

# OUR CSA

DECEMBER 2011



## INSIDE THIS ISSUE

### MESSAGE FROM THE MINISTER OF PUBLIC SERVICE, SUSTAINABLE DEVELOPMENT, ENERGY, SCIENCE AND TECHNOLOGY—

**The Hon. Dr. James Fletcher**

On behalf of the Government of Saint Lucia, I am pleased to bring greetings to the Civil Service Association and by extension, the officers in the Saint Lucia Public Service.

I feel particularly blessed to have arrived at this juncture through an interesting journey, spanning a little over three decades. After starting my working life in 1980 as a Junior Clerk employed in the Inland Revenue Department, I progressed to Produce Chemist in the Research Division of the Ministry of Agriculture, then to Permanent Secretary in the Ministry of Agriculture, Forestry and Fisheries, and finally to Cabinet Secretary and Head of the Public Service. Interspersed among my various assignments in the Public Service have been stints as a Graduate Teacher at the Leon Hess Comprehensive Secondary School, a consultant working on projects that required collaboration with Public Sector agencies, and recently, a senior regional public servant employed with the OECS Secretariat. Therefore, it is relatively safe to say that I have seen the Public Service from several angles and vantage points

These perspectives, hopefully, have prepared me for the task which the Prime Minister has assigned to me to help in charting the next steps in the evolution of our Public Service, as Minister with responsibility for the Public Service, Information, Broadcasting, Sustainable Development, Energy, Science and Technology.

Our goal is to work with all stakeholders to improve the efficiency, effectiveness, customer-focus and accessibility of our public services. We want to create a public service that is better adapted to the environment in which it must operate and more attentive to the needs of the officers who serve in it. I am confident that with the support of the CSA, the other public sector unions and, most importantly, our skilled and competent Public Officers, we can work toward developing our Public Service into one that is the pride and envy of the OECS and the wider Caribbean region. I wish all Public Officers a joyous Christmas Season and I look forward to working with you in the New Year to help build a better Public Service and, by extension, a better Saint Lucia.

Warmest Regards

Jimmy Fletcher



**Front page:** Message from Hon. Dr. James Fletcher, Minister, Ministry of the Public Service, Sustainable Development, Energy, Science and Technology

**Page 2:** messages by the general secretary

**Health and safety workshop**

**Your new executive**

**Page 3:** Where is our labour code?

**Page 4:** Negotiations with Government have commenced

**Early Intervention—Key to Conflict Resolution**

**Page 5-8:** Status of Collective Agreements/ Negotiations



**THANK YOU MESSAGE TO DR. FLETCHER**

Thank you Dr. Fletcher for your short message.

We share similar goals and aspirations as a Trade Union representing employees of the Civil Service. We stress upon our members the need to strive toward efficiency, effectiveness and increased productivity, the gains of which can only redound to their benefit and to the benefit of our nation as a whole. We certainly look forward to working with you in the New Year, and beyond, to build a better Public Service and a better St. Lucia.

David Demacque  
General Secretary, CSA

**MESSAGE BY DAVID DEMACQUE, GENERAL SECRETARY, CSA**



As the year 2011 ends, CSA and its members look forward to 2012. The new National Executive Committee (NEC) which was elected at the 14<sup>th</sup> Biennial Convention is charged with the responsibility and undertaking of the CSA in 2012.

The members of the newly elected NEC include: Mary Isaac (President), Wilfred Pierre (1<sup>st</sup> Vice President), Cyprian Montrope (2<sup>nd</sup> Vice President), Emmanus Alfred (3<sup>rd</sup> Vice President), Patrick Mathurin (Secretary), Melissa Joseph (Treasurer), with Monica Williams, Sabina Belizaire and Peterson Satney (Trustees).

