



Fourth Session of the 12th Parliament

FINANCIAL SCRUTINY UNIT

Office of the Parliament of Trinidad and Tobago

HEAD 04: INDUSTRIAL COURT

ALLOCATION: \$46,000,000

A Summary of the Department's Projects Expenditure,
Divisions and Projects.

Publication

An electronic copy of this Guide can be found on the Parliament website: www.ttparliament.org

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About this Guide

This guide provides a summary of expenditure for the Industrial Court for the period 2018-2024. It provides the Members of Parliament and stakeholders with an overview of the Court's responsibilities. The primary purpose of this guide is to consolidate the information contained within the various Budget Documents pertaining to the Industrial Court and provide readers with an analysis of same. This guide is based primarily on:

- the Draft Estimates of Recurrent Expenditure 2024; and
- the Draft Estimates of Development Programme 2024.

Head 04 – Industrial Court

Court Overview¹

Establishment of the Court: The Industrial Court was established on March 20, 1965 by section 5(1) of the Industrial Stabilisation Act (IRA). This act was repealed and replaced by the Industrial Relations Act, Chapter 88:01 on July 31 1972. The Industrial Court is a superior court of record. Therefore, it has a status that is equivalent to that of the High Court of Justice. It is a specialised court with its own peculiar jurisdiction. It is responsible for dispensing social justice.

Role and Function: The principal role of the Court is to settle unresolved disputes and other matters which arise between employers and trade unions representing the workers employed by the employers under:

- The Industrial Relations Act, Chapter 88:01;
- The Retrenchment and Severance Benefits Act, Chapter 88:13;
- The Maternity Protection Act Chapter 45:57;
- The Minimum Wages (Amendment) Act, Chapter 88:04; and
- The Occupational Safety and Health (Amendment) Act, Chapter 88:08.

Mission: To be an effective Court upholding the principles and practices of good industrial relations as pillars of industrial peace, economic and social development.

Vision: To be an industrial relations Court established under the Constitution which is fair, equitable and expeditious in dispensing social justice.

¹ Industrial Court website, About Us. Accessed on August 09, 2023: <http://www.industrialcourt.org.tt/about-us/about-the-court>

Jurisdiction of the Court: In addition to its inherent powers as a superior court of record, the Court has jurisdiction –

- to hear and determine trade disputes;
- to register collective agreements and to hear and determine matters relating to the registration of such agreements;
- to enjoin a trade union or other organization or workers or other persons or an employer from taking or continuing industrial action;
- to hear and determine proceedings for industrial relations offences under the Industrial Relations Act; and
- to hear and determine any other matter brought before it, pursuant to the provisions of the Act.

Divisions of the Court: The Court sits in two Divisions. They are as follows:

1. The General Services Division which exercises the jurisdiction of the Court as set out in section 7 of the Industrial Relations Act, Chapter 88:01 with respect to services other than essential services; and
2. The Essential Services Division which exercises the jurisdiction of the Court as set out in section 7 of the Industrial Relations Act, Chapter 88:01 with respect of essential services.

Under the Essential Services Division is the Special Tribunal established by the Civil Service Act, Chapter 23:01 which hears and determines disputes in the Civil Service, the Police Service, the Fire Service, the Prison Service, the Teaching Service, the Supplemental Police and the Central Bank. The Special Tribunal consists of the Chairman of the Essential Services Division of the Industrial Court and two other members of that Division selected by the Chairman.

Registrar (Accounting Officer)²: Mr. Kevon Swan, LLB

Line Ministry: Office of the Attorney General and Ministry of and Legal Affairs³.

² Industrial Court website, About Us. Accessed on August 09, 2023: <http://www.industrialcourt.org.tt/about-us/about-the-court>

³ Trinidad and Tobago Gazette No. 158 of 2020 dated September 9, 2020, accessed August 09, 2023: <http://news.gov.tt/sites/default/files/E-Gazette/Gazette%202020/Gazettes/Gazette%20No.%20158%20of%202020.pdf>

The Court's Total Allocation as a Percentage of the National Budget for the Period 2018 to 2024

Year ⁴	Total Allocation ⁵	National Budget ⁶	Percentage of National Budget
2018	\$40,621,750.00	\$54,211,726,813.00	0.07%
2019	\$41,500,000.00	\$54,581,467,181.00	0.07%
2020	\$37,738,020.00	\$57,388,076,726.00	0.07%
2021	\$40,621,750.00	\$56,498,472,820.00	0.07%
2022	\$44,558,656.00	\$58,974,346,470.00	0.07%
2023	\$41,525,900.00	\$67,063,358,456.00	0.06%
2024	\$46,000,000.00	\$68,384,229,740.00	0.06%

- Total allocation for the Court as a percentage of the National Budget remained virtually unchanged between the period 2018 (0.071%) and 2024 (0.067%).

⁴For the Fiscal Years 2018-2022, actual figures were used to calculate the Department's total allocation. However, estimates were used to determine the Department's total allocation for the Fiscal Years 2023 and 2024.

⁵Total Allocation for the Industrial Court = Recurrent Expenditure + Consolidated Fund.

⁶The National Budget = Total Recurrent Expenditure + Total Consolidated Fund.

Where the Court spends its money

2024 Estimates of Expenditure

The budget allocation of **\$46,000,000** for the Industrial Court is comprised of:

- The Draft Estimates of Recurrent Expenditure⁷ in the sum of **\$43,000,000**; and
- The Draft Estimates of Development Programme – Consolidated Fund in the sum of **\$3,000,000**.⁸

The Estimates of Recurrent Expenditure include:

- 01 Personnel expenditure - **\$22,757,800**;
- 02 Goods and services - **\$19,203,800**;
- 03 Minor equipment purchases - **\$300,000**; and
- 04 Current Transfers and Subsidies - **\$738,400**.

