnel Officer and get an extension of that six months.

Most importantly, sick leave is to a maximum of 14 days per year in any calendar year and full pay shall be granted to a permanent employee on evidence of a medical certificate from a registered medical practitioner. That is if a worker has been ill for more than two days.

If a worker has been ill for two days, that worker does not have to present a medical certificate. There may be a worker who has not presented a medical certificate for the entire year, but his 14 days sick leave was used up during that period. If a worker is tired and stays home for more than two days, he could go to his employer, fill in a form because he is entitled to two days sick leave.

Madam Speaker, when I went to the United States to represent my union in 1984—only 11 years ago—I met persons from Spain who were there fighting for the women of their country to be allowed maternity leave. For the benefit of Members in this House, I shall read the provision which applies to maternity leave:

“Female employees who have at least one year effective service at any time including the date of application shall, on medical evidence, be granted a maximum of 90 days maternity leave.

This means three months with pay.

“During the period of maternity leave, the employer shall pay the employee the difference between the employee’s full pay and her entitlement to maternity benefit under the National Insurance Scheme excluding the maternity grant.”

The National Insurance Scheme takes up part of the payment and the employer has to pay the other part, so that the employee does not lose earnings. I do not

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know if it is different now but, in Spain, in 1984, when a woman got pregnant she lost her job. She was not entitled to maternity leave and could not return to her job after she had given birth.

We move on to casual leave. This is in case of an emergency or if one has something important to do. A worker is entitled to five days casual leave per year. If the member for Couva South has a client who has to appear in court, he or she is entitled to a day to appear in court through his agreement. As a matter of fact, he or she can go to court for five days.

Also included in this agreement is bereavement leave. If one's mother, father, brother, sister or next of kin dies, one is entitled to three days bereavement leave. When my father died I had to take my case to the Chief Personnel Officer because the employer told me that I had to take the three days consecutively.

Mr. Maharaj: Madam Speaker, I wonder if the Member for San Fernando West got bereavement leave.

Mr. J Narine: Madam Speaker, did the Member for Couva South give that to the Member for San Fernando West? My father died on a Friday morning and I took that day off, and I also took a day off for the shaving and one for the bandara. The employer said that I should have taken the three days together; I took the matter to the Chief Personnel Officer and I won the case. It is now stated that bereavement leave can be over a period of 40 days. In the Muslim community there is a 40- day period of fasting upon death.

Mr. Haniff: Madam Speaker, may I inform my hon. Friend that it is not true that there is a 40-day fasting at the time of death. As far as the Muslim are concerned that is not correct information, so would the Member be guided, please?

Mr. J Narine: Madam Speaker, the *Qur'an* states that after 40 days if a man cries for his wife he would be committing a sin.

Mr. B. Pandey: Is that authoritative?

Mr. Haniff: Madam Speaker, unfortunately, that is not true. Would the Member refrain from making statements of which he is not sure?

Hon. Member: Especially of the *Qur'an*!

Mr. Narine: Madam Speaker, apart from the *Qur'an* there is the *Hadith*. If the learned Member would go to those documents he would be refreshed or educated.

There is also other leave of absence such as study leave. Imagine, you are a daily-paid worker in this country and you are trying to elevate your educational standing and you have to leave the country for two years. Then, according to this agreement, you are allowed study leave.

There is also leave to attend to union business. If you are a workers' representative, you are entitled to leave with pay. For example, if you are going to the Chief Personnel Officer, the Industrial Court or anywhere to represent a worker, the agreement allows you time-off with pay.

There are also subsistence allowances such as meal allowance, traveling allowance, pool allowance and instructor's allowance. If a person is in charge of a group of workers and he or she is teaching those workers certain things, that falls under instructor's allowance. That allowance is \$19 per week.

There is also transfer allowance. If a person is a worker in Trinidad and that person is transferred to Tobago, that person will be paid an allowance for relocation in Tobago. After a period of six months, if that person is not satisfied, the allowance is paid further or the person is returned to his or her former position.

In road works in the Ministry of Local Government there is an oil that is used for road surfacing and there is also an allowance for that. The oil may get splattered on one's clothing and the damage to one's clothes cannot be repaired so there is an allowance for that.

If a driver—I am sure the Member for Princes Town will not stop me this time—is responsible for his vehicle during his lunch hour, he is paid for that. Regardless of where a driver is in Trinidad and he has to take his lunch, he is paid to watch the vehicle. *[Interruption]* I understand that over the last 10 years he has had no vehicle to drive. He has given it to someone else to drive.

There is also a standby allowance. A worker who is required to stand by for work beyond his normal hours of work shall be granted pay for one hour at overtime rates. If however he is retained beyond the first 45 minutes he shall be granted two hours of overtime rates.

There is provision for emergencies. A worker can be called out and he or she will be paid a certain amount of time for that. If one is called out and one works for two hours, the least amount that one is entitled to is four hours' pay.

There is also a premium for climbing. If a person is a tree climber, a painter or has to do work at certain heights, this agreement also caters for that.

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There are also a heat premium—believe it or not—that is paid to an employee who has to work with asphalt and hot mix; there is also a cold premium paid to persons who have to work in places where there is cold storage and so forth.

When one looks at an agreement like this, one sees that workers are given boots, uniforms, and protective gear. If they are sprayers, they may have to wear masks and respirators. They are provided with that. Some of them may not wear it.

Madam Speaker: The speaking time of the hon. Member has expired.

Motion made, that the hon. Member's speaking time be extended by 30 minutes. [*Hon. K Valley*]

Question put and agreed to.

Mr. J. Narine: Thank you, Madam Speaker and Members.

Protective gear: Sometimes one may see a worker spraying without his respirator or mask, but it is not that he was not provided with these items. I always advocated, as a member of the trade union movement, that if a worker is provided with protective gear and does not use it for his protection, he should not be offered employment.

There are other premiums like scavenging loaders' allowance for people who pick up the garbage. They paid a premium of \$2 per day, apart from their salaries; cesspool drivers and attendants, so if one of these vehicles take away the sewage from your cesspool, both the driver and attendant are paid an allowance in addition to their salaries. Market cleaners are also paid extra.

Madam Speaker: What are we being given here, a discussion on the agreement?

Mr. B Panday: I wondered when someone would stop him from reading this agreement.

Mr. J. Narine: You wonder. Madam Speaker, these are reaffirmation of the ILO and its agreements we are talking about in Trinidad and Tobago. What we are saying is that most of what went through in Geneva with the ILO and its conventions have been included in these agreements! Most of them! We do not have to ratify an agreement if we have an agreement for it.

Madam Speaker: I was looking for the Member to relate it to the debate, then go back to the agreements.

