International Labour Organization
Caribbean Office

CARIBBEAN
LABOUR MINISTERS
MEETING

Sam Lord’s Castle Resort
St. Phillip, Barbados
24-26 April, 2002
Introduction


The meeting brought together 36 delegates and representatives from 18 countries and territories of the English- and Dutch-speaking Caribbean. Also participating in the meeting were representatives from the Caribbean Community (CARICOM) Secretariat, the Caribbean Congress of Labour (CCL), the Caribbean Employers’ Confederation (CEC). Representatives of the Inter-American Development Bank (IDB), and the US Department of Labour (USDOL) participated on relevant agenda items only. A complete list of participants and ILO staff is attached in the Annex to this report.

The meeting provided a forum for Ministers to focus on strategies to modernize Ministries of Labour, to discuss their role in influencing national socio-economic policies, to promote social partnership, to develop and upgrade labour market information systems, and to consider new trends and developments in international labour affairs and labour standards. Relevant agenda items for the June 2002 International Labour Conference (ILC) in Geneva were also discussed, including: promotion of cooperatives, recording and notification of occupational accidents and diseases, occupational safety and health, and the informal economy.

OPENING CEREMONY

As chair of the opening ceremony, Mr. Samuel J. Goolsarran, Senior Specialist on Industrial Relations and Labour Administration, ILO Caribbean Multidisciplinary Advisory Team, welcomed the Ministerial participants, delegates, observers, trade union and employers’ organization representatives and invited officials in attendance at the 4th ILO Caribbean Labour Ministers Meeting. He stated that the meeting provided a forum for Ministers of Labour to discuss important issues impacting on the labour portfolio. Mr. Goolsarran introduced each of the evening’s speakers.

Remarks

Lt. Col. Neville Edwards, Permanent Secretary, Ministry for Labour and Social Security of Barbados, warmly welcomed the delegates, stating that Barbados was pleased to host the ILO Caribbean Labour Ministers Meeting for the first time. He described the meeting as two days in which to discuss and debate the labour agenda. Recalling the original purpose of these meetings as expressed by many Caribbean Labour Ministers, the Permanent Secretary made reference to the importance of the Ministers meeting to discuss critical regional and international developments, to exchange ideas and experiences and to consider strategies and policy initiatives for the effective management of labour relations. He noted the importance of each agenda item, and suggested that any
similarities between the nature and scope of this agenda and those of past meetings indicated the possible need for even more frequent meetings.

Labour issues were described as central to the development of Caribbean economies and were at the core of regional integration and globalization. Nowhere was this clearer than in the increasing fragility and interdependence of small economies brought about by globalization. The close collaboration between the ILO and the countries of the Caribbean region was seen as important in building on the improvements that were made in the recent past. Lt. Col. Edwards asserted that the small, developing and open economies in the Caribbean must come together to preserve their economic stability and to further the development of their countries and the protection of their workers.

**Mr. Willi Momm**, Director of the ILO Caribbean Office, described the situation which faced employers, workers and government officials in the era of globalization and the challenge to: “compete at the global level or suffer the consequences.” He asserted that fast-paced globalization and trade liberalization continue to impact on Caribbean countries, many of which had little power to influence its progress or effects. He warned that CARICOM-level economic integration was proceeding at too slow a pace, raising the prospect that Caribbean integration might be overtaken by hemispheric integration, and expose these countries to the pressures of competition within the Free Trade Area of the Americas (FTAA) with inadequate preparation.

Mr. Momm stated that preparing the countries in this region for the implementation of the FTAA in 2005 was the most important issue confronting the Caribbean. While Caribbean Ministries of Labour would likely bear the brunt of the potential negative impact of such hemispheric competition, Mr. Momm pointed out that they also held some of the keys to help avert the looming crisis.

He went on to point out that the future of the Caribbean economies might largely be decided based on their labour and human resource management. There were several advantages that the region held over the lower-wage countries of Latin America, including:

- Better governance;
- Better educational systems;
- Higher productivity;
- Security;
- Political stability;
- Better systems of redistribution;
- Larger formal labour market;
- Functioning labour market institutions, and
- More cooperative social actors.

He suggested that those comparative advantages could be central to achieving competitiveness and economic growth.
Mr. Momm challenged the region to create special niche markets and create commercial value based on the culture, skills and talents of its people. He argued that the Caribbean was itself a brand name and that investment, employment creation and labour market policies must be an integrated and concerted effort. Given the potential for the region to benefit from these advantages, Mr. Momm urged the delegates that the time for action had arrived, and neither complacency nor despair could be tolerated. He suggested that no one except the people of the Caribbean were truly interested in Caribbean development, and that therefore the people of the Caribbean must take control of their own fate and success must come from its citizens, their skills and their entrepreneurship. He argued that the economy of the Caribbean must no longer be driven primarily by outside interests, but by the domestic business sector that had a stake in the long-term outcomes.

Mr. Momm encouraged governments to assume a new role, one of empowering their society and people to take charge of their own fate, serving their citizens rather than acting as a bureaucratic obstacle to initiative. In this context, he suggested that Ministries of Labour were facing new challenges and that consequently, the modernization of Ministries of Labour continued to be an important issue in these discussions. Mr. Momm closed by expressing the ILO’s enduring commitment to the meetings of Labour Ministers as an important means to pursue the common interests of the Ministries of Labour and the ILO.

Mr. Lincoln Lewis, President of the Caribbean Congress of Labour, expressed great pride on behalf of the CCL to be participating in the Meeting. He explained that the CCL placed great importance on the institutionalization of social dialogue among all governments and social partners in the region, and was heartened to see it beginning to be reflected in the actions of Caribbean Heads of Governments. Mr. Lewis cautioned that the commitment to regional integration required the defense and development of the region as a whole, and not as individual States. He reiterated the strong support of the CCL for the development and implementation of labour standards as a prerequisite to trade agreements and as a part of regional and hemispheric integration. Mr. Lewis committed the CCL to continue working with governments and employers for the greater benefit of the people.

Mr. Marcel Meyer, President of the Caribbean Employers Confederation, expressed the interest of the CEC in the progress and results of the projects undertaken by the ILO in collaboration with key international, regional and national partners. As the Ministers Meeting was the highest level where the CEC could engage in dialogue with CARICOM government officials, he declared the great pleasure with which the Organization would contribute to such an important topic as The Status, Influence and Powers of Labour Ministries to Influence National Socio-Economic Policies. He pointed out that a number of strategic actions must be undertaken so that the Ministries of Labour might adjust to the rapidly changing situations brought about by globalization, such as:
• Promotion of social dialogue as part of an improved national and regional investment climate;
• Involvement of non-State actors (social partners, private sector, civil society) in the implementation of the COTONOU Agreement;
• Strategic partnerships between Ministries of Labour and other relevant Ministries to access benefits of Cotonou Agreement;
• Promotion of the UN Global Compact;
• Direction of efforts toward all levels of the productive economy, with a particular focus on SMEs;
• Higher levels of HR development and skills upgrading;
• Establishment of a non-State actors platform where all segments of society can be heard;

In an effort to avoid misunderstandings, to better define the role of each partner and to improve the Ministries’ positions, Mr. Meyer concluded by advocating strategic alliances between the Ministries, the Social Partners as well as with other Non-State Actors.

Mr. Steven MacAndrew, Deputy Programme Manager of the Caribbean Community Secretariat, offered greetings and best wishes for a productive meeting from the Secretary General and the Assistant Secretary General of CARICOM. He noted that this particular meeting came at a time when the region was faced with many impending challenges due to the effects of globalization and the current state of the international economy. He encouraged the Ministries of Labour to take responsibility for moving forward on the implementation of harmonization measures, making specific reference to the free movement of skilled labour. With regard to the negotiations taking place under the auspices of the Summit of the Americas, Mr. MacAndrew called for better collaboration between the institutions and States in the Caribbean region: With the modernization of the Ministries of Labour, he stated that these Ministries would be better positioned to affect and impact on policy decisions that would be critical to the economic and social development of their countries.
Feature Address

The Honourable Mr. Rawle C. Eastmond J.P., M.P., Minister for Labour and Social Security, Barbados, welcomed all of the delegates attending the meeting, and offered the following quote from the 19th century American philosopher Ralph Waldo Emerson:

“This time, like all times, is a very good one, if but we know what to do with it.”

This statement was presented as a challenge to delegates to approach the developments of the new century with increased creativity and perspective. He urged that the participants not allow themselves to be intimidated by the anticipated adverse trends on the horizon, but rather to rise to the challenge of taking action and developing new and innovative solutions to deal with these problems. While the Minister acknowledged the uncertainties involved in the difficult times ahead, he encouraged Labour Ministers to look for opportunities and comparative advantages, and to work toward influencing outcomes in accordance with their common strategic vision.