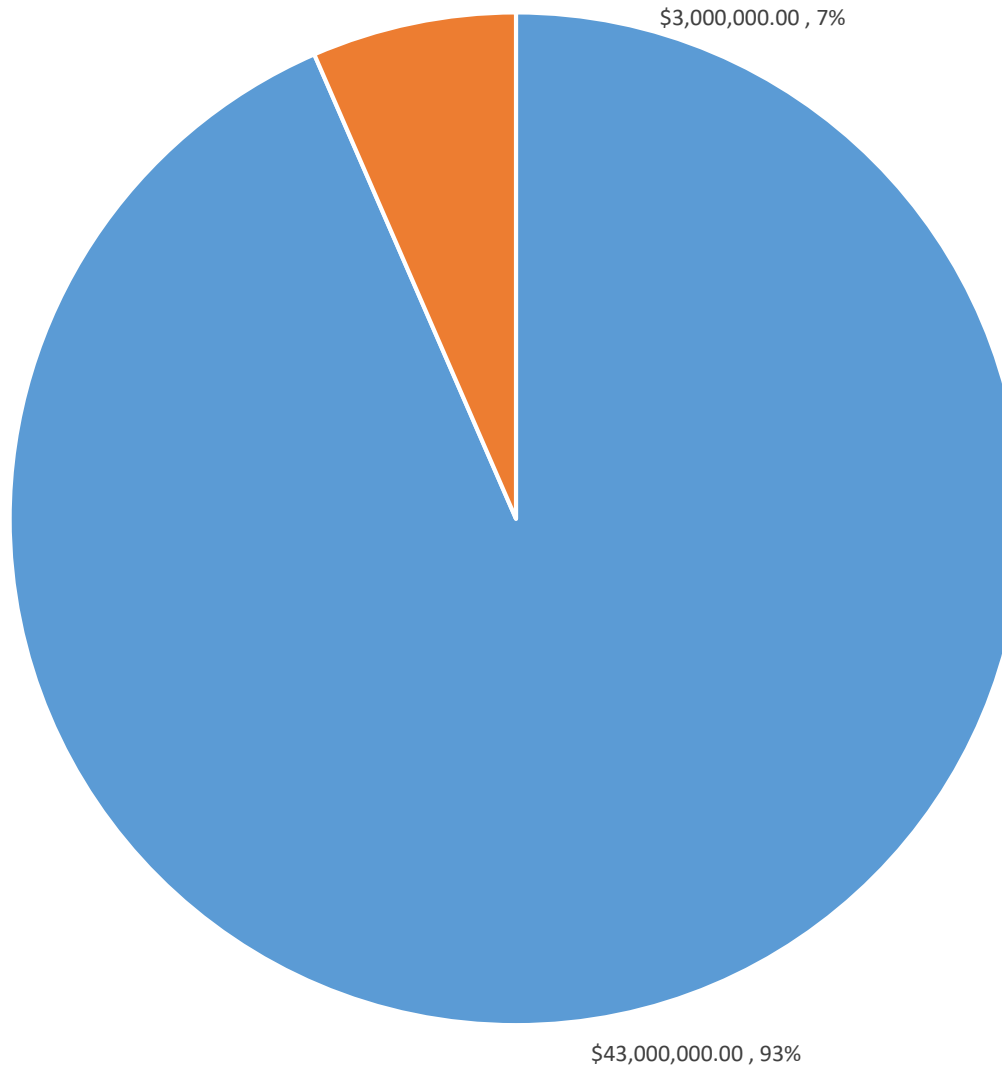
The Industrial Court's:

- Total allocation as a percentage of National Budget is **0.06%**;
- Recurrent Expenditure as a percentage of the total Recurrent Expenditure budget is **0.066%**; and
- Consolidated Fund allocation as a percentage of the total Consolidated Fund allocation is **0.05%**.

⁷ Draft Estimates of Recurrent Expenditure for the Financial Year 2024. Accessed October 04, 2023: <https://www.finance.gov.tt/wp-content/uploads/2023/10/Draft-Estimates-of-Details-of-Estimates-of-Recurrent-Expenditure-2024.pdf>