Mr. J. Narine: Madam Speaker, I started by saying that they are directly related to the PNM of 1956, getting members of the union and the ministry to Geneva every year to look at the different terms and conditions in the agreements that we have included here. These are all included here from the ILO discussions, and people come here and put them forward in an agreement to the Government, a caring Government, so that workers would benefit.

Underground workmen and surface drain workers are allowed a premium. If I had time, I would have gone through an agreement for T&TEC workers and you would be amazed, but there may be some other time to do that. Very soon I would have the opportunity to tell Trinidad and Tobago what type of agreement we have for T&TEC workers.

Madam Speaker, the payment of Employees' wages at banks and so forth. Apart from the wages going to the bank, the Government gives employees time off to go to the banks to collect those wages; two hours every night.

Severance pay, a very sore spot with some employers. Workers with one to four years service receive two weeks full pay; five to nine years, three weeks; 10 effective years and over, four weeks full pay.

If a worker is taking VSEP, and has between 25 and 30 years service, and is in a certain classification, at this present time he may well take home between \$80,000 and \$100,000 in severance pay. This has happened last year, it happened before and it will continue to happen.

Retirement benefits are also included in this agreement. I remember, quite clearly, a Member of Parliament saying that once one worked, one was already paid for that work and was not entitled to anything additional. A caring Government does not think that way. We put in a retirement benefit, there is severance payment and we have an agreement for shelter for employees.

“Employees in rural areas who are required to work where there are no permanent shelters from rain shall be provided with suitable shelter by the employer for the purpose.”

Housing loans are included in this agreement: commencing rates; protected rates and re-employment; work in a higher or lower occupation: If a worker is a driver in the service, and did not have a vehicle to drive for 10 years, and was given other work to do, that worker's salary is not reversed. The worker got a salary according to his classification, whether he performed or not. If a worker performs in a lower classification, he is paid at the higher rate; if he performs in a higher

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classification he is given the higher rate. There is also provision for that in the agreement.

Wage difference for supervision: If you have one category of workers and their salaries are related, then one person, who would actually carry out the instructions, is given a higher salary so he can supervise them.

There are increments, adverse reports and rain time. I remember when I started to work in 1963, if one reached to work 15 minutes late, one had to go back home. If rain fell, certain categories of workers were not allowed to work because they cannot work in the rain. Task workers were not allowed service and were not paid severance benefits or retirement benefits.

The check-off of union dues may interest certain persons here. There are also medical checks for certain categories of employees. There are the barbergreen employees who have to go for a medical checkup once per year—paid for by the Government; river cleaners, painters, stockmen, stock assistants, dump ground and cesspool employees, garbage lorry drivers and garbage lorry loaders. Those workers go for medical checks at least once per year, and some of them go every six months.

The Severance Qualifications:

Normal work days on which there is absence for the following causes shall count as periods worked.

Now, there are certain things in this agreement which would be counted as periods worked.

- (a) absence under Workmen's Compensation Act, Chap. 88:05
- (b) absence on paid sick leave
- (c) absence on paid vacation leave.
- (d) absence on paid casual leave
- (e) absence on paid study leave
- (f) Absence on approved union business
- (g) Other approved leave of absence
- (h) Absence on paid maternity leave
- (i) Absence on paid bereavement leave."

These are considered to be one's legal rights and are paid for.

3.00 p.m.

There is provision for sanitation, dumping ground and task work. From time to time Members come to parliament and talk about task work. The article states:

“The principle of task work for the undermentioned types of work is accepted:”

It is not a must. Notice I say “the principle of task work”.

- “(a) cutlassing
- (b) weeding and edging
- (c) cleaning of drains, paved and unpaved,...
- (d) sweeping”

Those categories are placed there as task work.

Another problem that is raised in Parliament from time to time—I think that the Member for Siparia raised it before—is the promotion policy. The agreement states clearly that on promotion, policy, ability and experience come before seniority. Article XVIII-Promotion Policy states:

“All permanent positions should be filled by promotion from within the labour force except where the required skills are not available.

- (i) In determining suitability for promotion consideration shall be given to the undermentioned factors:

- (a) ability and experience
- (b) seniority

Consideration of the factors above shall be conducted in a manner that will provide a fair and straightforward assessment of suitability by written or oral examination, demonstration of skill, evaluation of training and experience or any combination of the above.”

There is a situation where if two persons started to work on the same day, they would have the same measure of seniority. This simply means that the person with the ability and the experience is the one who get the position. Seniority at the same level would mean that there must be a test. If it is that both of them are on par, it means that the older person would receive the promotion before the younger one. Even at the stage it can be determined.

The grievance procedure is also laid down here. I do not want to go into this, but some have seven steps and there is a five-step grievance procedure. There are the disciplinary code, settlement of differences, pension plan, responsibility for lost documents. At some time or another one may lose a document such as a birth certificate, and one would have to go back and pay for another one. The agreement states clearly that they have to get it back for you at their cost.

I should like to go on because I feel that it is very important that persons in this country know the type of Government that there from 1956. it was a caring Government; one that was concerned about the working masses of this country and is still concerned; a government that is stating that it would sit down and negotiate. As I said earlier on, we are trying to undo what was done to the working masses of this country between 1986 and 1991. we are going forward to negotiate further with other persons.

In a previous debate, I called upon the Minister of Agriculture, land and Marine Production about a matter which I raised about how employment should be done at Caroni. There was an article in the *Mirror* dated Friday October 9, 1992 with the headline "Shah vs Panday". I had the agreement and the letters from the National Farmers' and Workers' Union. I have the letter from Caroni (1975) Limited stating that the union is to hire and fire.

Probably I must have some serious discussions with the Minister of Labour and Co-operatives. The agreement governing the recruitment of labour by the union that represents the workers states:

- “(a) The Union shall maintain a register of persons who are desirous of taking up employment with the Company.
- (b) When persons are required to fill vacancies the Industrial relations officer in the area involved shall communicate in writing with the Union indicating number required, their classification and the location at which they should report.”

I can go on, but the Industrial Relations Act 43(5) states clearly:

“The following terms in any collective agreement are void-

- (a) any provision that any benefits under the agreement are to apply only to members of a particular union;
- (b) any clause excluding or limiting the application of the provision of this Act or the agreement;

- (c) any clause specifying that the employer must employ only members of a particular union or must show any preference or favour regarding recruitment, offer of employment, retrenchment or termination of employment, only to members of a particular union.”

In this context the National Farmers’ and Workers’ Union wrote Caroni (1975) Limited about this matter. This letter went to Dr. Kusha Haraksingh, Chairman and it was sent by Mr. D. Dhanno, who was the manager of Human Resources. This was the reply that was sent back to the National Farmers’ and Workers’ Union.