Minister Eastmond paid tribute to the research and analytical work that the ILO and its partners had been carrying out in the region. Among these, he made particular reference to the publication edited by Mr. Momm entitled Labour Issues in the Context of Economic Integration and Free Trade, the Labour Administration Systems study undertaken by Mr. Kieran Mulvey, Tayo Fashoyin’s paper Barbados: Fostering Economic Development through Social Partnership, and the numerous studies and activities spearheaded by the ILO Caribbean Office, CAMAT and the ILO-PROMALCO Project. The successful collaboration between CARICOM and the ILO was identified as a valuable source of assistance and guidance to the countries in the region.

Minister Eastmond referred to the meeting agenda as evidence of the consensus that had been reached within the region on at least part of the necessary response on a common “labour agenda”. Further indication of this common agenda was alluded to by the Minister, pointing to the issues identified as high-priority by the aforementioned studies. These issues included:

- Strengthening democracy in open economies through the inclusion of a labour dimension of globalization;
- Emphasizing human resources development and labour relations as a means of promoting economic growth and increased labour productivity;
- Realizing minimum levels of social protection, and
- Modernizing the role, structure and function of Ministries of Labour.

The Minister pointed to these commonalities as evidence that Caribbean Ministries of Labour were working in the right direction, but called for urgency to ensure that labour issues were not further relegated to a position of irrelevance.

The enthusiasm shown by governments, the private sector and workers’ representatives with regard to human resource development was seen by the Minister as indicative of the
important link between human resources and the social and economic policies in the Caribbean. Minister Eastmond identified workforce preparedness as a critical aspect of meeting the challenges of the new economic order, citing the training, multi-skilling and flexibility of the labour pool as key elements of its “international marketability”. He suggested a linkage between the employability of the individual and economic productivity and competitiveness.

Minister Eastmond then addressed the important role of employment policies in increased economic growth and poverty alleviation. He proposed that increasing opportunities for Caribbean people to share in economic growth could result from the promotion of entrepreneurship, focused specifically on small and medium-sized enterprises. While he recognized that some of the economic restructuring would result in job losses, Minister Eastmond was convinced that workers who were willing to learn new skills would find alternative employment. Rather than being seen as a last resort for labour absorption, Minister Eastmond encouraged the support of entrepreneurship as a long-term strategy of leading marginalized people out of tenuous employment situations.

On the subject of trade negotiations, Minister Eastmond stressed the importance of demonstrating a unified front, encouraging re-commitment to CARICOM and especially the CARICOM Single Market and Economy (CSME). As members of CARICOM, the Minister urged the audience to re-examine their commitment to the objectives of the community, mainly focused on full employment in all factors of production and improved standards of living and work. He pointed out that not only will this require harmonization of the legal frameworks, ensuring national capacity for implementation, but that it also involved the rapid dismantling of existing economic, financial, and trading barriers. As was agreed by the Heads of Government, Minister Eastmond reiterated the importance of supporting the implementation of the free movement of skilled and professional personnel, as well as contract workers on a seasonal and project basis.

Minister Eastmond called for strong tripartite collaboration in the design of human resource strategies, pointing out that the concept of tripartite partnership was central to the advancement of Decent Work as a tool for development. Using the example set out in the ILO Country Study on the Social Partnership in Barbados, Minister Eastmond described the consultative and negotiating institutions and mechanisms developed in Barbados as a significant development for national-level policy formation. He pointed to several important lessons to be taken from the report, including the necessity of consistent and deliberate effort as a means of ensuring the growth of participatory democracy in the Caribbean. He also pointed to the fact that national level successes in the realm of social dialogue had the effect of strengthening the relationships between the social partners, resulting in significant increases in trust and cooperation.

Making reference to the comparative study undertaken by Kieran Mulvey, the Minister noted the similar suggestion from that paper that the Social Partnership offers some of the greatest hope for successful outcomes in meeting the labour market changes and challenges brought about by globalization in the Caribbean. He then warned of the importance of ensuring that national-level agreements are applied at the level of the
enterprise. Minister Eastmond also suggested that there was a need for “new tools” for social dialogue, especially those tools which would ensure that more voices could be heard.

In describing the demographic and economic conditions that affected the funding and investment of social security schemes, and the need for accelerated reform efforts, Minister Eastmond advised that Ministries must not neglect the maintenance of effective enforcement systems and the careful management and investment of these funds. He encouraged governments to move quickly to honor the CARICOM Agreement on Social Security.

Minister Eastmond then addressed the issue of international labour standards, characterizing them as a means of ensuring a level playing field and of protecting against the destructive practice of competition based on cutting labour costs. In the Caribbean context, the Minister explained that the recognition of fundamental labour standards were strategically important as a protection against vulnerability. He challenged Labour Ministries to take on new functions, involving themselves in shaping government economic and social policies in an effort to protect and develop the workforce, and to support adjustments in the labour market.

On the topic of labour flexibility, Minister Eastmond predicted that labour market institutions would need to address such issues of contract work, flexi-time, downsizing, redundancies and the informal sector, as the needs of enterprises and markets themselves changed. The Minister also pointed to other factors and challenges impacting labour, including the emergence of information technology as a pivotal feature in work organization, pressures to increase productivity, and moves to shift economies into one service market economies. He went on to advocate for enterprise involvement in dealing with workplace health and safety issues.

In conclusion, Minister Eastmond reinforced the need for Labour Ministries to move from a preoccupation with the limited agenda of settling disputes and protecting labour, to a more integrated focus on developing an internationally competitive labour force as a primary means of achieving economic development. He expressed his appreciation of the ILO’s support and looked forward to its continued efforts as the voice on labour matters in the region. He supported the strengthening of a Research and Development capacity within Ministries of Labour as a critical factor in strengthening national economies. He finished with a quote from American President Woodrow Wilson:

“We are here in order to enable the world to live more amply, with greater vision, with a finer spirit of hope and achievement.”

With this thought, and with the affirmation that “The moment truly deserves our full attention – It will not pass our way again”, Minister Eastmond declared the Conference open.
DAY 1 – 25 APRIL 2002

Business Sessions

Election of Chairman

By general consensus and in keeping with tradition, The Honourable Rawle C. Eastmond, Minister for Labour and Social Security, Barbados, was invited to chair the meeting.

Adoption of the Agenda

The following agenda, circulated previously in draft form, was adopted by unanimous consent:

Item 1: Opening - Procedural and housekeeping matters.


Item 3: Keynote address by the Honourable Ralph Gonsalves, Prime Minister of St. Vincent and the Grenadines – Changing Labour Relations in the Age of Globalization

Item 4: ILO/United States Department of Labour (USDOL) Cooperation:
   (i.) Promotion of Management Labour-Cooperation (PROMALCO);
   (ii.) Caribbean Labour Market Information Systems (CLMIS).

Item 5: An Overview of USDOL Technical Assistance and Projects in the Caribbean.


Item 8: The 90th Session of the International Labour Conference (ILC):
   (a) General Conference Information;
   (b) New Standards/Instruments;
   (c) Other relevant conference matters.

Item 9: The Modernization of Ministries of Labour: Options, Challenges and Strategies:
Item 10: Issues on CARICOM Labour Agenda.

Item 11: The follow-up of the OAS Labour Ministers Meeting (St. Vincent and the Grenadines/CARICOM/ILO).

Item 12: ILO Caribbean Office Research and Publications:
(i.) Caribbean Labour Administration Systems: an Overview;
(ii.) On the “High-Road” to Competitiveness and Decent Work - Case Studies from Caribbean Enterprises;
(iii.) Other studies and publications.

Item 13: Closing Exercise.


Mr. Willi Momm, Director, ILO Caribbean Office

Mr. Willi Momm declared that it was the vision of the ILO Caribbean Office to associate itself with the needs and concerns of its member States in the region, especially with respect to the impact of globalization and trade liberalization. As Director he defined his vision, and thus the vision of the Office, as thinking and acting from a Caribbean perspective, identifying issues and putting the resources of the ILO Office to work toward achieving these outcomes. In order to undertake this approach, Mr. Momm explained how the Office needed to develop a conceptual framework linked with mainstream Caribbean thinking, to identify major challenges being faced by the constituents, to raise awareness of and develop strategies to deal with these challenges, to mobilize resources, plan and carry out activities supporting these strategies.

Mr. Momm maintained that the ILO Caribbean Office has been consistent in its message and its follow up action at the regional, national and enterprise level. He stated that the most crucial aspect of the Office’s work had been to see that its constituents recognize the need for urgent and fundamental change, and that the ILO was positioned to best facilitate the change process.