Based on the planned activities of the CSA for 2012, the members of the CSA have reason to look forward for improved services and benefits. For example, negotiations that were delayed will be completed; a revised Constitution will be adopted; the NEC is seeking to improve the Group Medical Plan in favour of members; work on the establishment of a Housing and Workers Multipurpose Cooperative will be completed, together with other aspects of benefits for members. And so, as 2011 closes and we prepare for the opening of 2012, members are encouraged to keep their interests in the activities of the Union.


I would like to take this opportunity on behalf of the National Executive Committee and staff of the Secretariat to wish all members a peaceful and enjoyable Christmas and a bright, productive and prosperous 2012.

**HEALTH AND SAFETY WORKSHOP**




The St. Lucia Civil Service Association (CSA) held a two (2) day Occupational Health and Safety Workshop on December 5 and 6, 2011, at the CSA's Auditorium, Sans Souci, Castries. This activity was a collaborative effort between the CSA, Caribbean Congress of Labour (CCL) and the International Labour Organization (ILO). Our target group included trade union officials, media personnel, members of OHS groups, employees of Government departments and staff of the CSA. The facilitator for this important and timely workshop was Mr. Andres Griffith, Health and Safety Consultant. This workshop was viewed as a Train-the-Trainers course and should ensure continuity in building awareness amongst all stakeholders and also build capacity in the areas of Occupational Safety and Health and hazard identification. The number of participation was deliberately restricted to twenty (20), in order to allow for total participation and dialogue. A perusal of the evaluation forms suggests that the workshop was a great success. The participants felt, however, that due to the technical nature of the exercise, more time should have been allocated for group discussions. It is anticipated that those persons who participated in this exercise would use this knowledge and experience to ensure that the work environment within the public service is made as safe and hazard free as possible.

**YOUR NEW EXECUTIVE**


	<b>Mary Isaac – President</b>
---	-----------------------------------

	<b>Wilfred Pierre – 1st Vice President</b>
---	--

	<b>Cyprian Montrope – 2nd Vice President</b>
---	--

	<b>Emmanus Alfred 3rd Vice President</b>
---	--

	<b>Patrick Mathurin Secretary</b>
---	---------------------------------------

	<b>Melissa Joseph Treasurer</b>
---	-------------------------------------



## WHERE IS OUR LABOUR CODE?

In 2006, the St. Lucia Labour Party passed the Labour Code so as to give protection to workers who, most times, were being exploited by the Employers. The Labour Code did not take effect due to the results of the 2006 General Elections, which saw the coming into office of the United Workers Party, under the leadership of Sir John Compton. Soon after that, the newly appointed Minister of Labour, Hon. Stephenson King indicated that one of his Government's priorities was to enact the Labour Code. However, he was of the opinion that some amendments to the existing document were required.

After the unfortunate demise of Sir John, the Labour portfolio was handed over to Hon. Edmund Estephane, who again promised that the Labour Code would have been passed as a matter of urgency. After some more consultation in 2010, a much WATERED DOWN version of the Code was presented to the House of Assembly for debate in 2011. With some more amendments, both the lower and upper houses approved the now named "Labour Act".

In presenting the Labour Code Amendment Bill to Parliament on Tuesday, February 15, 2011, the Labour Minister, Hon. Edmund Estephane said that "the amended Labour Code is designed to facilitate a level playing field between employers and employees". He went on further to state that "the purpose of the Labour Code is to bring about the necessary legislation relating to Labour and Industrial Relations in St. Lucia in a consolidated way that is sensitive to existing local practices, without compromising existing international labour standards". The amended Labour Code, he said, stipulates workers rights and responsibilities and that of their employers.

He said further "we are a responsible Government; we promised the people of St. Lucia that we would revisit the Code and we have done just that".

"We chose to review the Code not because it was convenient and easy, but because it was the responsible thing to do. By doing so, this Government listened to the voices of the people and provided the opportunity for trade union, employers and the general public to further examine those provisions of the Labour Code, so that issues could have been settled amicably". The Minister said that once both houses had approved the amendments, the Code would be presented to the Governor General to affix her signature to make the Code law.

So, my dear workers, where is the Code today – November 2011.