“This is in reply to your letter dated March 12, 1992. We note your deep concern about our present employment practice with regard to our hourly and daily paid workers.

We wish to advise, however, that the collective agreement with the representative union contains which gives the said union absolute right to operate as an employment agency in respect of all employment within the particular bargaining unit.

This matter will have to be subject to negotiations and until we are able to obtain agreement on change, we will not be able to entertain any direct request/recommendations for employment.”

Madam Speaker, this union agreement I submit to you is null and void. Corrective measures should be taken against that union. There is a book on labour relations by Dr. Zin Henry and another, *Essays on Law and Trade Unionism in the Caribbean* by Chucks Okpaluba. There is other documentation which I might be able to get to Members.

In supporting this motion I am saying that because of 1956 and the advent of the PNM we have seen industrial relations in Trinidad and Tobago. We have seen a drop in the standard of industrial relations during that five-year period, but since 1991, the people of Trinidad and Tobago, with all their confidence, and knowing that we are a caring government, have put us there to man their business with collective agreements like these, and industrial relations in this country that are second to none in the commonwealth.

Thank you.

3.10 p.m.

Mr. Mohammed Haniff (*Princes Town*): Madam Speaker, I did not intend to speak on this Motion, but having listened to my colleague opposite, I decided to join the debate. However, I should like to assure you that I shall not be long.

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“Be it Resolved that this Government reaffirm its commitment to promoting the advance of democracy through the rule of law, sound industrial relations practice and tripartism.”

Madam Speaker, the fact is that while we appreciate that they are making efforts to reaffirm through their statements, they are not demonstrating it. I should like to let this House know that the nation recognizes that this “sound industrial relations practice” has gone through the window, has no place with Government. That is demonstrated at very regular intervals before this very Parliament—what happens with workers in this country.

Members of Parliament are aware that I am an employee of the Ministry of Works and Transport and as a member of the NUGFW, I would like to state that the agreement negotiated over the years is a good one. I should like, however, to say boldly, that the Government in many cases has not been holding up its part of the agreement. I say this vehemently because I feel the pain. I am one of these workers so affected.

Therefore, I should like to emphasize that the bold talk inside this Parliament does not make sense. What sense does it make saying that the last Government removed Cola? Do you know what that means? What is the present position of daily-paid workers in this country? Can anyone say? What is the sense in saying that the last government took away COLA when the present Government, since it came into power in 1991, has taken away over 20,000 jobs of daily-paid workers?

I stand here and emphasize that the agreement is a good one which came through years of negotiation between the government in power and a strong union with a strong membership. This good trade union agreement is not being adhered to in many cases and I can get notes and speak here for two weeks about such instances.

The Member started off by saying that only the PNM make an impact on employees. I agree. They make an impact, yes, in that those workers are no longer employed. It is in that same breath that it speak about industrial relations. Workers have been severed from their jobs, under whatever bargaining condition, for example, VSEP. Members opposite come here and speak about good industrial relations. Yet they are running helter-skelter looking for a document known as a White Paper, which provides information for them. Workers have gone home; they have not been paid and they do not know when they will be.

We are speaking here about upkeeping the ILO agreement, but where is the conscience of the Government in a situation where workers have been severed and are now at home? The Government is running all over. On the last occasion I mentioned that it said it was negotiating. It has negotiated for almost three years and I understand that yesterday NUGFW and the CPO signed an agreement to pay in bonds. Workers have been placed in a position where arrears owed for a long time are one of the major issues. What has happened? This Government came, negotiated for three years, arranged to pay in bonds, so that for five years it will not pay a single cent to any worker in this country as far as arrears are concerned. In addition, no worker has a choice. He must take the bonds. There is one choice being offered. A person can take special compensatory time; he can take leave.

The Government owes workers arrears and these workers are struggling for survival. They need their money and the Government is saying that they should take special compensatory leave because no payments will be made. I am stating facts. I am not here to make a fuss about anything. I am here to make statements of fact about the present situation.

Yesterday, my office day, a terminated Public Transport Service Corporation worker enquired about his position. The truth is that while teachers have agreed on the bond issue—and I understand that daily-paid have agreed—there has been no public information on the status of the PTSC workers. I know PSA is negotiating, but I do not know if the negotiation has been finalized.

The outstanding arrears payment is a major issue. This country has lost hours of work as a result of demonstrations throughout this land by workers who have not been paid their arrears. At present, the industrial relations practices of the Government are their worst in the history of Trinidad and Tobago, and much more is to come.

Yet this Member stood there and talked about the PNM Government and went on unnecessarily, in my opinion, to give us details about an agreement. Yes, there is an agreement and there are other agreements by the Industrial Court and other Courts. There are also discussions and demonstrations telling the nation that there are no good industrial relations practices and, in fact, there is a breakdown in many of the agreements.

The Member told us that many years daily-paid workers worked on a Saturday, but that has since been done away with. Not only has that been done away with but they no longer have work to go to. That, too, has been taken away.

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3.20 p.m.

The Member also told us about long-time night weddings. I think that was totally unnecessary. People are still free. In fact, there are night weddings in cases where people still wish to have them. How that relates to industrial relations, I do not know.

The Member also told us that workers in the United States are refusing to work. Nowadays in Trinidad and Tobago, be it what kind of job, one cannot get jobs for normal time, so overtime does not apply. I wonder if anyone here knows that the postal services were held up for weeks and weeks recently because of a bicycle allowance. Does anyone know that? Is it not a fact that this whole nation has been affected as a result? Is it because a new minister came and dealt with it? If that is the case then kudos to him. *[Interruption]*

Does that not have to do with industrial arrangements and agreements, that the postal workers throughout this land—those who had to get bicycle allowance and those who were not entitled to it—did not do what they ought to have been doing because they were protesting against the non-payment of that allowance—a small payment? But while that is happening, somebody jumps on a plane with a big entourage to the far East and all over the world, spending millions and calling back friends. *[Interruptions]* It is disgraceful!

As a result, I cannot subscribe to that boastful attitude about good industrial relations in this country. It is not happening. I am calling on this Government—in my normal way—to re-think and re-examine its position as regards employment and industrial relations practices in this country. It is badly needed. The workers of this country are fed-up and frustrated, that is , those who are still employed. The unemployed have been increasing. Working conditions do not apply to them.

Madam Speaker, we have raised the issue of minimum wages on many occasions in this House. Can anyone tell us what is the situation regarding gas station workers and other such workers? I have spoken personally with the Minister of Labour, who told this House a long time ago that that Bill was supposed to come before this House.