The four ILO core objectives (standards, employment, social protection, and social dialogue), served as the basis upon which the report was organized. Mr. Momm
explained that the objectives reflected a strategic approach, and he welcomed feedback on whether this strategy was reflective of the needs of the Caribbean region.

1. Promote and Realize Standards and Fundamental Principles and Rights at Work

Mr. Momm reported that the Caribbean has been a model of excellence in ratification and implementation of the ILO’s core labour standards. He stated that many countries see the ratification of these core labour standards as a framework to protect against undue competition on the basis of unfair labour practices, thus creating a social floor for the FTAA. He explained that countries that implement these standards would find it easier to meet the treaty obligations of the FTAA as well as making themselves more attractive to the CBI, which looks to core labour standards in granting preferential trade status with the countries of the Caribbean.

Giving credit to the strong regional trade union influence, Mr. Momm recognized that labour standards were well respected, in many cases serving as a point of reference for model labour legislation both nationally and at the level of CARICOM. He indicated that ratifications were an ongoing issue often dealt with by tripartite committees, urging that full ratification of C144 could result in the creation of dynamic tripartite social dialogue mechanisms at the national level. He reminded the participants that ILS must reflect country’s own position to set social benchmarks, rather than something imposed from outside, pointing out that the Caribbean had recently been very active in development of instruments through the International Labour Conference.

Mr. Momm explained that the ILO’s strategy to demonstrate the benefits that enterprises would derive by integrating Fundamental Principles and Rights with management strategies. He described the way in which the PROMALCO programme makes this a large part of its activities, which actively promote freedom of association and collective bargaining, non-discrimination and equal treatment at the enterprise level. He pointed to the refresher course on International Labour Standards (ILS) given to ILO desk officers as an indication of the importance given to improving the reporting and participation of governments in the development of ILS. He also referenced the fact that the member States in the Caribbean region have experienced significant levels of improvement in meeting their reporting obligations.

On the issue of child labour, Mr. Momm identified two angles that were being addressed: minimum age and the worst forms of child labour. He stated that most Caribbean countries have ratified, or were in process of ratifying C182 (Worst forms of Child Labour). Along with this commitment by the member States, Mr Momm recognized the necessity for a certain level of assistance from the ILO to ensure proper implementation at the national level. He described the ILO’s efforts at building up a body of knowledge and developing an understanding of what is happening in Caribbean with regard to child labour. Jamaica was identified as a major regional partner through its participation in a CAMAT-IPEC project aimed at the development of a child labour country programme. The ILO Caribbean project on the Identification, Elimination and Prevention of the Worst
Forms of Child Labour, which began its activities in late 2001 was also given as a principal activity of the Office in dealing with child labour.

On the subject of drafting new labour codes, Mr. Momm pointed to the assistance given to St. Lucia in drafting a new labour code, as well as assisting to create a tripartite process of developing the code. Discussions for ILO assistance in labour law reform were also reported to have taken place with the governments of St. Kitts and Nevis and the Turks and Caicos Islands. Mr. Momm made reference to a study on the Scope of the Employment Relationship in Jamaica (also referred to as contract labour), one on Access to Justice, as well as a number of labour law profiles that have been undertaken. He also reported on the progress of a PROMALCO study on discrimination at workplace, which draws its findings from a rich enterprise survey carried out as part of the project’s activities.

Mr. Momm also briefly made mention of the Office’s future plans. These included:

- Further strengthening of Ministries of Labour in streamlining reporting procedures on ILS.
- Promoting the idea of carrying a country’s reporting obligations beyond international oversight, to a means of national-level stocktaking and strategic planning.
- Working for the recognition and protection of indigenous rights work in a number of member States.
- Identifying and protecting the rights of migrant workers and their families, in connection with the free movement of labour agenda within CARICOM and the OECS.
- Addressing the violation of labour and IMO standards by ships registered under the flags of Caribbean countries.
- Building management capabilities to integrate core labour standards.

2. Employment, Training and Enterprise Development

Mr. Momm explained the policy solutions developed by the Office: offering employment growth and competitive advantage by linking job creation and productivity enhancement with Decent Work policies and by linking labour market flexibility with high-road business strategies rather than the downward harmonization of labour standards. These strategies were outlined in five different areas:

- **Competitiveness** – Mr. Momm cited support to existing sectors in the areas of job creation, productivity, and working conditions and capacity building to manage change and create conditions for “high road economic development” as the major strategies for competitiveness. He explained that the focus had remained on productivity and he assured the delegates that this would remain one of the key areas of action for the Office in the future.

- **Employment Growth, Investment and Diversification** – Under this heading, Mr. Momm focused on monitoring labour market performance and processes with comparative data, building capacity for labour market restructuring, and upgrading the labour force. Mr. Momm asserted that future activities would maintain a sectoral
orientation, and that special emphasis would be given to the developing of a regional labour market and the creation of internationally comparable labour market information.

- **Small Enterprise Development** – In the realm of Small Enterprise Development, Mr. Momm identified strategies to strengthen support agencies, raise awareness, focus on growth areas, and develop opportunities in the export sector. With activities limited to studies and training based mostly in Trinidad and Tobago and Barbados, he identified this as a priority area for the future, with a specific focus on the tourism and export sectors.

- **Human Resources Development and Training** – Mr. Momm explained that ILO strategies aimed to strengthen apex training organizations, harmonize occupational standards and competencies, and build TVET technical capacity. Other issues addressed by Mr. Momm included the development of a regional network of apex training organizations, improving access to information on the informal sector, retraining caused by retrenchment in dying industries, and disability policies. He identified future activities here as focusing on youth employment, occupational classifications, community-based training, and private-sector-led skill development councils.

- **Cooperatives** – The promotion of best practices and the modernization of legislation were the two areas that Mr. Momm mentioned when he addressed the issue of Cooperatives. He advised that cooperatives would need to undergo change into more businesslike structures in order to successfully realize their potential.

While many of these activities were core elements of labour and employment policy, Mr. Momm mentioned that there were often no counterpart structures in Labour Ministries to deal with them. He explained that as such, much of the ILO’s work in this area was outside of the mandate or capacity of most Ministries of Labour.

### 3. Enhancing the Coverage and Effectiveness of Social Protection for All

Mr. Momm stated that one strategy of the ILO in addressing social protection was to ensure a stronger involvement of trade unions in issues such as redundancies, flexibility and developing safety nets. He also asserted that the development of social safety nets was an important prerequisite for increased labour market flexibility, as this would enhance the social acceptability of unavoidable restructuring measures to increase enterprise competitiveness. Mr. Momm then outlined the challenges which Labour Ministries and governments might face with regard to social protection, as well as the support which the ILO had provided in support of government strategies to overcome these challenges.

Mr. Momm listed a number of areas where the Office has had impact, including:

- **Occupational Safety and Health** – He pointed to legislative assistance, advisory services, training, public fora and the development of training manuals as the main activities of the Office. Future activities would follow similar lines.
• Social Security – Mr. Momm stated that in the coming years, activities would be geared toward unemployment relief programmes, pension plans, and the informal sector.

• HIV/AIDS in the Workplace – Mr. Momm described this as an area where the Office had considerable interest, and one in which it could have a significant impact. He identified two areas where ILO efforts would be focused: promotion of the recent ILO Code of Practice on HIV/AIDS in the World of Work and empowering its constituents to participate in national HIV/AIDS committees and to access funding in support of national projects.

4. Social Dialogue:

Mr. Momm explained that the shake-up caused by the transition to open economies would require co-ordinated responses aimed at increasing competitiveness and developing supportive social and economic policies. He reiterated the ILO message that better outcomes were achieved through active and participatory social dialogue at various levels of the economy. Strategies that were offered included: Supporting existing dialogue processes, building capacity for better participation, promoting the benefits of cooperation and consensus building, advocating labour-management partnerships and enterprise agreements, and monitoring, analyzing and documenting approaches and practices.

He described efforts to build capacity within Ministries of Labour as well as for trade unions and employers' organizations through studies, training and technical assistance. PROMALCO was identified as another mechanism for the promotion of effective enterprise-based social dialogue, and the Kingston Declaration was referenced as evidence of the tripartite support given to the project’s strategy. Mr. Momm demonstrated the numerous ways in which the ILO Caribbean Office has been active, on its own and in collaboration with regional partners such as the ECCB and the OECS, in promoting social dialogue through meetings, seminars and national fora. Future activities were identified including training workshops, seminars, advisory services and capacity building measures for the social partners.