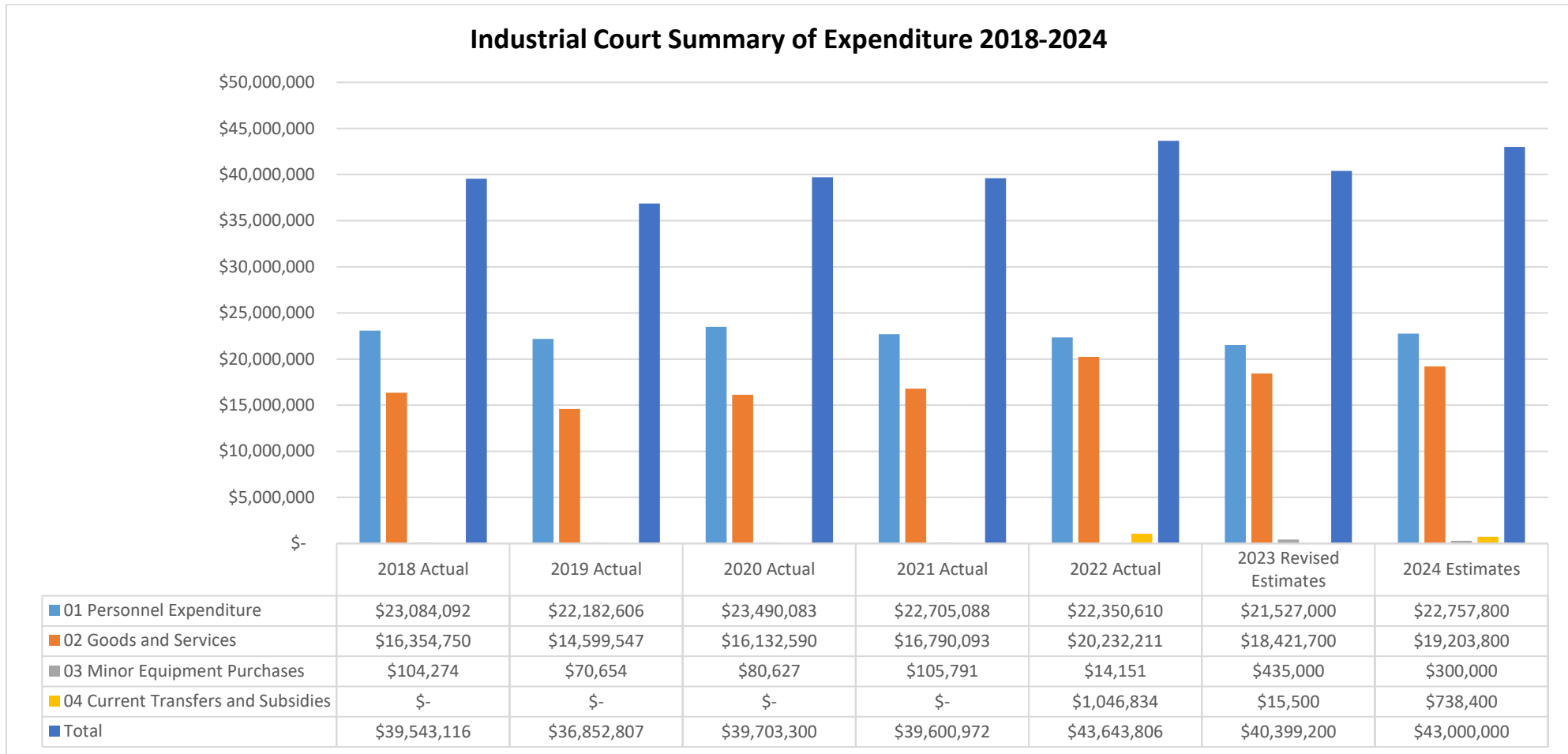
⁸ Draft Estimates of Development Programme for the Financial Year 2024. Accessed October 04, 2023: <https://www.finance.gov.tt/wp-content/uploads/2023/10/Draft-Estimates-of-Development-Programme-2024.pdf>

Industrial Court - Summary of Total 2024 Allocation - \$46,000,000



■ Recurrent ■ Consolidated Fund

Summary of Recurrent Expenditure for the period 2018- 2024⁹



⁹ Draft Estimates of Recurrent Expenditure for the Financial Year 2024. Accessed October 04, 2023: <https://www.finance.gov.tt/wp-content/uploads/2023/10/Draft-Estimates-of-Details-of-Estimates-of-Recurrent-Expenditure-2024.pdf>

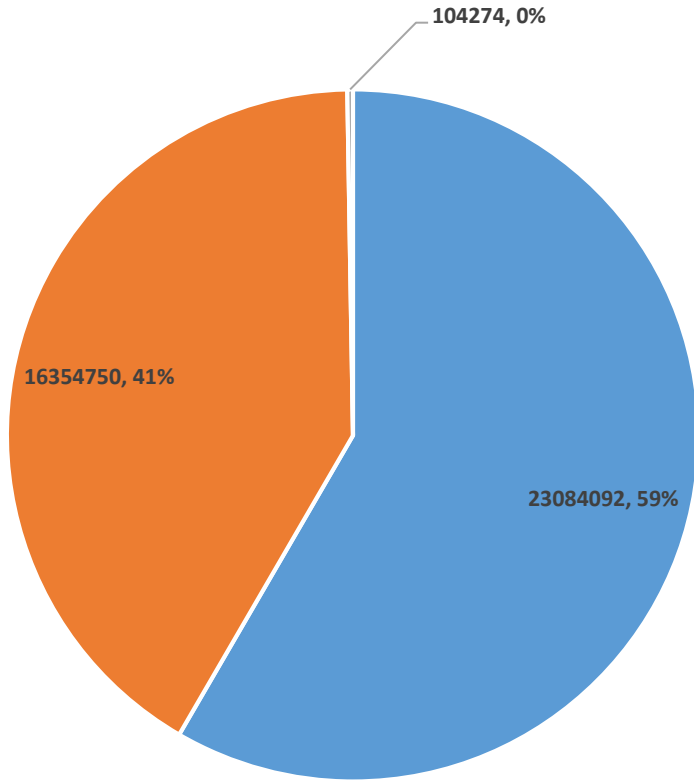
Analysis of Summary of Expenditure¹⁰

Recurrent Expenditure refers to the payments for expenses which are incurred during the day-to-day operations of the Department for Personnel Expenditure, Goods and Services and Minor Equipment Purchases.