Every time we drive into a gas station, especially in our villages where we are known, we are being confronted by these workers enquiring what is the situation regarding the minimum wage. I would prefer, if the Member or anyone on that side, could have told us that this have been taken care of, but the fact is, it has not been taken care of, it is still outstanding. I am of the view that it would be tabled nearer to the election as part of the Government's normal strategy of promises.

Our good friend spoke about shift premiums and so on. In many cases—as I have said—worker's rights under that agreement have been taken away. They are not being paid. All the agreements are being mentioned but are not being implemented. The National Union of Government and Federated Workers—of which I am a member, and of which the Member who spoke just before me is also a member—is losing members at a very fast rate because of the retrenchment that is taking place.

The Member spoke about policy for recruitment, and I ask, is the URP an arm of the Government? If yes, under which industrial agreement do these workers fall? Can anyone answer? Let me put that in the context where it rightly belongs. Daily-paid workers, workers who are normally employed by the Ministry of Works and the Ministry of Local Government to do the functions now being performed by URP, have had a labour structure over the years. There are permanent, casual and temporary workers. The list of the temporary workers was long, so that when releases were made and there was need to do urgent work and so on, these workers had grown accustomed to getting a little employment. That structure no longer holds. The Government has removed that policy and replaced it with URP.

There are no industrial relations governing URP workers. And that is the pattern in all other ministries. The intention of this Government is to remove all working conditions and make them similar to URP so they would be responsible for teachers, public servants, hospital workers and so on. Their present trend is that they do not wish to have the responsibility and longer, and it is well demonstrated in their policy as regards the Unemployment Relief Programme.

I am happy that the Member mentioned maternity leave. I should like to enquire: Are women in URP entitled to maternity leave? *[Interruption]* They have no agreement! I am raising these issues because the Member raised them. He went on to speak about bereavement leave and so on. *[Interruption]*

As I said, today in Trinidad and Tobago the industrial relations climate is disappearing very fast, those good relations we used to speak about. This Government will do well, in fact, I am of the view that it is having a time of its life to make it through this five-year term. The kind of industrial relations, the kind of problems we are seeing—demonstrations all over, retrenchment and what have you. Our fear is that this will rise to the point where the nation might have to sit back and examine where we are going. If there are no jobs for people, and if the condition laid down are not being implemented, things would get worse and worse daily.

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I, therefore, wish to point out that it is a waste of time coming here and speaking about good industrial relations; it would do us better as a nation, if we were to take steps to implement those agreements which have been reached and developed over the years with the trade union and with the Government. The Government is not keeping its part of the agreement.

While we appreciate that there is need to satisfy the outside world as far as ILO conventions are concerned, we must take steps to examine our conscience to see what is happening with our industrial relations climate.

As I said, it was not my intention to speak, but I thought I would make these few observations. And remember we would do well as a nation if we were to examine our industrial relations seriously, and try to avert what is pending.

Thank you.

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I think truer words were never spoken than those in the conclusion of the Member's contribution—that he never intended to speak in this debate. The Member paid little heed to the motion before us.

3.30 p.m.

The Motion argues a number of things: First of all, it recognizes that the International Labour Organization was set up in 1919, and that in fact, Trinidad and Tobago became a member in 1963. It must be noted that 1963 was one year after we gained independence. So that as a young democracy we were saying, quite clearly, that we are committed to certain things; we are committed to the ILO conventions; we are committed to tripartism and so forth.

It goes on to say that in the present environment “new and more progressive responses are being demanded of the Government and people of Trinidad and Tobago in the context of a changing global environment.” That is where I come in as the Minister who, for the time being, has responsibility for the portfolio of Trade and Industry in Trinidad and Tobago.

We have been making the point both here in Trinidad and Tobago and externally that we have to take as givens the global environment; and the fact that the large countries mandated certain things. What we can do, given those constraints, is to design programmes/strategies to carve a path for us in Trinidad and Tobago; and to carve a path for us in the world. That is what we are about.

We cannot change the world, but we can change how it affects us by taking those constraints into consideration and planning strategic initiatives.

Of course, in doing that we have had to examine a number of things. We have said that we needed a new paradigm; we have to move from that old protectionist policy. I really want to congratulate the people of Trinidad and Tobago and the Labour movement on being able to do so. As the last speaker said: Of course, the industrial climate over the last three years has not always been what we like it to be. But as a fact, we were able as a people to make the transition because we have the expertise.

In 1992, and especially in 1993, we were making that crossing; we were in a cocoon that the caterpillar must go through on its way to becoming the beautiful butterfly. We have now done so. If we want to look at the outcome, we would see the results documented in the Annual Economic survey of 1994—I commend this reading to all Members of Parliament and the media. For me this is the best report I have read on the Economy of Trinidad and Tobago since I returned home in 1978. That is the reality.

When we look at the results we do not see only the economic growth of 4.7 per cent overall, but we also see that the non-oil economy is coming into its own; non-oil economy growth of some 3.8 per cent or somewhere in that vicinity—higher than what we anticipated at the beginning of 1994. We are seeing that in spite of VSEP that we have spoken about, the unemployment rate is coming down. Although we have more persons coming into the labour market, we were able to effect a reduction in the unemployment rate.

So that on a net basis even though in making the crossing we have had retrenchment as a fact we were able to reduce the unemployment rate in an environment where the participation rate is up and the labour force is up. We have seen the first overall fiscal surplus in some 13 years—I hope Members understand what that means—the first overall budgetary surplus—I really want to congratulate my brother Minister, Hon. Wendell Mottley at the Ministry of Finance.

Mr. Sudama: Could you tell us what is the poverty level? Seventy-six per cent of the people are living below the poverty line.

Hon. K Valley: That is why I am participating in this debate. I am saying that yes, the Government did its part, the people also did their part; the union also did its part. As a fact, 1993 was not an easy year, but we were able to come through

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without any mass demonstration; we were able to talk with the unions—Minister Mottley and Minister Draper were talking on a continuing basis with NATUC; we were talking with NUGFW; we were talking with our friend from OWTU, such that those on the other side could not understand.

They came to the House but you see they do not understand the PNM; they do not understand that the PNM would at all times listen; would at all times talk because we believe in democracy. So that when they come to the House they marvel at how all these things were happening and the unions were not marching up and down. They do not understand that the people understand that they have a caring Government, and that given all that is happening they know they can rely on the PNM Government.

I really want to congratulate the union leaders here because, as we move forward into the 21st century, for me it is critical that we work closely not only with the business community and the private sector, but also with the unions. Members may not know, but in some of our initiatives for example, with respect to market access, the Government has now established a standing committee to advise the Minister of Trade and Industry on these negotiations.