As I intimated earlier, the Code which was presented to Parliament on February 15, 2011 was a debased version of what was passed in the House in 2006. For the purpose of this Article, I have chosen to identify three (3) of the more important workers rights which were amended/removed from the Code by the Government of the United Workers Party.

(1) Section 90 of the Principal Act stated that an employee who has worked for six (6) months or more shall be eligible for paid sick leave, This Section was amended by taking out "shall" and replacing it with "may", and if its economically feasible to do so".

After mounting pressure exerted by the employers, what is now Section 161 (1) and (2) of the Code, is yet again an anti-worker position. The original document presented to the employers stated that where an employee had given ten (10) or more years service to an employer, and that employee's services were terminated by reason of resignation, sickness, etc., the employee would have been entitled to a severance payment. Section 161 now states that "the Minister "may" after consultation with the Trade Unions and employers' organizations, make Regulations relating to severance".

There are also amendments made to Section 358 of the Code which makes it more difficult for trade unions to gain recognition to bargain on behalf of groups of workers. The principal act states that the Unions should demonstrate that "a substantial" member of workers are members of the Union; the amendment states that the Union must show that "a majority" of members with the bargaining unit wish to be represented by the Trade Union". In any event, with or without these amendments, the fact remains that St. Lucia still, today, does not have a Labour Code/Labour Act.

I am of the opinion that we should agitate, if not, for ourselves then for our children that the Government enact the Labour Code to bring about that level playing field which the Minister of Labour spoke about earlier.

Website: [www.csastlucia.org](http://www.csastlucia.org)

Email: [csa@candw.lc](mailto:csa@candw.lc)

Tel.: 1-758-452-3903

1-758-453-1208

1-758-285-3730

1-758-285-4537

Fax: 1-758-453-6061

CSA

THE UNION THAT SERVES YOU.

## **NEGOTIATIONS WITH GOVERNMENT HAVE COMMENCED**

After having submitted our proposals to the Government of St. Lucia last year (2010), the parties eventually met on September 20, to commence negotiations.

This first meeting was really introductory and was used to establish certain guidelines for the smooth conduct of the negotiations.

The Government Negotiating Team, at that time, had not responded to our proposals, and the CSA took the position that it would not be involved in any further negotiations until it had received counter proposals from the Government Team in keeping with established Industrial Relations practice.

The Government Team responded sometime in October, and presented us with their counter proposals which, to say the truth, was quite shocking. A number of items/clauses in our agreement which were fought for over the years were being targeted for removal from the Collective Agreement.

This move suggests that this round of negotiations is going to be an uphill battle, and all members are, therefore, being asked to keep their eyes and ears opened, and to agitate and be advocates for fairness and justice as fair as their rights and privileges are concerned.

The parties are scheduled to meet in November, and all members shall be informed of any progress made via different media.

Since the writing of the first part of this article, the CSA and Government Negotiating Team have met on two (2) more occasions, and have been able to reach agreement in a number of articles. Our earlier conclusion that the Government had intended to exclude certain items from the agreement, was clarified by Government's Negotiating Team and as a result, paved the way for cordial, frank and fruitful discussions.

The important areas of wages/salaries and other monetary fringe benefits have not been settled. It is hoped that these important matters will be discussed at the next round of negotiations.



## **EARLY INTERVENTION – KEY TO CONFLICT RESOLUTION**

First of all, let me state clearly that I am of the opinion that in order to manage conflict, the HR Department must, of necessity, make timely interventions; the HR staff must be in a position to identify the signs of conflict and then give an appropriate response. Wherever you have a place where people interact with each other, the possibility of conflict exists; the work environment is such a place.

People at work have different needs, ideas and have their own opinions on how things should be done; this divergence of requirements and views often leads to conflict. These differences of opinion are not necessarily a bad thing since such interaction, if handled properly, can allow persons to better understand the issues and to learn each other's viewpoints thereby leading to discussions which are more inclusive and creative. However, if this conflict is not handled properly and in a timely manner, resentments can build and the conflict situation may get worse leading to a decrease in productivity, low morale, resistance to change, absenteeism, labour turnover, etc. It is important, therefore, for HR personnel to have the ability to manage conflict and to deal with conflict situations efficiently when they arise.