The presentation concluded with Mr. Momm reflecting on the issue of supply and demand. He explained that the ILO is required by its Governing Body to plan ahead, focusing not on the activities it carried out, but rather on the impact it should have had through its actions and interventions. While planning for affecting meaningful change at the national level continues to be a priority, Mr. Momm asserted that the Office must also maintain its capacity to react to unanticipated demand. He explained that due to budget constraints and the newly instituted “results-oriented” strategic planning, reaction to unplanned demand is difficult, and he stressed the need to enter into collaboration with national constituents as a means to increase their ownership. He emphasised the need for guidance from Ministries of Labour in co-ordination with other relevant government departments in cases where the Ministry of Labour lacks capacity or mandate to affect the ILO’s contribution and strategy.
Item 3: Keynote Address: Changing Labour Relations in the Age of Globalization

The Right Honourable Dr. Ralph Gonsalves, Prime Minister of St. Vincent and the Grenadines

The Right Honourable Dr. Ralph Gonsalves delivered a very engaging presentation on Changing Labour Relations in the Age of Globalization. He shared his personal appreciation for the solidarity shown by workers, lower-middle class peasants and academics in the 1930s and 40s that gave rise to, among other developments, the formation of the University of the West Indies, from which he was able to benefit. He explained that the uprisings which constituted the commencement of a social democratic revolution in the region, and which were wrongly labelled as riots, provided Caribbean citizens with benefits that continued to the present day. It was that perspective of solidarity that prompted the Prime Minister to assume responsibility for the labour and social security portfolio, as he felt it would be impossible to meaningfully plan at the national level without those two key elements.

Rejecting the Washington consensus on the concept of an “atomized individual”, Prime Minister Gonsalves suggested that those promoting concept of the individual – in opposition to the social conception of human nature, must look back at their history. He posited that “atomised individuals” had led us to distress and lack of cohesion in society. Addressing the desires of some within society who called for the abolition of political parties, he pointed out that the former Crown Colony government was a non-party system. He held that the obligation lay in building, reforming, sustaining and making more democratic the two bastions of Caribbean power – trade unions and political parties. Under the increasing pressures of globalization, he said that few spoke of solidarity anymore, with that language interred in graves of Michael Manley, Ebenezer Joshua, Eric Williams, and many other predecessors. Portraying the hostile climate currently being faced by those who would promote solidarity in the Caribbean, he stressed the importance of proclaiming solidarity, and not questioning it.

Prime Minister Gonsalves described the tremendous uphill battle he faced in working to centralize numerous important Ministerial functions under the portfolio of the Office of the Prime Minister. He pointed out that this reorganization was indicative of his worldview, and of his belief in the impossibility of planning without the careful consideration of issues such as finance, labour and social security.

On globalization, he asserted that the concept was not a new one to the Caribbean, making reference to the diverse people who journeyed from various countries to create the first “Global Society” ever, as well as to the exploitation of the Caribbean by metropolitan countries throughout history. What the Caribbean was experiencing was a new and different form of globalization, one where capital accumulation takes precedence, and one which was resulting in a peculiar division of labour internationally, and a widening gap in both wealth and knowledge.
On the subject of new issues arising as a result of the spread of globalization, Prime Minister Gonsalves made specific reference to the breakdown of hierarchies throughout society, due in large part to the spread of, and access to currently available information. He explained that people had been demanding more and more, including greater transparency and accountability from government, and more democratic participation. He noted that much of this information was available on the internet, offering ordinary people the same information as those in high positions of power, with the only prerequisite being access to its sources. He counselled that this new challenge to the traditional hierarchies meant that the State and trade unions must seek to operate differently.

Prime Minister Gonsalves also observed that the increasing diminution of State power as a direct result of globalization and trade liberalization. He advised that the power of the State had become inferior relative to other power centres such as business, the news media and civil society, proposing that State control is further eroded in the context of marginalized, small economies.

The Prime Minister pondered the question of why more people in the region were not taking advantage of the increased opportunities for participation. As a potential cause, he offered that there was a conflict arising between the environment created by modern globalization and the weight of history from which the people of the Caribbean had yet to emancipate themselves. He remarked that West Indians were very good at dealing with people below them, and extremely submissive to people we presume to be above them. He pointed to the excellent machines that had been developed in order to bring out the vote, but that these did not empower people to “pick up their bed and walk.” He reasoned that the objective circumstances of globalization had hit a barrier in the minds of West Indian people, and offered that the only solution would be found through a rethinking of the social organization of labour.

Due to an increased application of science and technology in the competitive marketplace, Prime Minister Gonsalves suggested that the transformation of necessary skills required changes in the labour market, resulting in both retrenchment and job creation. He addressed the timely question of how Caribbean governments might ensure that a large population of persons with no marketable skills could remain meaningfully employed in societies which were being transformed from agrarian, to service, industrial and export societies. He pointed to the new challenges and questions that had been constantly arising, on issues of gender, education, HIV/AIDS, and the effects of informal sector growth on small enterprise development. He noted that these problems were addressed in ILO Report on the Modernization of Ministries of Labour.

On the topic of Small Enterprise Development, the Prime Minister suggested that Governments in the region were struggling to keep up with their citizens who were in many cases hustling and developing their own employment opportunities in the informal sector. He declared that Governments would need to update their laws, which were developed in more idyllic circumstances, to help facilitate small enterprise development in the formal sector.
Acknowledging the importance of labour market flexibility in remaining competitive in the world market, Prime Minister Gonsalves stressed that this process would only succeed where trade unions were active in a central planning role. He warned that the removal of trade unions from discussion would mean the removal of social safety nets available to workers throughout the Caribbean, and the subsequent depression of living and working standards.

The Prime Minister addressed the tendencies toward greater cultural universalism and increased particularism. While the social lifestyles of designer labels and trends informing mass culture and identity added to the universalism of culture, he observed that at the same time, people recognised that mass-produced culture was not sufficient. He alluded to people caught in this dilemma who tried to fill the void with particularism, which had the danger of ending in tribal frictions, as was the case in Bosnia and Herzegovina and numerous areas throughout the world. He advised that Ministers measure where their communities stand in this area, how they plan to marry universalism and cultural particularism, and what strategies they would follow to empower their societies.

Pointing to the Caribbean population made up of diverse cultures, ethnicities and countries of origin, he suggested that people had been able to work together through their own cultural differences democratically, through the twin pillars of trade unions and government. Referencing his opening remarks, he noted that this had been accomplished by the solidarity of working people who never saw the inside of a university. He commented that Europe and USA had been largely unsuccessful in dealing with these issues for all their advanced technology, concluding the West Indians were experts in the area of human relations and diversity.

Prime Minister Gonsalves recognized that the trade union movement in the region faced challenges, but warned that it would be a mistake for them to abandon their traditional representational role. He suggested that unions must look strategically at different ways of applying this role in light of constantly changing contexts and circumstances. Responding to labour critics who argue that the movement was conservative, unrepresentative of workers and seeking ways to overthrow the capitalist system, the Prime Minister retorted that trade unions were products of capitalism, stressing the fact that their historical role had been to ameliorate and reform the system from within, and not to sabotage or overthrow the system.

In this new period of globalization and increasing marginalization of Caribbean, the Prime Minister argued that the loss of hierarchy and loss of State power should bring about greater points of convergence between the State and the social partners. He advanced that the time for a social pact and a productive social partnership was now, urging that it was a strategic imperative to manage globalization. Citing the example in his own home country, he offered the National Economic and Social Development Council (NESDC) as a successful example of such a partnership. He described the NESDC – a multipartite council constituted by some 40 members including all interest
groups and civil society, which were dealing with national economic social development issues – as essential to the macroeconomic management of St. Vincent and the Grenadines. He explained that the council was responsible for undertaking macroeconomic analyses and developing proposals and strategies for the way forward. He also revealed that the Government had given ownership of the poverty alleviation strategy implementation to this group.

Prime Minister Gonsalves also made reference to the Tripartite Committee on the Economy which was formed to address crisis management, wages, investment, productivity and employment. He explained that the committee was composed of 9 members, 3 state, 3 private sector, 3 trade unions, with only 1 state representative coming directly from the government ranks. He revealed that the Government had allocated $200,000 to cover the administrative costs of running these two bodies, in addition to hiring an economist from CARICOM to work with NESDC. In an effort to ensure their long-term success, the Prime Minister intimated that the Government was looking to put juridical backing in order to further institutionalise them and place them on proper legal footing. He declared that collaboration had become instinctual, and that the partners no longer relied on confrontation to further their interests.