Unions are represented on that committee and they are represented in the person of Mr. Wade Mark. He is there not as Senator Wade Mark, but as the nominee of NATUC. We have no problem with the fact that he belongs to the opposition. We know as a fact that in doing that we run the risk that Sen. Wade Mark may go there and attempt to play politics. We know we run that risk, but we feel that we in Trinidad and Tobago must practise the politics of inclusion and involvement because we want the commitment of all our people as we move forward.

The Motion recognizes also that:

“The Labour Movement has recently displayed bold initiatives towards the adoption of an increasingly mature approach to its relationship with the business sector.”

We see that. We saw it clearly in the BWIA divestment, in which we were dealing with four unions, and it was not always easy. We spent long hours talking with them, motivating them, negotiating with them, but at the end of the day those four unions said yes, we are coming into this transaction; we want to be shareholders in our airline; we want to have a significant interest.

And the responsive Government said, yes, we want you in, we are going to find a way to have you in. And we are now shareholders sitting on the board

running BWIA. All the difficulties that so many persons who ought to have known better had foreseen in December—everybody has now gone silent, because in BWIA they realize that nothing has changed, and BWIA is still our national airline. But BWIA is not alone.

3.40 p.m.

Mr. Sudama: Madam Speaker, would the Minister give way to a question? Am I to understand that the union is now running BWIA? Is that what he is telling this House?

Hon. K. Valley: Madam Speaker, only the Member for Oropouche would have that interpretation of what I said. I am making the point that BWIA is not the only situation where we have seen this enlightened involvement by trade unions. We have seen it in National Food Processors with the NUGFW. The company wanted to divest and the union came forward and said that it wanted to buy the company. It wanted to get into the business sector. It has done so and, from the latest reports, it is geared to make a profit.

We are seeing the evidence of an enlightened involvement. We are seeing a union that is aware of what is happening. I learned much in interacting with the union personnel in the BWIA transaction. The workers have been involved.

Although he wants it for a song, the Member for Couva North's union is interested in Nonpareil estate and as long as that union can sit down and negotiate and come up with a good price, we would want the union to be involved [*Interruption*].

The local employees of Caricargo have formed themselves into a company and now they are running it successfully. I understand that they are contemplating divesting the company to BWIA. We are saying that we have seen this and we reaffirm the commitment to the rule of law, to sound industrial practices.

The Motion states:

“And whereas this Government firmly believes that the promotion of social justice in the field of labour could be achieved only if the social partners themselves are involved in the search for appropriate solutions.”

The whole issue of social justice is the concept of caring. Even when one has something unpalatable to do, one has to sit down and talk with the other party and try to find a way to minimize the fall out.

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One would see that in making the changes—which we knew were critical if we were to position the economy for the take off that it is so positioned for—we were not retrenching as such, but that our first option was to offer voluntary separation packages to employees. When one looks at the different organizations, one would see that that is the approach taken by the Government—enhanced packages. There are still some details to be worked out but there is goodwill on both sides.

If Members know, given that goodwill, that things would be different, that does not mean that they do not have their constituency to consider. At times we would see them on a Friday around the Parliament. We understand what that is about. At times there might be excesses but that is one of the prices we pay for democracy. If we are to err we prefer to err on that side, to allow some excesses, rather than to curtail the freedom for democracy of our people. That has been the PNM way. Our founding father!

Mr. B. Panday: You are a new PNM. There is a new Father of the Nation.

Hon. K. Valley: Madam Speaker, that is why in the Ministry of Trade and Industry when we were faced with the need to restructure the IDC and the TDA, we structured an outplacement unit where the people from IDC and TDA could get counselling and assistance in finding new employment. That unit has been performing quite well, so much so that we are now looking at extending its services to the rest of the public sector. I am making the point that as we moved forward there was that social justice, that caring for which the PNM I well known.

I congratulate my colleague the Member for La Brea on bringing this Motion to the House. It states:

Be Resolved that this Government reaffirm its commitment to promoting the advance of democracy through the rule of law,..."

We need to remember that. As a new Member of the Parliament in 1987. I could not understand how a government could have used its governmental power to take away salaries from its employees. There you had certain benefits which were won via the collective bargaining process and a government using its governmental power—not its power as an employer because as an employer it does not have such power—to take away that benefit which was won in collective bargaining. I just could not understand that! My Friend the Member for Couva North a trade union leader, was part of that government and he appeared to have understood it.

From that point, way back in 1987 while in Opposition, we made a commitment that whenever we got into Government we would return to employees what was rightfully theirs. Up to today, some of the international agencies are telling us that we ought not to have done that, but we know that if we have a liability then we must meet that liability. It is wrong for a government to use its governmental power to interfere with an employee's benefit of whatever type. It is an abuse of governmental power. I make no excuse for saying that. We are reaffirming our commitment to the rule of law, sound industrial relations practice, and to consultation with the unions and the private sector—tripartism.

3.50 p.m.

That is what this Motion attempts to do. It is simply a recognition of our times, which makes this Motion extremely important. We cannot position ourselves to take on the world unless the business community, the unions and Government can move forward.

Now that we have started to enlarge the cake, we can talk intelligently about sharing that cake with all sectors. One can see that we are moving towards honouring that commitment which we made with respect to setting the issue with respect to the arrears of income owed to public servants.

We did not incur the liability. We met that liability, but we have made a commitment to pay it, but in liquidating that liability we have to ensure that we do not interfere with the economic fundamentals of our economy. So that one has to exercise care. We do not have the funds to pay all in cash at this time—that was recognized in our manifesto. We said then—and we are doing so now—that we would engage in discussions and negotiations with the respective unions to arrive at some type of plan of repay that indebtedness.

We have met with the teachers' union; we have come up with a scheme and we are continuing dialogue with the PSA. We want to be able to put that behind us as quickly as possible. We can do that now because we were able to deal with that high external debt; given that it is now reduced to some extent, we can deal the these issues.

I want simply to say that I am extremely pleased with the co-operation that I have been receiving, from both the business community and the unions, in spite of what one may see in the newspapers from time to time. We understand, as I said, that there must be that positioning and appealing to the constituents—

Mr. B. Panday: You are accusing us of fooling the

Hon. K. Valley: But the discussion continues behind closed doors, and the Member for Couva North knows that quite well. He comes here and positions all the time, but he is quite a nice person.

Mr. B. Panday: Just as I am fooling the people of the trade union, you are fooling the people. Oh, I see! I understand now.

Hon. K. Valley: Madam Speaker, he is speaking about the Baptist. The Member loses his creditability when he says that everybody should get a public holiday and nobody should work; that we should be on holidays for 365 days of the year. *[Interruption]* That is the logical conclusion one has to arrive at. *[Interruption]*

Madam Speaker: The debate was on track all along, I do not know why it has gone to the Baptists.