In order for the HR to be able to deal with conflict in a successful manner, they would need to understand the nature of workplace conflict. In order to do this, there needs to be regular communication with all staff where frank and open discussions are held re: management of work and interaction amongst staff members. One writer suggests that the following signs should alert the HR that there is the likelihood of potential conflict: gossip, avoidance, resistance, enclosure, absenteeism, mood change, change in social patterns, etc.

They should also be aware that conflict is generally caused when a person believes that his/her needs are not receiving adequate attention, or that their views/opinions are not valued. Discontent in the workplace may be caused by preferential treatment, poor performance, limited information, poor communication, limited resources etc.

Another expert in the field of conflict resolution suggests the following steps as a means of intervention towards conflict resolution: -(1) Identify the issues (listen and summarize the key issues and concerns) (2) Explore the issues (explore and acknowledge the needs, wants and interests of parties) (3) Generate solutions and options (facilitate discussions toward mutual agreement and understanding) Of course, we can write volumes about managing conflict and the roles of different players in conflict resolution, but it is clear that the most important step in managing conflict is the timely intervention of Management. The failure of HR to make timely interventions in conflict situations is by and large responsible for the many negative effects of conflict.

Avoiding the management of workplace conflict can turn out to be a disastrous practice. You need to "bite the bullet" and address the conflict situation immediately and constructively.

Inaction on the part of management can lead to unresolved, long running conflicts which in turn can result in aversion, breakdown in communication, poor team work, stress etc.

Always remember that conflicts are inevitable in the work environment and the key to resolving such conflicts is to "HANDLE SOONER RATHER THAN LATER".

## STATUS OF COLLECTIVE AGREEMENTS/NEGOTIATIONS

ORGANIZATIONS	PERIOD OF AGREEMENT	EXPIRY DATE	STATUS
N.S.D.C.	April 1, 2007 to March 31, 2010	<b>March 31, 2010</b>	<p>Proposal for negotiations were submitted on April 26, 2010 and management was again reminded by letter dated June 2, 2010.</p> <p>The Labour Commissioner was written to on January 6<sup>th</sup>, 2011 seeking his intervention. The commissioner wrote to NSDC via letter of 10.1.11 and received a response on 21.1.11.</p> <p>Based on the above, the Chairperson of the NSDC was written to on February 9<sup>th</sup>, 2011 seeking a date and time for the commencement of negotiations.</p> <p><b>During the period under review the situation remain unchanged. Given the above the CSA may have to again seek the intervention of the Department of Labour with the intention of bringing the parties to the table.</b></p>
SAINT LUCIA NATIONAL ARCHIVES AUTHORITY	April 1 <sup>st</sup> ,2007 to March 31 <sup>st</sup> , 2010	<b>March 31<sup>st</sup>, 2010</b>	<p>Negotiations of fringe benefits have concluded. The Classification and salary scales provision of the existing Agreement were implemented effective June 2011.</p> <p><b>Outstanding for discussion is the salary provision which is dependent on the conclusion of Government negotiations.</b></p>
S.L.T.B.	April1, 2008 to March 31, 2011	<b>Mrch 31, 2011</b>	<p>Negotiations are ongoing. The outstanding provisions for conclusion are as follows:-</p> <ul style="list-style-type: none"> <li>• Meal Allowance</li> <li>• Medical Insurance</li> <li>• Gratuity</li> <li>• Salary Increases</li> </ul> <p>By letter dated August 10, 2011 the Board advised of its position on the above mentioned. The salary offer is for 6% for the triennium with a 2% per year.</p> <p>The Shop-Steward by letter dated September 8th wrote advising of the members concern re the SLTB letter of (10.8.11).</p> <p><b>We await a date and time from the Shop-steward for a general meeting with the employees to discuss further the offer of the SLTB.</b></p> <p><b>Thereafter a meeting will be arranged with Management to conclude the negotiations.</b></p>