Speaking to the subject of freedom of movement of labour, the Prime Minister acknowledged that legislation had been passed enabling the movement of OECS workers (with the exceptions of Anguilla and BVI) for up to 6 months. He also made reference to the introduction of a common OECS passport by January, as well as the removal of alien landholding licences for OECS landowners. While he noted the potential for deepening relations between a number of Caribbean countries – making specific reference to Trinidad and Tobago, Grenada and St. Vincent and the Grenadines – he assured that such developments took place without prejudice to either CARICOM or OECS.

Prime Minister Gonsalves concluded by assuring the delegates that the situation was not a crisis, contending that a crisis existed only when the actors were innocent and had failed or refused to develop a way out of the condition, which he reiterated was not the case here. He assured the participants that they knew how to get out of the condition, and that the main solution would be through social partnerships. He stated that the challenges of today were different than those of 1930s or of the Caribbean forefathers who had to deal with slavery or indentured servitude. He reminded the delegates of the duty of every one to further ennoble and advance the beauty of the Caribbean.
Item 4: ILO / United States Department of Labour (USDOL) Cooperation:
   i) Promotion of Management-Labour Cooperation (PROMALCO)
   ii) Caribbean Labour Market Information Systems (CLMIS)

Mr. Willi Momm, Director, and Mr. Reynold Simons, Senior Specialist on Employment and Labour Market Policies, ILO Caribbean Office

PROMALCO

Mr. Momm cited the strong, ongoing cooperation between the ILO and the USDOL in pursuing the priorities of the Caribbean region. He attested to the strategic importance of the financial support that had been received for PROMALCO, portraying the project as reshaping democracy and participation at the level of the Caribbean enterprise. Mr. Momm stated that the project sought to build and strengthen labour relations, cooperation and partnership. Though obstacles continued to exist, he stressed the importance of appreciating the value of consensus and compromise while recognising differences in opinion and approach.

He explained that the PROMALCO project was based on the best practices from the Caribbean, as there existed ample lessons and a very powerful message from within the region. One of the main project objectives was identified as the promotion of a win-win labour management relationship at the enterprise level, with CEOs and trade unions able to present and learn from their experiences. He acknowledged that the participatory process represented a difficult, and in many ways a major change in the labour-management relationship, which was historically rooted in confrontation.

Mr. Momm highlighted some of the studies, publications and trainings that have been produced. In response to the need to establish local backing for the strategy of PROMALCO, Mr. Momm pointed to the Kingston Declaration, which enabled the project to move forward with the establishment of national tripartite PROMALCO task forces. He mentioned that in some cases where there was no union presence at the enterprise, some private sector firms had begun to recognise the potential usefulness of a trade union counterpart.

Mr. Momm contended that one of the keys to success in the PROMALCO project involved local ownership and participation. He pointed to the need for a long-term outlook in order to meet the ambitious goals of shifting the paradigm of labour-management relations at the enterprise, specifically endorsing the importance of programme continuity. At the very heart of meeting this challenge, Mr. Momm identified the necessity of strengthening trade unions and employers’ organizations as well as enhancing the space in which conflicts and differences can be addressed. Due to the major impact that these developments have on the role of Ministries of Labour, Mr.
Momm advocated that they, too, seek to shift their paradigm from one of “putting out fires” to one which would be able to focus on planning, conflict prevention and other strategic issues.

CLMIS

Mr. Reynold Simons introduced the Caribbean Labour Market Information Systems Project (CLMIS), a series of joint bilateral activities between individual Caribbean Ministries of Labour and the ILO / USDOL. He identified the major labour market participants – the users and producers of statistical labour market data – as well as the major sources, tools used to collect, and means of disseminating the data. On the rationale behind the project, he demonstrated the need to support the social partners to gain competitiveness and productivity in the face of globalization, to measure the progress of regionalization, free movement of labour, economic growth, the extent to which Decent Work had been created in the Caribbean.

At the national level, he explained that a set of Key Indicators of the Labour Market (KILM) was available, and which were collected using standard definitions and classifications. He outlined a regional plan to pool data in such a way as to support the ongoing process of regionalization and free movement of labour. He asserted that such strategies were intended to both increase the output of policies, and to monitor policies, based on factual data, thus recognizing the importance of collecting data quarterly or bi-annually in order to increase policymaker responsiveness.

Recognizing that countries would need to prioritize their needs and outputs, Mr. Simons suggested that technical assistance would be mainly focused on the rapid production of more quality information. This, he explained, would be accomplished through strategic targeting of data collection sources in order to enhance them, and developing sources where none existed. He stated that assistance would also be given to harmonization and standardization efforts aimed at enhancing the regional and international comparability of classifications and concepts. While he affirmed that some funding would be available for project planning and development phases, he advised that such efforts must be sustained locally.

Mr. Simons described the implementation strategy of the project as a simultaneous, multi-country and team-based effort, where countries would make strategic choices based on their needs. He gave an overview of the technical teams, made up of an international specialist working with national experts, as well as identifying the national focal points and Project Advisory Committees, whose inputs would be central to the project. He announced that issues such as funding, project management, international expertise, a preliminary selection of countries, timeframe, and a commitment by some countries to particular activities, had all been dealt with. He advised that countries wishing to begin participation should:

- Create a high level LMI policy group;
- Identify a Custodian for National Classification of Occupations (for promotion and training, copyrights, maintain and update);
- Establish a national Productivity Indicators Committee (NPIC);
- Select a Custodian for N-LMIL (copyright, dating), and
- Constitute a Technical Tripartite advisory group for the development of the Occupational Wage Survey.

Mr. Simons gave an overview of the KILM Indicators, and demonstrated the software that had already been developed using both Caribbean and International examples. He stressed the importance of a strategic LMI plan, timeline and budget for CLMIS support.

Mr. DePeana of the Caribbean Congress of Labour made a brief intervention with regard to the use of Singapore in comparison with countries of the Caribbean. He asserted that the conditions under which the Singaporean economy could boast of its progress were not those which would have been acceptable to Caribbean workers. He concluded by pointing out that success could not be viewed in a vacuum, removed from the context in which these successes were achieved.

Item 5: An Overview of USDOL Technical Assistance and Projects in the Caribbean

Mr. Michael Magan, Associate Deputy Under Secretary, USDOL

Mr. Magan introduced the two Caribbean programme objectives of the USDOL’s technical assistance projects: **Improving economic opportunities and income security for workers**, and **protecting basic rights of workers**. The latter is undertaken through its support for the ILO’s promotion of the Declaration on Fundamental Principles and Rights at Work.

The USDOL currently supports three projects in the region, with more than US $5 million in funds. Through the **ILO – PROMALCO Project**, he explained that USDOL expected to help companies meet the challenges presented by open markets by giving them new management tools as well as to reinforce the successful work of high road Caribbean enterprises. Mr. Magan announced that due to the impressive results found during the mid-term evaluation, USDOL was committing itself to a $1.7 million project extension.

He also pointed to the **Labour Exchange Project** as a means of increasing the opportunities for workers and employers to fulfil their needs through one-stop labour and employment resource centres. He affirmed that the sustainability of the project would be ensured through the political and financial commitment given by Ministries of Labour.

Mr. Magan then addressed the **Caribbean Labour Market Information Systems Project**, commenting on its ability to enable users to visualise and create connections between labour market information and related policies.
Mr. Magan concluded by asserting that the success of USDOL projects in the Caribbean was due to the support of many Ministries of Labour which were committed to implementing the project goals, the commitment of Labour Ministers to give high visibility and financial support to the projects, and the fact that the region was forward thinking.

Mr. Magan responded to a question from a delegate as to the next steps in the USDOL’s commitment to the Caribbean region. He explained that all projects are on a funding cycle, and explained that projects are continued based on the availability of funds, the successes and progress that can be demonstrated, and feedback from the Caribbean and ILO. He restated that the goal for all technical cooperation projects was to be self-sustaining. Pointing to the matching funds that were being offered by a number of institutions throughout the Caribbean, he expressed his optimism that the projects would continue to sustain themselves.

**Item 6: The Status, Influence and Powers of the Labour Minister to Impact on National Socio-Economic Policies**

*Presentations by Each Minister / Head of Delegation; and The Caribbean Congress of Labour and Caribbean Employers Confederation*

**Antigua and Barbuda**

*Presented by: Austin Josiah, Labour Commissioner*

Mr. Josiah gave a summary of the authority given to the Labour Department. He indicated that the issue of influencing other stakeholders was one that had been on the agenda of the Department since 2000. Through resolutions that are developed and brought to cabinet, he explained that the Labour Department was able to influence national policies which were then promoted to the public-at-large through the media. He announced that thirteen (13) Conventions had been ratified in June 2001, and that the Labour Department had been restructured to reflect the importance given to labour and employment issues by the government of Antigua and Barbuda.