Hon. K. Valley: Madam Speaker, in closing let me just make the point that as we move into the 21st century, as a fact, we need all hands on deck—private sector, unions and Government. Government is always willing is always prepared to play its part, and it wants to be able to count on the other social partners as we move forward to take on the world.

Thank you, Madam Speaker.

Mr. Ramesh Lawrence Maharaj (*Couva South*): Madam Speaker, I did not intend to speak in this debate—

Mr. B. Panday: This is going to be a debate of non-speakers.

Mr. R. L. Maharaj:—But I cannot allow the hon. Member for Diego Martin Central—

Mr. B. Panday: To get away with that nonsense.

Mr. R. L. Maharaj:—to speak all these inaccuracies and leave those matters on the record.

When the hon. Member for Diego Martin Central talked about economic growth and he read from that report, I thought he should have disclosed all material facts. It is quite easy for any government—at the price of economic growth and not true human development—to achieve economic growth. That is not difficult. It is quite easy for any government to do so at the price of selling out the state enterprises to foreign persons—

Mr. B. Panday: Retrenching the whole workforce.

Mr. R. L. Maharaj:— to get moneys in order to pay off debts, but it is at what price. What has happened in this country is the price the people have to pay for what the PNM Government has done.

Mr. B. Panday: that is the key!

Mr. R. L. Maharaj: Yes, it is all right for the Member to stand up and say, yes, there is growth; and yes, his Government can afford to go to Hong Kong and spend \$2 million. But I want to ask him: is this economic growth?

I now quote from the *Newsday* of September 18, 1994, an article written By Suzan Gosine:

“For the past two weeks, a decent meal has not been cooked in the homes of at least 100 venders, who are putting up a relentless battle with the San Fernando City Corporation...”

Mr. B. Panday: Oh, great job:

Mr. R. L. Maharaj: The article goes on to say:

“But while the war is raging...

In a heart to heart talk with the vendors...

Children have been forced to stay at home...”

Children cannot go to school.

Mr. B. Panday: Great economic programme.

Mr. R. L. Maharaj: Economic growth, venders, public servants, all sectors of the community other than the upper bracket are really feeling the pangs of the PNM.

I should like to read—especially for the edification of the hon. Member for Diego Martin Central—from page 26 of a book *An Agenda for Development, 1995: Report of the Secretary General*. This is the kind of commitment that governments must have for economic policies:

“it is not sufficient, however, to pursue economic growth for its own sake. It is important that growth be sustained and sustainable. Growth should promote full employment and poverty reduction and should seek improved patterns of income distribution though greater equality of opportunity.”

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Do the people of Trinidad and Tobago have the benefit of that growth? What benefits have the people, generally, received? Has there been income distribution? Has there been distributive justice?

Mr. B. Panday: One government cut the salary, the next one cut the workers.

Mr. R. L. Maharaj: Yes. It makes no sense that the Member gets up in this Parliament and tries to give the impression that this country is doing very well. As a matter of fact, we are in absolute chaos in this country. There is a time bomb. There is a social explosion which can occur in this country because of the policies of this Government.

4.00 p.m.

The Minister talked about some companies, BWIA, the divestment policies and how the union has co-operated. This Government has sold out some of the richest and best companies. What did it do with the Methanol Company? Was it losing money? What did it do with the Urea Company, Fertrin, and National fisheries Limited? That was a giveaway! At what price has this Government achieved economic growth? It has given away the assets of the people of Trinidad and Tobago, assets which it took a long time to earn. The Government sold them out overnight without consultation with the people. Is the government talking about industrial relations practice? It did not go to the population and consult with the people.

Now in its manifesto did it say it was going to sell these companies to foreigners. It is using interpretations to say what it said. In 1991, when it went to the people, and it entered into that contract with the people, did it say it was going to sell the Methanol Company, Urea Company, Fettrin and National Fisheries Limited to foreigners? It did not sell the assets of the people of Trinidad and Tobago: it gave them away.

Mr. B. Panday: The Doctor must be rolling in his grave.

Mr. R. L. Maharaj: Madam Speaker, if it is that the trade union leaders understand what is happening and they just allowed the workers to come around the Red House for a show, I do not know. He has made the allegation against the trade union leaders and I should like them to answer him because he has said that they have their constituencies. They know what was happening and they had to come around the Red House some times, they knew and they agreed with Government policy. He is saying that Mr. McCleod and Mr. Selwyn John agreed with government.

Mr. Valley: I am saying that Mr. Panday also.

Mr. R. L. Maharaj: He is saying that Mr. Weatherhead agrees with its policy. We have been hold that they do not agree with the policy. The workers are being forced into agreement. I hope that the trade union leaders would talk about that.

Mr. B. Panday: That was very bad. He should not have said that about the leaders.

Mr. R. L. Maharaj: I feel shocked that any Member of this Government with the exception of a few—know the Member for San Fernando West, the Member for Port of Spain South—

Mr. B. Panday Do not point them out. They would victimize them.

Mr. R. L. Maharaj: How could anyone say that this Government is committed to good industrial relations practices? The Member for Arouca North read an industrial agreement to show how this Government is concerned with the relationship between human beings and their work.

The commitment of the PNM Government to the promotion of good industrial relations should not be limited to a written agreement. It must show its industrial relations commitment in its relations with people. Who are the first set of people to whom it must show that commitment? Can this Government tell me that as an employer it has any commitment to equitable principles, fairness and justice?

I know that the Member for Diego Martin West stood up in Cabinet and supported the Member for San Fernando West. I must congratulate him on that! He incurred the anger of his Prime Minister.

Mr. B. Panday: And Dr. Saith.

Mr. R. L. Maharaj: The Member for Diego Martin West cannot get up here and say that the Government acted unfairly. He could say that inside there, but he cannot get up here and say that. [*Interruption*] do not worry; I will appear for him just now. In 1997 he might have to get people to appear for him. I ask: How could this Government say that as an employer, it deals with humanity with people in its relations practice?

I want to go back to just a few months ago. On April 27, 1995 this country awoke to media reports that the Trinidad and Tobago Honorary Consul to Hong Kong, Mr. Alexander Lau, had been fired by fax from his post. The report speculated that Mr. Lau was fired because he did not meet the Prime Minister in

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Hong Kong, having proceeded on vacation instead. That fax was signed by Mr. Knowlson Gift, the then Permanent Secretary in the Ministry of Foreign Affairs. He later became the “Minister of External Affairs”. The new Minister of Public Utilities was then given the assignment, Minister without portfolio.