- Recurrent Expenditure for Fiscal Year 2024 is **\$43,000,000**.
- Recurrent Expenditure (**revised**) for Fiscal Year 2023 was **\$40,399,200**. Comparing this figure with Fiscal Year 2024, there has been an increase of 6.4%.
- The **largest** portion of the allocation has consistently gone to **Sub-Head 01 Personnel Expenditure**. This figure has been fluctuating between 60% (2019) and 51% (2022) of the Court's Recurrent Expenditure over the period 2018-2024, accounting for approximately 53% of total funding for the Court for fiscal year 2024.
- **Sub-Head 02 Goods and Services** received the **second largest** portion of the allocation. It represented on average **43%** of the Court's Recurrent Expenditure allocation from FY 2018 to FY 2024. Goods and Services' share of **46%** of the allocation in FY 2022 and 2022 saw its highest level, while the share of **40%** in FY 2019 is the lowest level for that Sub-Head over the period.
- **Sub-Head 03 Minor Equipment Purchases** averaged **1%** from 2018 to 2024 and similarly represents **1%** of the Court's 2024 Recurrent Expenditure allocation.
- **Sub-Head 04 Current Transfers and Subsidies** received the **lowest** portion of the total recurrent allocation for the Court over the period 2018 to 2021, and the second lowest in 2023.
- The actual/estimated expenditure has been **fluctuating** over the seven (7) year period from a **low of \$36,852,807** in fiscal year 2019 to a high of **\$43,643,806** in fiscal year 2022.

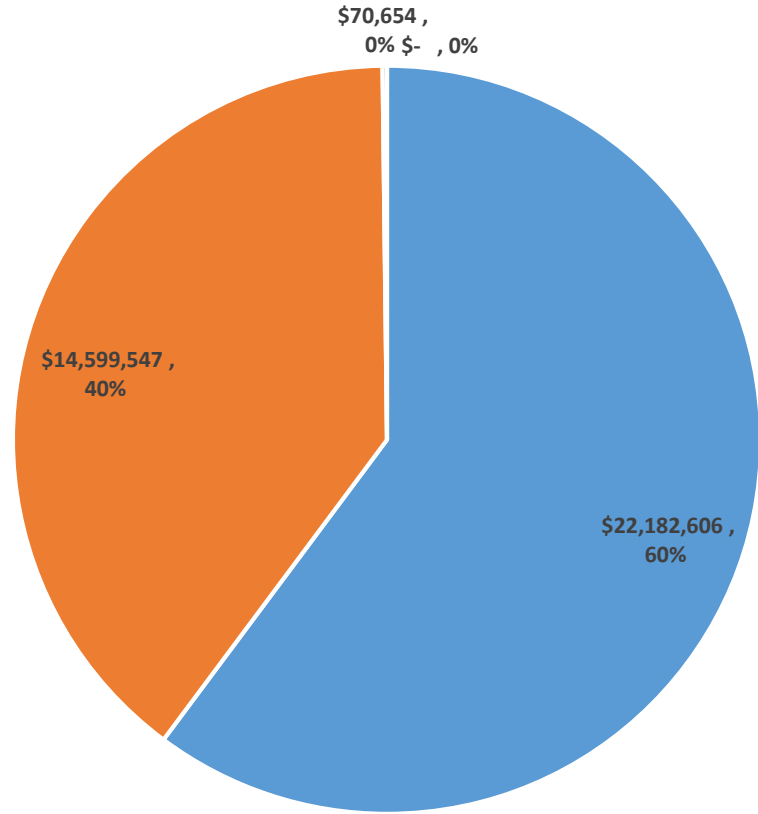
¹⁰ Draft Estimates of Recurrent Expenditure for the Financial Year 2024. Accessed October 04, 2023: <https://www.finance.gov.tt/wp-content/uploads/2023/10/Draft-Estimates-of-Details-of-Estimates-of-Recurrent-Expenditure-2024.pdf>

2018 Actual - \$39,543,116



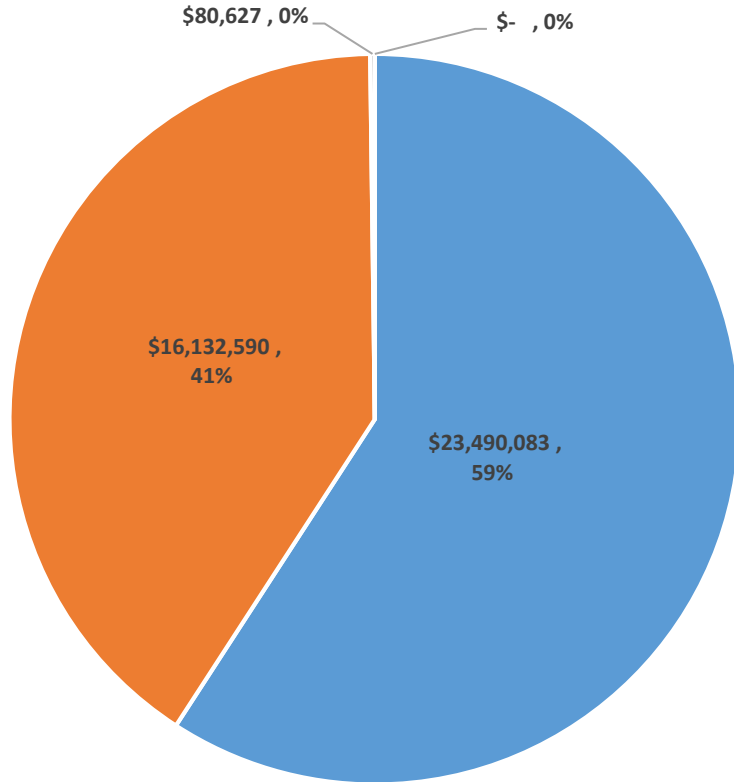
- 01 Personnel Expenditure
- 02 Goods and Services
- 03 Minor Equipment Purchases