Mr. Josiah then outlined the mission and policies of the Department, observing that policy decisions were supported by law in order to ensure enforceability. He stressed the importance to accountability – both within the Labour Department and of the Labour Department within the government. He noted the current work of the Department, included:

- Implementation of a modern, performance-based compensation scheme;
- Development of an ad hoc tripartite mechanism empowered to pursue productivity and competitiveness;
- Upgrading of its Labour Market Information Systems;
- Institutionalizing immigrant workers’ service based on ILO Conventions, and
• Working with other departments within government on training and HRD.

He concluded with words of appreciation for the assistance received from the ILO, USDOL, OAS meetings, as well as giving individual thanks to Samuel Goolsarran, Willi Momm, and Michelle Jankanish.

Anguilla

Presented by: Mr. Rodney Rey, Permanent Secretary, Ministry of Home Affairs and Tourism

Mr. Rey referred to the short history of formal labour administration in Anguilla, citing the 1980 enactment of the Fair Labour Standards and Labour Department Ordinances as the starting point. Since that time, he explained that the influence of the Department of Labour had increased as the private sector had developed. Citing the absence of trade unions and collective bargaining in the private sector, he noted that all labour-related complaints that were not resolved at the level of the workplace were mediated through the Department of Labour resulting in relative industrial peace. He also indicated that the Department of Labour acted as a placement agency for prospective employers and employees, safeguarding both local and migrant workers. In an effort to attract investment and diversify the economy, the Permanent Secretary stated that work permits given were being given preferentially to high-skilled workers in specific sectors.

He announced that the Department of Labour was involved, with relevant stakeholders, in the development and definition of a new national minimum wage covering all categories of employees. While acknowledging the shortcomings of some of the country’s labour laws, he referred to the current review of the labour laws to address these limitations. He stated that the immigration problem facing the nation was being addressed through the consideration of a 4-year limit for work permits. He concluded that the Department addressed the challenges affecting social and economic development in Anguilla in close consultation with the social partners and other government Ministries.

Bahamas

Presented by: Mr. Donald Simonette, Under Secretary for Labour, Ministry of Labour and Immigration

Mr. Simonette summarised the functions of the Ministry of Labour as including: regulation of industrial relations, protecting workers’ rights, fostering and promoting tripartism, assisting the social partners in accessing its services and setting the tone for mediation and harmonization of divergent views. Consultation and dialogue with the social partners was seen as critical to its success. He referred to the joint tripartite committee – which was a statutory body meeting monthly – as well as inputs from NGOs and the public in general as impacting the development of the Ministry’s agenda. He announced that the Bahamas had successfully ratified all core ILO Conventions and in addition had passed new legislation in order to give these Conventions teeth.
Other current projects referenced by the Under Secretary included the development of part-time conciliation services, the promotion of and support for the “One-Stop Shop” concept, the enhancement of the industrial tribunal originally established in 1996, and offering briefings to foreign investors on national labour practices. These improvements were seen as part of a continuous process, though tripartite cooperation, of seeking the “way forward’. He asserted that the Ministry was looking for new ways of improving skills development and training, and developing alternative dispute resolution mechanisms. He announced that the Ministry was also involved in seeking agreements among the social partners in the tripartite committee on specific protocols dealing with such subjects as collective bargaining, dispute resolution, and the definition of bargaining units.

**Barbados**

*Presented by: Honourable Rawle Eastmond, Minister of Labour and Social Security*

Honourable Minister Eastmond provided the meeting with an overview of the various departments of Ministry of Labour. He affirmed that the Ministry’s focus was on conciliation and mediation of disputes and institutional strengthening. He identified collective bargaining as effective means of managing disputes. Though the voluntary industrial relations system, collective agreements were given no legal status, and the dispute settlement machinery have been successful.

Minister Eastmond identified the introduction of new labour legislation as a major driving force in carrying the work of the Ministry forward. He asserted his belief that effective collaboration among government and that social partners was essential to the functioning and implementation of any such legislation. On the subject of institutional strengthening, he stated that the Minister of Labour relied on highly qualified technical staff, and that the ongoing training and upgrading ensured that such staff were competent and capable of carrying out their duties. He cited the need for an increase in the total number of officers working in the Ministry of Labour as more legislation was passed. The Minister concluded his report by giving a brief summary of upcoming issues of interest, most notably the national HRD plan that the Ministry had been developing, and the One Stop Shop whose implementation was scheduled for 2002.

**Belize**

*Presented by: Dr. Wendell D.J. Parham, Chief Executive Officer, Ministry of Labour, Local Government and the Sugar Industry*

Dr. Parham gave a synopsis of the portfolio of responsibilities that the Ministry of Labour had been charged with undertaking. He stated that the Minister of Labour was a Member of Cabinet and a Member of the House of Representatives, and was thus in a
position to have a significant impact on national socio-economic policies and development strategies. He added that his Minister was also well positioned to lobby for Belize’s interests in international and regional fora. He explained that the Ministry of Labour was an active participant in intra-ministerial meetings relating to policy, planning, budgeting and implementation activities and the drafting of relevant legislation. Mr. Parham stressed the importance of tripartite consultation in the development of policies. A key area of the Ministry’s involvement was identified as the development of the Medium term Economic Strategy for Belize – which was seen as the principal instrument for sourcing international funding and support for Belize’s socio-economic policies.

Mr. Parham cited the relevant national laws and the 42 ILO Conventions that Belize had ratified as a means of facilitating business and employment as well as fulfilling bilateral and international agreements. He made reference to a number of Tripartite and Coordinating Committees intended to address key labour issues. He announced the restructuring plans that had been initiated by the Ministry, in an effort to develop modern policies and plans, as well as supporting legislation, in accord with trade and investment requirements.

He concluded by offering the proposal of his Minister for the initiation of meetings and information sharing between the Labour Ministers of the Caribbean and Council of Central American Labour Ministers.

Following discussions and views expressed on this issue, the Chairman, Minister Eastmond summarized that there was general agreement on the matter in principle, and that CARICOM should take appropriate steps to determine the next action in consultation with member States. He stated that Belize would inform the Council of Central American Labour Ministers of the consensus of the meeting, of the next steps that were to be taken and of the need for more time to appropriately address the issue.

Bermuda

Presented by: Honourable Terry E. Lister, Minister of Labour, Home Affairs and Public Safety

Honourable Minister Lister focused his presentation on the twin pillars of the Bermudian economy: namely, the hospitality and international business sector. He spoke of the complete interdependence of the two industries, whereby hotels supported international business and vice versa. He then addressed the major shift in the way in which labour was seen within the economy, reflecting a shift from the former, right-wing government to the current labour party government. As with other countries in the region, the Minister explained that Bermuda was facing the issues that sprang from a high immigrant workforce. He reported difficulties with housing, and demographics difficulties stemming from the historically high importation of American and Canadian whites, rather than Caribbean nationals.
Minister Lister described the ways in which this demographic shift had alienated native Bermudians, who were losing their feelings of ownership over the society and economy. Given that the strong international business influence had shifted the country’s educational needs and caused brain drain and high levels of competition over a small population of young skilled staff, the Minister submitted that sustainable development was top on the national agenda. He explained that the Ministry of Labour held wide influence over the economy, which made possible the matching of training schemes to jobs being lost to non-Bermudians. The Ministry offered 6-year work permits, to enable Bermudian labour to move into those vacated positions. Other items noted by the Minister included the recently enacted Employment Act, which established the Employment Tribunal.

British Virgin Islands

Presented by: Honourable Julian Fraser, Minister of Natural Resources and Labour

Honourable Minister Fraser identified tourism and company registration (financial services / offshore banking) as the two most important sectors of the economy. He explained that the Minister’s power and influence was derived from his participation as a member of the Executive and Legislative Councils of the Government as well as from the BVI Labour Code which grants him the authority to make regulations to give effect to its provisions, particularly bearing on the health, welfare and safety of workers. He also mentioned that the Minister could exempt businesses (or parts thereof) from certain provisions of the BVI Labour Code where he deemed appropriate. Minister Fraser covered the range of issues which he could influence through the authority granted by the BVI Labour Code, including:

- Enforcement of labour laws,
- Use of the media for promotional and educational purposes,
- Training and upgrading of Ministry Staff,
- Ratification of Labour Conventions,
- Appointment of a tripartite advisory committee,
- Intervention in labour disputes,
- Granting and renewing work permits, and
- Establishment of a minimum wage.