When the Prime Minister returned to Trinidad and Tobago from his \$2 million trip on April 28, he advised the media that he would brief them and the country on the issue by an address to the nation.

Madam Speaker: I was just about to—

Mr. R. L. Maharaj: Madam Speaker, I am on the aspect of industrial relations. It is important for me to say that there are no industrial human relations in the Cabinet. *[Interruption]* I am not asking for a brief. I do not get any brief from the Government. I have never had any. The first time I shall get one is for him. Do not worry! It is coming.

Madam Speaker, I want to give you the sequence of events. It is important that I say this here because what happened thereafter is that the Prime Minister stated that his decision to fire the Honorary Consul had to deal with several factors, none of which was the Prime Minister’s inability to locate the Trinidad and Tobago Consulate in Hong King. Then what happened? The then Minister of Foreign Affairs quite rightly advised the media that the Prime Minister was, in fact, informed that Mr. Lau would have been on vacation at that time of his visit. The Prime Minister’s delegation was, in effect, looking for the Consulate to deliver a letter.

By the time Mr. Lau had come to Trinidad and Tobago and he, in effect, declared that he could not understand what happened. Do you know what happened? He criticized how he was fired, and the next thing that happened is that Mr. Lau appeared with officials from the Prime Minister’s Office and had to make a release. He said there was no basis for his being fired. This is a diplomat, a man who represents this country abroad and our Prime Minister has behaved in this way to this gentleman. It is not only the firing of this diplomat; I would say that it is the firing of the Minister of Foreign Affairs at the time also.

This Minister of Foreign Affairs was demoted from Minister of foreign Affairs to Minister without portfolio. No reason has been given to the country to date, for that demotion. The Minister of Foreign Affairs was replaced by the Permanent Secretary who signed the letter of dismissal for Mr. Lau. That is good industrial and human relations! He took the Permanent Secretary who was

working under the Minister just the day before, and put him as the Minister. Humiliation!

Mr. B. Panday: Adding insult to injury!

Mr. R. L. Maharaj: An assault on the human dignity of the individual, in effect reducing the Minister to an object! This Government cannot talk about human industrial relations practice! Then what happened? Because the Minister did not kowtow; beg the Prime Minister and showed that he had guts and stood up, the Prime Minister had to back down and put him in the graveyard ministry that got rid of the life of Mr. Morris Marshall.

4.10 p.m.

I want to know why the Member for Arouca North cannot talk about that. I want to know why the Member for Diego Martin West cannot tell us what he said about the firing of the Minister. We are talking about human relations of the Government. *[Interruption]* That is not all. I know why he is getting annoyed. He is vexed that Dr. Saith is the acting Prime Minister and he could never act. As long as he is there and Dr. Saith is there, he can never act as Prime Minister. He is the Deputy Political Leader and he will never act. He will continue to face the humiliation and he cannot get up here and talk about it.

Mr. S. Panday: It is not because he is not fit! He is fit!

Mr. R. L. Maharaj: A most fit and competent Minister like him, elected by the people of Trinidad and Tobago, and he cannot act as Prime Minister!

Madam Speaker, look at this! It is not only the firing of the Minister and the firing of the diplomat; it is the person who replaced him—Mr. Gift. This Minister, who had a high rating in the Cabinet poll as one of the best Ministers in the Government, was removed. Do you know who was put in his place? Mr. Knowlson Gift. I do not blame the appointee at all. One cannot blame the man for having debts. *[Interruption]*

Mr. S. Panday: He started the industrial relations argument.

Mr. R. L. Maharaj: I am talking about the human relations of the Government. The Member for Arouca North started the whole thing.

Madam Speaker: The Member is talking about sound industrial relations practices.

Mr. R. L. Maharaj: Human relations are an important component of industrial relations. They are an integral part. One cannot have industrial relations without human relations.

Madam Speaker: I should like to advise the Member that there was a Motion filed to that effect yesterday.

Mr. R. L. Maharaj: There are other matters to talk about there, Madam Speaker, including some of these. Madam Speaker, you will be surprised to know some of those matters.

This Prime Minister removed a senior Cabinet Minister and put a man who 10 days later had to resign. Did this Prime Minister not make any investigations of what he was doing? What kind of industrial relations practice is that? It clearly shows that his Government does not have any proper industrial relations practice.

I should like to close my contribution by echoing the words of my Friend the Member for San Fernando West—that famous speech on leadership—because this Government cannot have good industrial relations unless it has good leadership. I should like to read into the record what the Member for San Fernando West said:

“Without responsibility there is chaos, and life is so organized both by nature and society that the very single individual is called upon to shoulder some responsibility to himself, to others and to the community to which he belongs.

Therefore in dealing with the topic today, one could speak of many areas of responsibility dealing with the parent, the teacher, the child, the citizen, the priest, the politician and so on.

But I keep remembering a conversation I had with a friend recently who, as we spoke of life generally, remarked that leadership is all'. I interpreted his statement to mean that of all responsibility, there is none greater or more critical than leadership and so I decided to focus on the responsibility of leadership and to share some thoughts on this matter with you.

Leaders do, indeed, have a special and burdensome responsibility and when I speak of leaders I refer to individuals who guide and chart the course at all levels of society...”

Do Members remember the Member for Diego Martin Central saying that we have to chart a course? Well, we cannot chart a course unless we have leadership qualities in the Government.

“The father or mother in the home is a leader; so is the boss in the workplace, as is the chairperson of the community organization and so on.

When we think of leaders we immediately see presidents and prime ministers, ministers and mayors and such like. And we are right...

Leadership is critical to the success of each unit of society. Where leadership is deficient there is confusion and decline. When leadership is responsible in its strength and clear-sightedness, there is joy, security and thriving. If leaders at all levels know and fulfil their responsibility, a nation recovers and prospers.

A leader's first responsibility is to know where he wants to go. You can't be driving a car without a destination in mind. You will exhaust the passengers with your twists and turns...

A leader must know what his unit is capable of achieving...

A leader must be large in heart and mind..."

So, I should like to adopt the words of the Member for San Fernando West in relation to this debate. There can be no question of promotion of industrial relations by this Government unless it shows leadership qualities. And it has not.

This Government would not succeed if it does not alter its policies of alienating sectors of the community in its economic programme. It cannot promote an economic policy which is not to the benefit of all, and alienation is an issue which has to be addressed. I would like to end by quoting what the Member for San Fernando West said on another occasion just a few days ago, because it is very important. This was reported on page 5 of the *Express* dated May 31, 1995.

“Public Utilities Minister Ralph Maraj said steps must be taken to remove all residual and lingering suspicious of alienation and lack of equal opportunity that may exist in the country 150 years after the arrival of East Indians here.”