2019 Actual - \$36,852,807



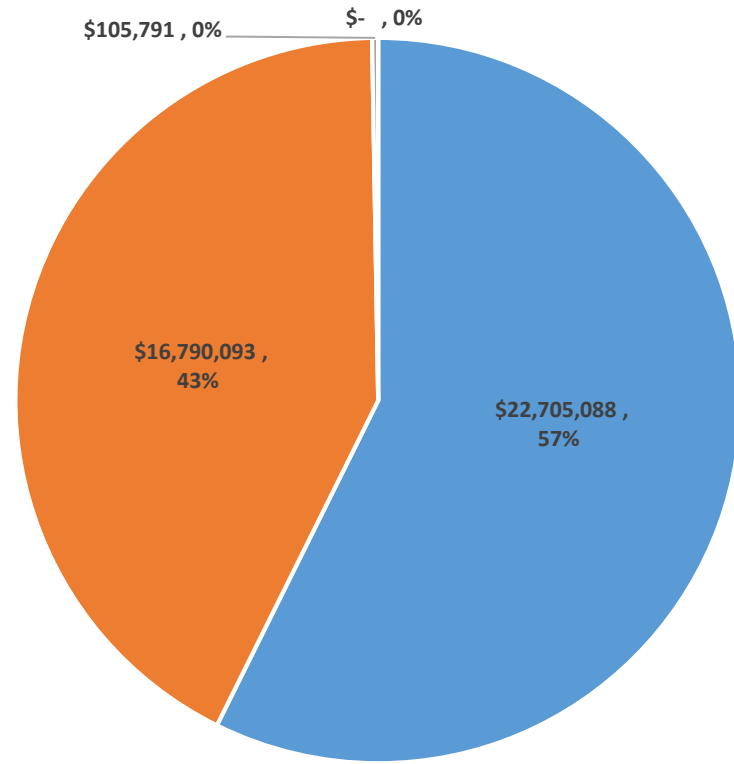
- 01 Personnel Expenditure
- 02 Goods and Services
- 03 Minor Equipment Purchases
- 04 Current Transfers and Subsidies

2020 Actual - \$39,703,300



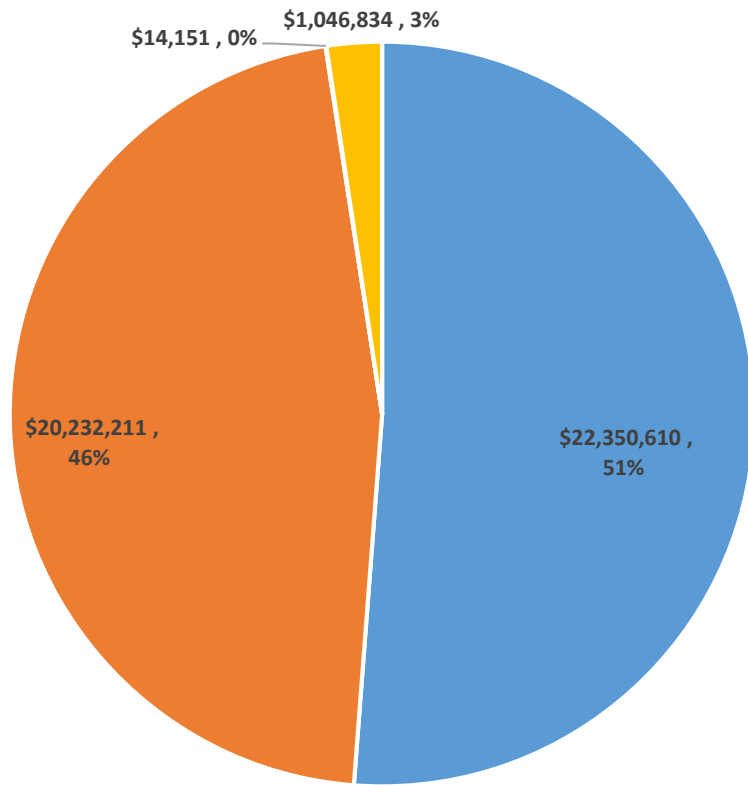
- 01 Personnel Expenditure
- 02 Goods and Services
- 03 Minor Equipment Purchases
- 04 Current Transfers and Subsidies

2021 Actual - \$39,600,972



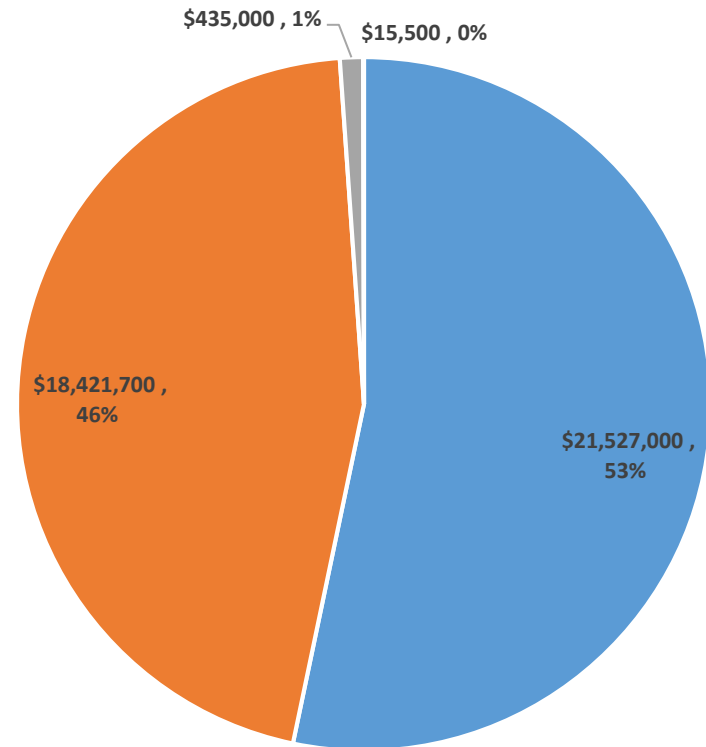
- 01 Personnel Expenditure
- 02 Goods and Services
- 03 Minor Equipment Purchases
- 04 Current Transfers and Subsidies