He stressed that each of these responsibilities had crucial and direct effects on the social and economic situation in BVI. The Minister also announced that the Labour Code had recently gone through a revision process and that he had been holding public consultations with the various sectors of society.

Cayman Islands
Presented by: Honourable Minister Roy Bodden, Minister of Education, Human Resources and Culture

Honourable Minister Bodden identified the high number of foreign workers as a significant issue that the Ministry was involved in addressing. He explained that the Cayman Islands was a micro-state, which relied heavily on Caribbean Labour – particularly Jamaicans – and that there was a notable influx of non-Caribbeans entering the labour market. He announced that education, training and employment had been consolidated under one Ministry – thus enabling stronger bonds between these related portfolios. Minister Bodden then described the reorganization programme that had been recently undertaken in the Department of Employment Relations with an aim to modernizing its functions and making it more responsive to the public. An upgrade in the LMIS was announced as being under consideration, with the expectation that data would be more accurate and produced in a timelier manner.

He announced that the Ministry was beginning to look at the growing unemployment situation which had become a problem for first time in Cayman history, through a mini-retreat and a stakeholders forum. On the policy side, the Minister referenced a white paper on employment issues that had been written, disseminated and forwarded to cabinet for approval. Due to a hiring freeze in the Ministry, Minister Bodden announced that staff training with ILO and other organizations had become a priority. The Ministry was identified as one of the most technically proficient departments in the government, and specific mention was made of a recently hired research and ICT officer as well as future plans to bring in an attorney and statistician.

The Ministry has provided job-matching services for prospective employers and employees, and Minister Bodden expected an expansion of these Employment Service functions to include various educational seminars. In terms of Human Resource Development, he reported on a recent initiative to introduce the Investors in People (IiP) standard of training and employee development. A strategic challenge which the Minister identified for the coming years was to provide business support to the large number of small businesses and entrepreneurs who might encounter difficulties as the economy softens. A new employment package was identified, and included: a Pensions Law providing for disability payments, a Workers Compensation Law, a Trade Union Law and other laws to improve social protection. Mention was made of a tripartite Employment Forum whose responsibility was consultation and advice to the Minister and acting as a Board of Directors to the Employment Services Centre. Minister Bodden finished his presentation with the announcement that the Cayman Islands had applied to become a Non-Metropolitan Territory Member in the ILO and has received associate member status within CARICOM.

Dominica

Paper by: Honourable Henry Dyer, Attorney General and Minister for Legal Affairs, Immigration and Labour
Honourable Minister Dyer outlined the historical developments leading to the establishment of the Labour Department in Dominica, and throughout the Caribbean. He described the structure and functions of the Ministry of Legal Affairs, Immigration and Labour. Several key issues were noted, such as the revitalization of the Tripartite Consultative and Advisory Committee, which gave new significance to the health and safety of workers. Minister Dyer then considered the challenges and constraints placed upon the Minister as he worked to influence national socio-economic policies. Despite these difficult circumstances, he explained that the Minister had been able to maintain industrial peace and stability, owing largely to the programmes and services of the Department of Labour.

Minister Dyer also noted that the Labour Minister was able to influence cabinet decisions regarding labour matters, such as the ratification of ILO Conventions. He reported that Dominica had ratified all eight fundamental Conventions, and that he had approved the ratification – on the recommendation of the Industrial Relations Advisory Committee – of Conventions No. 144 (Tripartite Consultation), No. 150 (Labour Administration) and No. 135 (Workers’ Representatives). He placed great importance on the practice of social dialogue, and the results it had brought to the workplace. The Minister acknowledged the importance of constant review of labour legislation, to ensure that it was reflective of contemporary issues and concerns.

Grenada

Presented by: Senator Lawrence A. Joseph, Minister for Labour

Senator Joseph provided a brief overview of some key macroeconomic indicators, and explained that the workforce was engaged mainly in agriculture, tourism, light manufacturing and the service sector. He reported that the country had a high unionization rate, with 8 main trade unions and 2 main employers' organizations. He described the overall strategy of the Ministry to facilitate the process of industrial relations practices in a climate of stability and harmony, with the expectation that this would attract investment and broaden employment opportunities.

He announced that the Labour Code, constituted by the Labour Relations Act of 1999 and the Employment Act of 1999 was recently passed after 12 years of consultation with the social partners. The Minister acknowledged the need to upgrade the Labour Relations Act with regard to dispute resolution, in response to a “white paper” published on the issue of addressing the problematic wildcat strikes which had been taking place. Senator Joseph reported on the establishment of a tripartite Wages Advisory Council, which had been charged with researching and making recommendations on setting a minimum wage. He recognized the ILO-USDOL CLMIS Project as a necessary part of enhancing the work of the Ministry of Labour.
Jamaica

Presented by: Honourable Dean Peart, MP, Minister of Labour and Social Security

Honourable Minister Peart focused his presentation on four main priority areas, or platforms of action for influencing national social and economic policies. The first priority was identified as the modernization of the administration infrastructure. He explained that this would be achieved both through specialized professional training and through strengthening institutional competence for issue recognition, policy analysis, strategic planning, technological learning and dispute mediation. Related to this area, the Minister pointed to the focus on capacity building through enhancing the knowledge function of the Ministry. This priority concentrated specifically on generating, promoting and disseminating information and knowledge on the realities of the world of work, a strategy that would be facilitated through increased capacity for labour market and social policy research.

The third modernization priority was identified as the deepening of the governance system for labour administration. Minister Peart asserted that the Ministry would play a central role in supporting this through its leadership in the social dialogue process, encouragement of respect for the values of democratic governance, promotion of consensus building, and rights based actions in labour matters. He maintained that the field inspection function of the Ministry was necessary for its success in this area. The final platform for action involved standard setting in terms of physical infrastructure quality, labour market reform and service delivery.

Montserrat

Presented by: Honourable Isabelle Meade, Minister of Education, Health, Community Services and Labour

Honourable Minister Meade began by stating to the delegates that her Ministry had been named the Ministry of Education, Health, Community Services and Labour. She pointed out several ongoing issues important to the economic and social health of Montserrat. On the topic of social dialogue, the Minister identified a Tripartite Social Dialogue Board which was consulted before undertaking the passage of any labour legislation. She also mentioned the inroads made by the PROMALCO project, noting that a national project task force had been put into place. On the Human Resources Development and Training fronts, she discussed several educational modules, including training for housewives on subjects such as computer literacy and basic accounting. She cited the continued reliance on and importance of the immigrant workforce, specifically in the construction industry. Minister Meade concluded by emphasizing the importance of education and work attitudes for enabling workers and employers to adapt to the changes in the economy that were brought about by globalization.
St. Kitts and Nevis

Presented by: Honourable Sam Condor, Deputy Prime Minister and Minister of International Trade, Labour, Social Security, CARICOM Affairs, Telecommunications and Technology

This presentation began with the Honourable Minister Condor declaring that the powers of the Minister of Labour, while clearly defined, were not absolute due to the political dimension of his impact on industrial matters. The Minister was described as having a broad supervisory role on national industrial relations. In the area of dispute resolution, he described the Minister’s role as a final arbiter for disputes which were not settled at a lower level. The authority to make regulations to underpin virtually all Labour Laws, was seen as a critical function of the Ministry as short-notice, dynamic responses were increasingly necessary in the dynamic work environment. The Minister quickly added that these expeditious decisions were taken while honouring the successful consultation process that had developed in the country. He asserted that the focus of the Ministry was on the increased flexibility and adaptation of regulations which might quickly require upgrades and changes due to changing technology and work organization.

In an effort to play a more meaningful role in national development, the Minister reported that he had recently:

- Appointed a Labour Officer to deal with international matters,
- Committed his office to the PROMALCO project,
- Begun contemplating the development of Labour Market Information and Labour Exchange Systems, and
- Established a Public Service Reform Unit on productivity issues.

Saint Lucia

Presented by: Honourable Velon John, Minister of Labour Relations, Public Service and Cooperatives

Honourable Minister John welcomed the newly formulated Ministerial title as potentially indicative of a shift in the prominence and recognition it had been given as a governmental instrument for the maintenance and preservation of industrial peace within the Saint Lucia. He suggested that under the new Labour Government, the Labour Department had undergone considerable modernization. Three pieces of legislation were highlighted, each of which had been passed since the current government assumed power in 1997: The Minimum Wages Act – which had given rise to a Minimum Wages Committee currently in operation, The Equality of Opportunity and Treatment in Employment and Occupational Act, and the Registration, Status and Recognition of Trade Unions and Employers' Organizations Act.