We cannot have promotion of industrial relations practice if the Government is leaderless and if it promotes alienation and division in the society. We cannot have it if the Government's programme is not for the benefit of all. We can only have success in the promotion of these ideals if the Government is truly committed. The spirit of government must be to promote justice and equality for all.

Thank you very much, Madam Speaker.

Mr. Hedwige Bereaux: (*La Brea*) Madam speaker, after hearing the Member for Arouca North and the Member for Diego Martin Central, I realized that I would have very little to say. However, having heard the Member for Couva South, I realize that we have moved from the sublime to the ridiculous and, therefore, what I propose to do is to put Humpty Dumpty back on the wall. *[Interruption]* Totoram always interrupts somebody.

4.20 p.m.

I should like to take the opportunity to read portions of the Resolution as amended. It says:

“Whereas the International Labour Organisation was set up in 1919 as a tripartite organization in which workers’ and employers’ representatives, the social partners, have an equal status with governments in the formulation of that Organisation’s policies and programmes;

And Whereas Trinidad and Tobago has been a member of the ILO since 1963, and has always demonstrated its commitment to the guiding principles of that organization and in particular that of tripartism;

Madam Speaker, tripartism as was explained, is the relationship, the getting together of Government, workers’ representatives and employers.

“And Whereas new and more progressive responses are being demanded of the Government and people of Trinidad and Tobago in the context of a changing global environment;”

The amended preamble.

“And Whereas the Labour Movement and the employers’ representatives have recently displayed bold initiatives towards the adoption of an increasingly mature approach to their relationship with each other;

And Whereas this Government firmly believes that the promotion of social justice in the field of labour could be achieved only if the social partners themselves are involved in the search for appropriate solutions;”

To some extent this portion of the Resolution owes its presence to comments made by the Member for Tobago East, which I will deal with shortly.

“Be it Resolved that this House reaffirm this country’s commitment to promoting the advance of democracy through the rule of law, sound industrial relations practice and Tripartism.

The genesis of this Resolution came about firstly, in 1994. The ILO was celebrating its 75th year of operation and as a result of that there was a restatement of its principles. The ILO is an organization which is particularly committed to tripartism, that is, where representatives of governments, workers and employers all have an equal voice in the formulation of policies.

Around that time, the leader of NATUC and also, in his other capacity as leader of one of the more powerful unions in Trinidad and Tobago, and the leader of the Manufacturers Association got together and said, Look, we recognize that some of the adversarial positions we had taken over the years, were not benefiting any of us and definitely not the country.

In the context of that kind of mature realization, as a representative of a portion of this country which has always been very strongly unionized—I believe that trade unionism is important—I felt that I should come to this august assembly with a motion which, while it would recognize the commitment being made by the representatives of labour and employers, would also seek—having regard to the position which Government must take because of the economic environment—to sensitize this country and receive comments from this honourable House in respect of how the social partners would work together, in order to so fashion the direction in which Trinidad and Tobago must go for the benefit of us all.

It is with a certain amount of despair and alarm that I heard some of the comments coming from the other side. In saying so, I do not include the hon. and gallant Member for Tobago East—not that he was not a little off when he indicated that I should include as a social partner the NGOs for we recognize that the NGOs are one of the social partners but not in respect of the area in which this Motion deals. This Motion deals mainly with the question of the relationship between Government, workers' representatives and the employer; and the many ways in which they could work together in order to produce economic and social benefits for Trinidad and Tobago.

Nonetheless, I am pleased, and recognize the contribution which the Member made in speaking about the Social Summit. Having spoken to the Member for san Juan/Barataria who represented Trinidad and Tobago at that summit, I am satisfied that—

Mr. Sudama: Do you have a report on that Summit?

Mr. H. Breaux: I am certain the Member for Oropouche knows that he can direct that question to the hon. Minister, in due course, and he would get an answer.

I looked across on the other side, knowing that there were a number of Members who have come out of the trade union movement, and who are leaders of trade unions, but we have heard no comments from them, except, of course, the Member for Princes Town. He indicated that he did not intend to address, but knowing him as I do, I knew he could not allow a Motion like this to be debated here and not take part, notwithstanding the fact that a number of the statements he made did not really focus on the Motion. Much of his time was spent trying to say what the Government is doing.

The Government qua employer is no different from any other employer. What this Motion seeks to say is that even Government, in its capacity as employer, would need to meet and treat with the representatives of the workers. At times one would definitely have cleavages in respect of where each party sees that it should go. That is the nature of democracy and free and fair bargaining.

When Members make reference to the fact that workers or different interest groups— even some brought by Members on the other side—come to Parliament and parade and try to influence other Members of Parliament, all they are doing is exercising their democratic rights.

Even if we may disagree with what they are trying to push or disagree with the point that they are making, this Government and this Member will defend their right to say it.

4.30 p.m.

Madam Speaker, they did not say very much, so I want to take this opportunity to move.

Madam Speaker: Hon. Members, before we take the vote on the substantive Motion, there were some amendments so we have to take the votes on the various amendments. The first amendment was proposed by the Member for La Brea and the nature of the amendment was a substitution for the fourth recital. The following is the new fourth recital:

“And Whereas the Labour Movement and the Employers’ Representatives have recently displayed bold initiatives towards the adoption of an increasingly mature approach in their relationship with each other.”

That is the amended fourth recital it was already seconded so we are now going to take the vote on it.

Question, on amendment [Mr. Bereaux] put and agreed to.

Madam Speaker: The second proposed amendment was by the Minister of Works and Transport, the hon. Member for Diego Martin East and this is with respect to the Resolution. The hon. Member suggested that the amendment be the word "House" instead of the word "Government" the second amendment "that this Government reaffirm and this country's" instead of "its". Of course, the word "its" is referring to Government.

Question, on amendment [Mr. C. Imbert] put and agreed to.

Madam Speaker: The third amendment, proposed by the Member for Caroni Central, was that in the Resolution we substitute for the word "reaffirm" the word "affirm":

Be it Resolved that this House affirm this country's commitment to promoting the advance...

Question, on amendment [Mr. Palackdharrysingh] put and negatived.

Question put and agreed to.

Resolved:

That this House reaffirm this country's commitment to promoting the advance of democracy through the rule of law, sound industrial relations practice and tripartism.

ADJOURNMENT

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I beg to move that this House do now adjourn to Friday, June 09, 1995 at 1.30 p.m.

The matters to be discussed next week under "Government Business" are the Motion on the road Improvement Fund, and then Bill No.1 on the Order Paper, the Constitution (Amdt.) (No.2) Bill.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 4.33 p.m.