2022 Actual - \$43,901,135



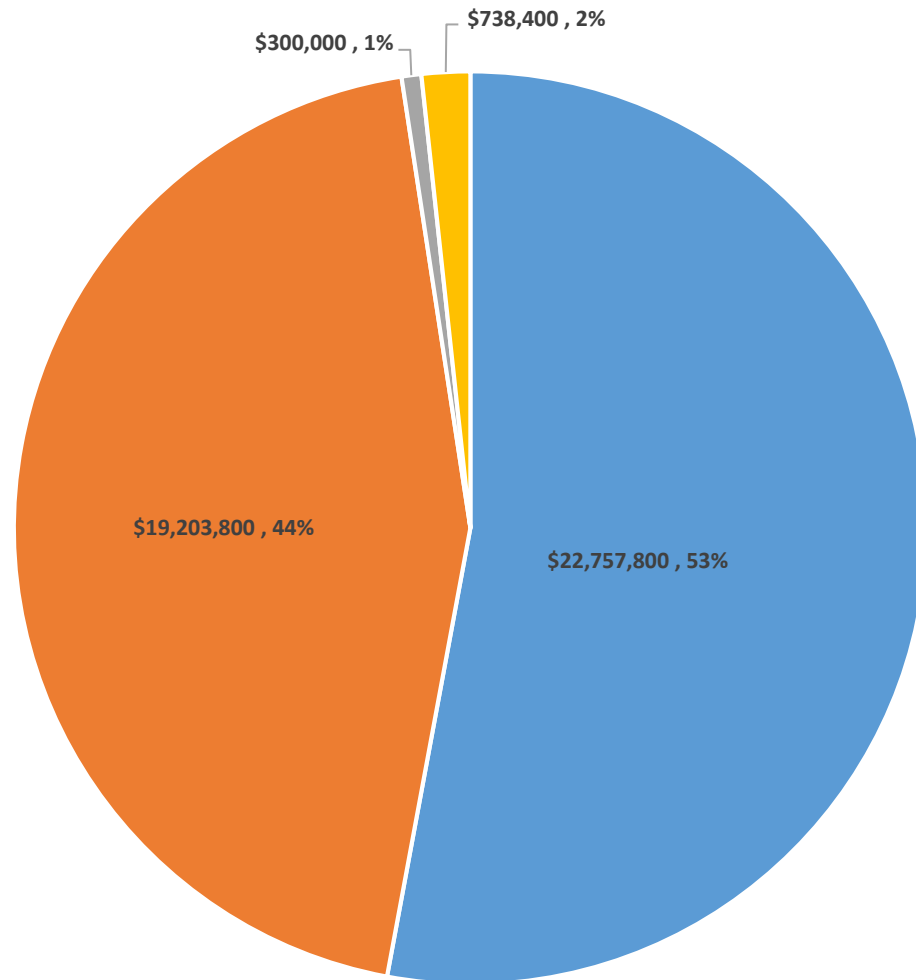
- 01 Personnel Expenditure
- 02 Goods and Services
- 03 Minor Equipment Purchases
- 04 Current Transfers and Subsidies

2023 Revised Estimates - \$42,509,450



- 01 Personnel Expenditure
- 02 Goods and Services
- 03 Minor Equipment Purchases
- 04 Current Transfers and Subsidies