## STATUS OF COLLECTIVE AGREEMENTS/NEGOTIATIONS CONT'D

ORGANIZATIONS	PERIOD OF AGREEMENT	EXPIRY DATE	STATUS
S.A.LC.C.	April 1, 2007 to March 31, 2010	<b>March 31, 2010</b>	<p>Draft proposals submitted in April 2010.</p> <p>Management was again written to on 29.7.2011, requesting a date and time for the commencement of negotiations on the non-monetary provisions.</p> <p>SALCC have advised that salary negotiations will be done in conjunction with the GNT.</p>
SLFM.C	September 1, 2007 to August 31, 2011	<b>August 31, 2011</b>	<p>Draft proposals were submitted on April 29<sup>th</sup>, 2011.</p> <p>Management responded by letter dated August 3<sup>rd</sup>, 2011 advising that our "proposals are being reviewed and a counter proposal will be sent in due course along with a date and time for the commencement of negotiations".</p>
National Conservation Authority	April 1, 2010 to March 31, 2013	<b>March 31, 2013</b>	Provisions of the Agreement to be monitored.
Castries City Council	April 1, 2010 to March 31, 2013	<b>March 31, 2013</b>	<p>Provisions of agreement to be monitored.</p> <p>A submission is to be made on salaries for the period April 2012 to March 31<sup>st</sup>, 2013.</p>
St. Lucia Social Development Fund	December 1, 2007 to November 30 <sup>th</sup> , 2010	<b>November 30<sup>th</sup>, 2010</b>	<p>Draft proposals submitted on March 7, 2011.</p> <p>We await SSDF counter proposals and a date for the commencement of negotiations.</p>
Government of St. Lucia	April 1, 2007 to March 31, 2010	<b>March 31, 2010</b>	A schedule is awaited from the GNT for the commencement of negotiations on fringe benefits.
LEWIS INDUSTRIES	August 1, 2006 to July 31, 2012	<b>July 31<sup>st</sup>, 2012</b>	Provisions of Agreement to be monitored.
ST. LUCIA CIVIL SERVICE CO-OPERATIVE CREDIT UNION	January 1, 2008 to December 31, 2011	<b>December 31, 2011</b>	<p>Negotiations concluded on September 12<sup>th</sup>, 2011.</p> <p>Members received reclassified salaries for the first year of the agreement and a 6% salary increase for the remaining two years at 3% per year. (Period of agreement January 2011 to December 2014)</p> <p>Employees who did not benefit from the classification exercise will receive a lump sum incentive of \$420.00.</p> <p>Draft Agreement is being prepared for signing.</p>

## STATUS OF COLLECTIVE AGREEMENTS/NEGOTIATIONS CONT'D

ORGANIZATIONS	PERIOD OF AGREEMENT	EXPIRY DATE	STATUS
CBN	April 1, 2007 to March 31 <sup>st</sup> , 2010	<b>March 31, 2010</b>	<p>CBN, by correspondence dated June 3, 2011, submitted what it termed a "Package Deal Only" for consideration.</p> <p>After consultation with the Employees on July 14<sup>th</sup>, CBN was informed of the employees' position via correspondence of July 15<sup>th</sup>, 2011.</p> <p>CBN required further information after receipt of our July 15<sup>th</sup> correspondence.</p> <p>By letter dated August 31<sup>st</sup>, 2011 we responded to CBN with a view of seeking a final meeting to conclude negotiations.</p> <p>Given the weakness of this Branch and the frequent staff turnover our options are indeed limited.</p> <p>The shop-Steward resigned as at August 2011.</p>
W.A.S.C.O.	January 1, 2008 to December 31, 2009	December 31, 2009	<p>Negotiations finally commenced on August 11, 2011.</p> <p>We await WASCO's counter proposal on the items discussed at the meeting of 11.8.11.</p>
ST. LUCIA BUREAU OF STANDARDS	July 1, 2008 to June 30 <sup>th</sup> , 2011	<b>June 30<sup>th</sup>, 2011</b>	<p>By letter dated July 8<sup>th</sup> Management advised that their counter proposal on salaries is 0 %.</p> <p>We await a new date for the commencement of negotiations as the previous date of 6.9.11 was mutually agreeable.</p>
ST.LUCIA MARKETING BOARD	January 1, 2005 to December 31,2006	<b>December 31, 2006</b>	<p>Agreement expired over six (6) years ago. The future status of this organization is yet to be determined as the employees continue to be denied of the basic provision of the Collective Agreement.</p>
ST. LUCIA AIR AND SEAPORTS AUTHORITY	June 1,2009 to May 31, 2012	<b>May 31<sup>st</sup>, 2012</b>	<p>Provisions of agreement to be monitored.</p> <p>It was reported by the Shop-Steward that SASPA made a further salary award of 5% to the Port Police as at April 1, 2011. This situation is being monitored for purposes of equity.</p>