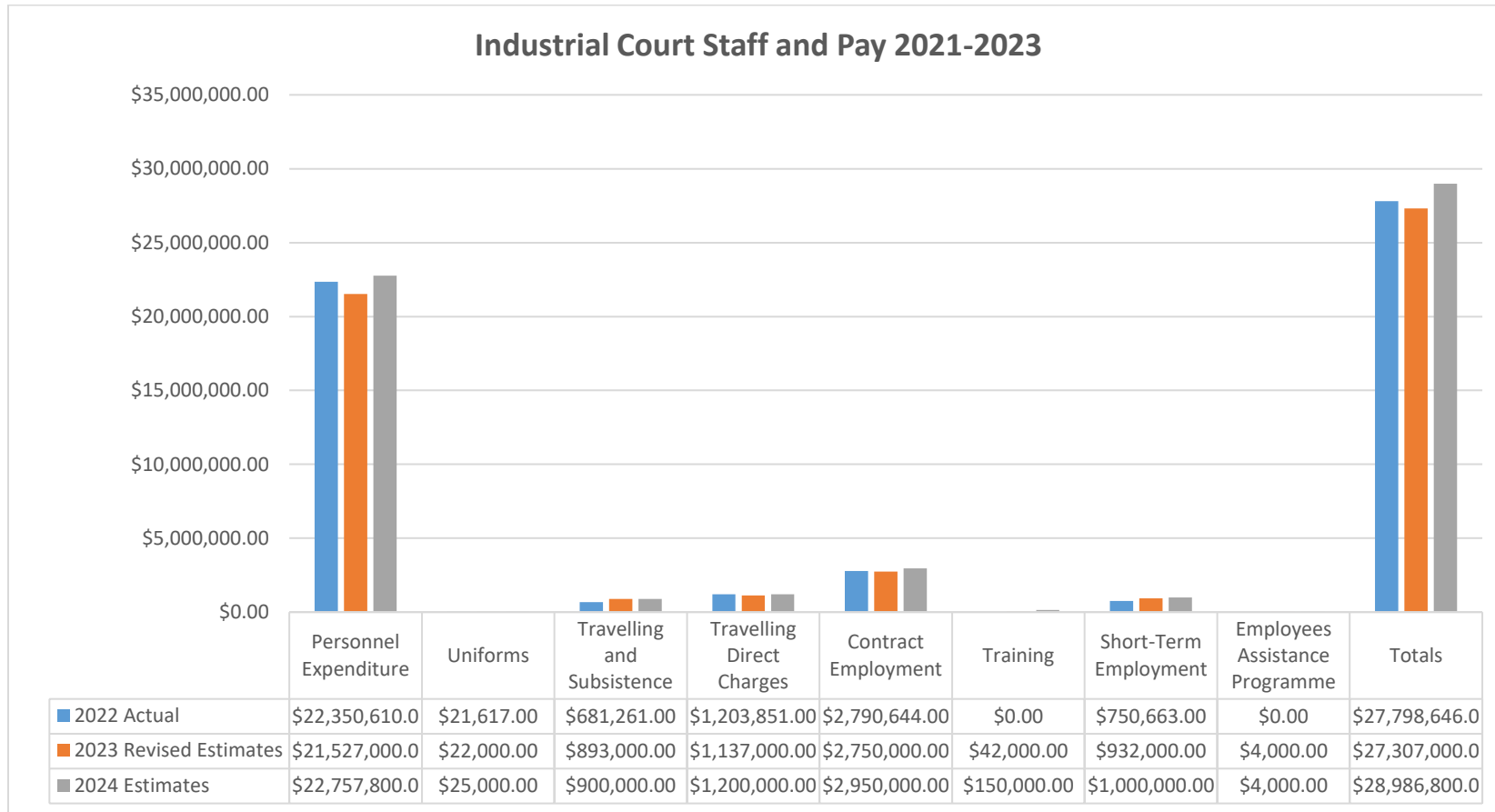
2024 Estimates - \$43,000,000



- 01 Personnel Expenditure
- 02 Goods and Services
- 03 Minor Equipment Purchases
- 04 Current Transfers and Subsidies

Staff and Pay¹¹

The allocation of staff expenditure for the fiscal year 2024 is **\$28,986,800** which represents an increase of approximately **6%** from the last fiscal year 2023. The diagram presented below provides a breakdown of all staff related expenditure from the years 2022-2024.



¹¹ Draft Estimates of Recurrent Expenditure for the Financial Year 2024. Accessed October 04, 2023: <https://www.finance.gov.tt/wp-content/uploads/2023/10/Draft-Estimates-of-Details-of-Estimates-of-Recurrent-Expenditure-2024.pdf>

Summary of Development Programme Expenditure for the period 2018-2024¹²

The Development Programme is a capital expenditure programme aimed at improving and enhancing development in different areas of Trinidad and Tobago which includes; human resources, economic and social development.

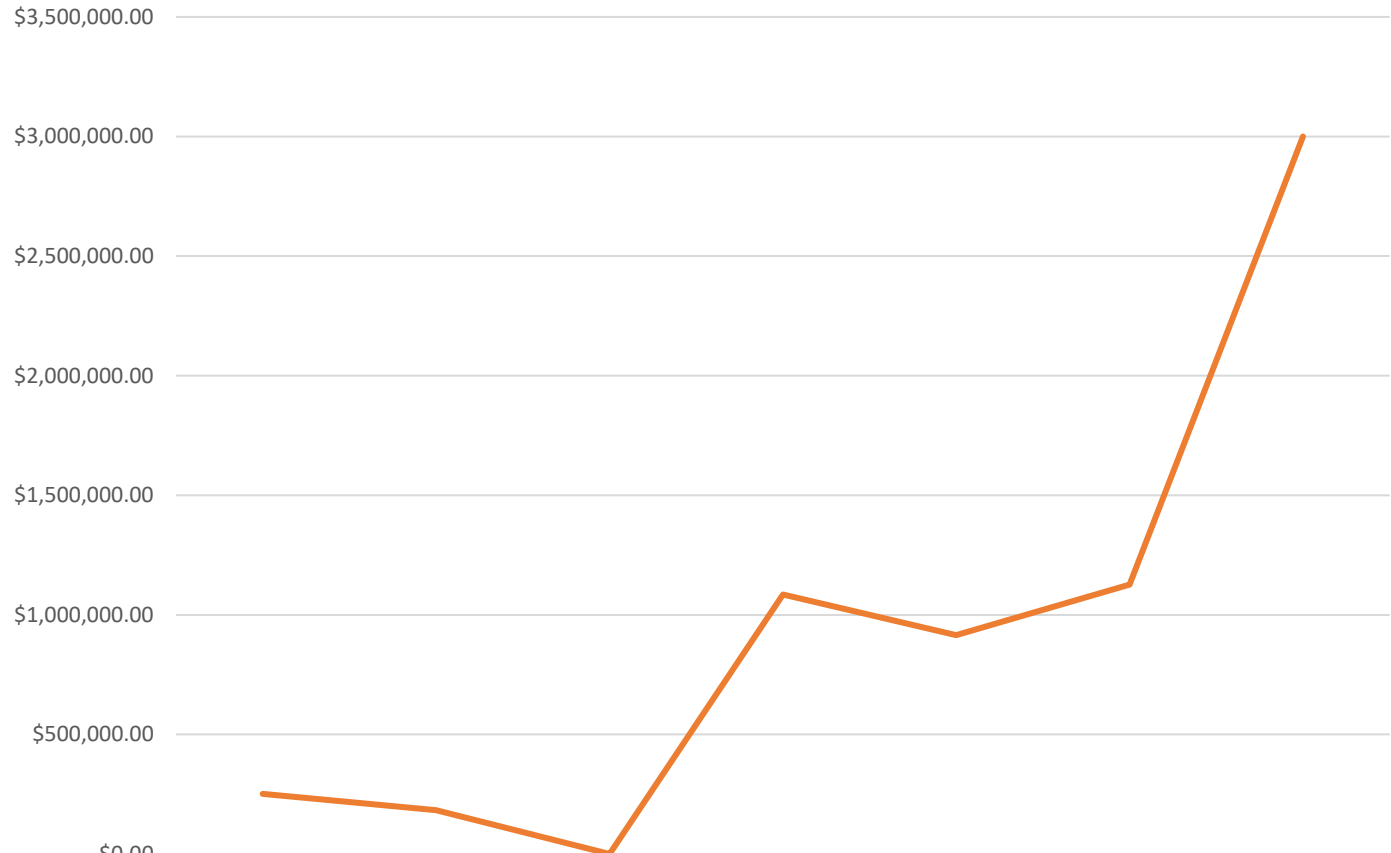
Draft Estimates of Development Programme are in the sum of **\$3,000,000**.

The funds are presented in two parts as follows:

- Funds disbursed directly from the Consolidated Fund total **\$3,000,000** representing approximately 7% of the total allocation to the Court; and
- Funds disbursed from the Infrastructure Development Fund: **no funds** were disbursed to the Personnel Department for fiscal 2024.

¹² Draft Estimates of Development Programme for the Financial Year 2024. Accessed October 04, 2023: <https://www.finance.gov.tt/wp-content/uploads/2023/10/Draft-Estimates-of-Development-Programme-2024.pdf>

Industrial Court - Summary of Development Programme Expenditure 2018-2024



	Actual 2018	Actual 2019	Actual 2020	Actual 2021	Actual 2022	Revised Estimate 2023	Estimate 2024
005 Multi-Sectoral and Other Services - Consolidated Fund	\$250,875.00	\$182,813.00	\$0.00	\$1,085,316.00	\$914,850.00	\$1,126,700.00	\$3,000,000.00

Noteworthy Development Programme Estimates in 2022-2024

The table below lists the projects that have experienced uncharacteristic variances in estimates for funding:¹³

Development Programme 2021	PROJECTS	2022 Actual	2023 Revised Estimate	2024 Estimate
CF005-06-A-001	Computerisation of the Industrial Court	\$914,850	\$824,000	\$1,000,000
CF005-06-F-001	Improvement Works and Furnishing of the Industrial Court	-	\$302,700	\$1,000,000
CF005-06-F-004	Accommodation for Tobago Office of the Industrial Court	-	-	\$1,000,000

¹³ Draft Estimates of Development Programme for the Financial Year 2024. Accessed October 04, 2023: <https://www.finance.gov.tt/wp-content/uploads/2023/10/Draft-Estimates-of-Development-Programme-2024.pdf>

Status of New Projects from Financial Years 2018 to 2024

NOTE:

- No new projects received funding in the 2018¹⁴, 2019¹⁵ 2020¹⁶ and 2021¹⁷ and 2022¹⁸ financial years.
- There are no new projects for financial year 2023 and 2024.¹⁹

¹⁴ Estimates of Development Programme 2018. Accessed September 07, 2023: <https://www.finance.gov.tt/wp-content/uploads/2018/01/Numbered-Final-Estimates-of-Development-Programme.pdf>

¹⁵ Draft Estimates of Development Programme 2019. Accessed September 07, 2023: <https://www.finance.gov.tt/wp-content/uploads/2018/10/Numbered-Draft-Estimates-Of-Development-Programme-New-2019.pdf>

¹⁶ Estimates of Development Programme 2020. Accessed September 07, 2023: <https://www.finance.gov.tt/wp-content/uploads/2020/01/Estimates-of-Development-Programme-2020.pdf>

¹⁷ Estimates of Development Programme 2021. Accessed September 07, 2023: <https://www.finance.gov.tt/wp-content/uploads/2020/12/Estimates-of-Development-Programme-2021.pdf>

¹⁸ Estimates of Development Programme 2022. Accessed September 07, 2023: <https://www.finance.gov.tt/wp-content/uploads/2021/12/Estimates-of-Development-Programme-2022-Numbered.pdf>

¹⁹ Draft Estimates of Development Programme for the Financial Year 2023, accessed September, 2022: <https://www.finance.gov.tt/wp-content/uploads/2022/09/Draft-Estimates-of-Development-Programme-for-the-Financial-Year-2023.pdf>

General Useful Information

- The Industrial Arbitration Court, Singapore: <https://www.iac.gov.sg/about-us>
- Industrial Tribunal, The Bahamas: <http://industrialtribunal.org/home/>
- The Employment Court, New Zealand: <https://employmentcourt.govt.nz/about/>
- The Labour Court, Republic of Ireland: <https://www.labourcourt.ie/en/about-us/>
- The South African Labour Courts: <https://www.justice.gov.za/labourcourt/>