## STATUS OF COLLECTIVE AGREEMENTS/NEGOTIATIONS CONT'D

ORGANIZATIONS	PERIOD OF AGREEMENT	EXPIRY DATE	STATUS
RADIO ST. LUCIA COMPANY LTD	April 1 <sup>st</sup> , 2009 to March 31 <sup>st</sup> , 2012	March 31, 2012	Provisions of agreement to be monitored.  Employees received their final salary percentage increase of 2-5% as at April 1 <sup>st</sup> , 2011.
SOUFRIERE REGIONAL DEVELOPMENT FOUNDATION	September 1 <sup>st</sup> , 2009 to August 31 <sup>st</sup> , 2012	August 31 <sup>st</sup> , 2012	Provisions of the agreement to be monitored.  Employees are due to receive their 2010 bonus which will be paid in two installments September and December 2011 respectively.
NATIONAL DEVELOPMENT CORPORATION	December 1, 2009 to November 30th 2012.	November 30th, 2012	Provisions of agreement to be monitored.
ADVANCE BUILDING MAINTENCE SERVICES	October 1 <sup>st</sup> 2010 to September 30, 2013	September 30, 2013	Provisions of agreement to be monitored.
SPORTS ST.LUCIA INC.	April 1, 2010 to March 31 <sup>st</sup> , 2013	March 31st, 2013	Negotiations concluded on August 16, 2011. The parties agreed to 12% salary increase for the period 2010 to 2013 as follows:-  Year 1 4% Year 2 4% Year 3 4% Draft Agreement has since been sent for the perusal of management. We await feedback. Thereafter arrangement for signing will be made.
COMPUTER CENTRE LTD.	May 1 <sup>st</sup> , 2005 to April 31 <sup>st</sup> , 2010	April 31 <sup>st</sup> , 2010	Negotiations concluded on May 26, 2011; the two outstanding areas, salaries and gratuity, were satisfactorily addressed.  Salaries of 12% were awarded for the period May 2005 to April 2010. While gratuity of 5% of terminal Annual Gross salary times number of years of employment was agreed to.  The draft Agreement was submitted to CCL. We await feedback; thereafter arrangement for signing will be made.
BEL JOU HOTEL	February 1 <sup>st</sup> , 2010 to January 31 <sup>st</sup> , 2013	January 31 <sup>st</sup> , 2013	Draft Agreement is currently being perused by the parties.
LUCELEC	December 1 <sup>st</sup> , 2010 to November 30th, 2013	November 30th, 2013	Negotiations are ongoing. To date, fourteen (14) clauses have been agreed to while thirty one (31) clauses have been deferred.  Outstanding for negotiation is the salary provision. Members have directed that this clause be linked to the new grade structure.

**THE CSA WORKS FOR YOU! KEEP IN CONTACT WITH OUR SECRETARIAT FOR ALL THE LATEST DEVELOPMENTS**