The Minister announced that the Ministry had been in the process of both developing the first Saint Lucia Labour Code – which was being considered by the social partners, and
modernizing its labour market information system with a view to improving government policies in the social and economic spheres. He addressed a number of needs obstacles to the Ministry’s desired goal of establishing systems and structures that would increase, improve and diversify its delivery of services to the country as a whole, emphasizing the need for further empowerment of the Minister of Labour toward the resolution of these issues.

St. Vincent and the Grenadines

Presented by: Senator Honourable Edwin Snagg, Minister of Labour and Grenadines Affairs

After providing a synopsis of the background and establishment of the Department of Labour and the legislation which was administered by the department, Honourable Senator Snagg explained that the role of the Ministry of Labour had been changing its focus from the settlement of industrial disputes to one which involved more and different issues as necessitated by the needs of the country in the face of globalization. He stated that the modernization process had begun with the assistance of the ILO. Senator Snagg gave a detailed account of the National Tripartite Committee which had been established to discuss matters relating to wages, prices, employment and investment.

Under the Employment of Foreign Nationals and Commonwealth Citizens Act, Senator Snagg explained the powers given to the Minister to grant, nullify, and approve exemptions for work permits. On a similar issue, he noted the introduction of legislation on movement of certain categories of CARICOM workers in 1997, and its subsequent amendments in 2002. He informed the delegates of the Protection of Employment Act, whereby the Minister maintained a pivotal role in the conciliation and mediation of disputes, further indicating that the act would be replaced by an updated Employment Relations Bill. On the subject of trade union recognition, Senator Snagg asserted that recognition was voluntary, but where problems occur, he described the proposed Industrial Relations Bill that would authorize a tripartite body to determine recognition. In his conclusion, he affirmed the importance that had been given to labour as it was placed under the Prime Minister’s portfolio for the first time in the history of St. Vincent and the Grenadines.

Suriname

Presented by: Honourable Clifford P. Marica, Minister of Labour Technological Development and Environment

Honourable Minister Marica began by identifying labour as the only “creating” production factor, stressing its importance in the production process. A major objective that he recognised for the Ministry of Labour was the link between the development of
labour, employment creation and poverty eradication. He outlined the three major elements affecting the status and influence and power of the Ministry of Labour in the socio-economic policies of Suriname: the responsibilities of Ministry of Labour, the structure and procedure of developing national socio-economic policy, and the budget and institutional capacity of the Ministry of Labour. The Minister reported that even with the problems inherent in operating with the smallest ministerial budget in the government, his Ministry was capable of actively impacting the multi-annual development plan for the period 2000-2005. In his conclusion, he urged the participants to make it their task to affect positive change within each of their governments on the role played by the Ministry of Labour in social and economic policy making.

Trinidad and Tobago

Presented by: Mr. Hart Edwards, Permanent Secretary, Ministry of Labour and Small and Micro Enterprises

In addition to the typical core functions of Ministries of Labour, Mr. Edwards pointed out that the Minister in Trinidad and Tobago was responsible for small and micro-enterprise development and cooperative development, two globally recognized engines of employment generation. Through the interventions made in carrying out these core responsibilities, he explained that the Minister of Labour gains knowledge and information that proved useful in influencing the policies and legislation which contribute to improved industrial relations. The Permanent Secretary reported that the Minister had a number of priorities, with the overall goal of sustainable employment high on the agenda. He stated that Occupational Safety and Health was on the agenda, with proposed new legislation being promoted in Parliament. International labour instruments were recognized as an important part of the Ministry’s approach to national policy development, ensuring that the changes brought about by globalization would not negatively impact on workers rights.

Stressing the importance of inter-ministerial and inter-departmental collaboration, he asserted that the Ministry was able to maintain some level of input into even those issues for which it is not directly responsible. With a view to a broadened role of the Ministry of Labour, he suggested that the information and data gathered from its core functions could in turn influence the development of future policy. Mr. Edwards declared that the power, status and influence of the Ministers of Labour depended on their personal and political effectiveness as well as the structure, staffing, equipment and organizational capacity. He pointed out that the ultimate locus of influence was in the Cabinet and through the Budget, and stressed the importance of exercising influence at all stages of policy formulation. The necessity of an economic research and planning capacity to support pro-employment and anti-poverty measures with data was made clear by the Permanent Secretary.

Turks and Caicos
Presented by: Mr. Alpheus Gardiner, Permanent Secretary, Ministry of Tourism, Communications, Transportation, Immigration and Labour

Mr. Gardiner stated that a Minister of Labour derived his power and influence from the work his Ministry accomplished, the legislation it passed and interventions it made, or from his or her own personality and reputation. He explained that his Minister was given broad powers under the Employment Ordinance to bring labour-related issues to the Executive Council for consideration. Under the Immigration Ordinance, the Minister of Labour directed the board which, in turn, supervised the entry of persons to the island. This was described as a significant contribution to the “texture” of the workplace and thus the social and economic reality of the island, given the large proportion of the economically active population (74%) subject to immigration control.

The Permanent Secretary made reference to draft labour legislation which would effectively strengthen the industrial relations system, introducing and promoting tripartism. Two tripartite bodies which were envisaged included an Employment Tribunal and a National Advisers Council. He concluded by reinforcing the importance of the Ministry’s leadership in promoting social dialogue to influence and maintain a stable and harmonious industrial relations system, which was a key to positive social and economic growth.

Caribbean Congress of Labour

Presented by: Mr. George DePeana, General Secretary, Caribbean Congress of Labour

Mr. DePeana recommended that Ministries of Labour seek to change the perception that they must act as “firefighters” and that they instead look for innovative ways to link sound industrial relations practice with enterprise development. He further indicated that the Ministries could assist and provide leadership in new areas of collective bargaining, such as in the area of productivity bargaining. He suggested that labour legislation could be upgraded to facilitate collective bargaining, specifying that many obstacles to trade union recognition still existed within the region.

With the influx of multinational enterprises and foreign investors into the Caribbean, Mr. DePeana urged Ministries of Labour to be more active in representing the labour laws and regional traditions. Without governmental protection and promotion of productive social dialogue, he warned of the danger whereby some foreign employers might wish to impose their own brand of industrial relations, or unscrupulous employers might take advantage of high and sustained unemployment by undermining protective measures. On the subject of Free Trade, he pointed to numerous subregional training programmes undertaken by the CCL on the implications of the FTAA on the CARICOM Single Market and Economy. He endorsed his organization’s support for the work of the Ministries of Labour and stated that the CCL would be willing to make representations where appropriate.
Caribbean Employers Confederation

Presented by: Marcel A. Meyer, President, Caribbean Employers Confederation

Mr. Meyer offered a historical background to the development of the status, influence and powers of Labour Ministers in the Caribbean to influence national socio-economic policies. Whereas in the 1950s, labour regulations were necessary to protect the workers against exploitation by enterprises, producing for outside economies, he suggested that the present situation called for proactive measures to secure training and skills development for quality improvement, efficiency, productivity and competitiveness at all levels of production. He argued for the inclusion of “Non-State Actors” in the formulation and implementation of national policies. He advised that future prospects were promising, as more attention was being paid to the environment, social policies, human rights, Decent Work, poverty reduction, human resource development at all levels and economic growth for all.

With regard to the current situation facing Ministries of Labour, Mr. Meyer acknowledged that the status of the labour portfolio was increasing worldwide, in terms of budget allocations, staff qualifications and its impact on and linkages to other theme areas and relevant Ministries. However, he added that the impact of the Ministry of Labour remained diffuse, that the vast majority of jobs being created in the region remained low-quality, and that the Ministry of Labour’s inputs into policies and strategies were generally sought late in the planning process. He then offered a number of strategic issues for Ministries of Labour to consider during their involvement in transforming traditional economies into flexible networks of modern production, including:

- Redefinition of the mandate of the Ministry of Labour as part of the environment for Foreign Direct Investment (FDI), national productivity and production;
- Entry into cluster networks with other Ministries to promote the global compact;
- Maximization of the output of social dialogue in tripartite bodies;
- Modernization of pro-SME, pro-flexibility labour legislation;
- Development of HRD, skills and linkages among productive sectors, National Skills Development Centres;
- Preparation of labour market analyses and comparisons with other countries and regions (ACP, MERCOSUR), and
- Promotion of the Non-State Actors Platform mandated to address larger national and international issues.

Mr. Meyer concluded with the suggestion that the status, influence and powers of Ministries of Labour will only be enhanced once they are actively implementing strategies which demonstrate a significant impact on the human, social, political and economic development of the State.
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Item 7: International Labour Standards: Issues and Challenges for the Caribbean

Ms. Michele Jankanish, Senior Specialist on International Labour Standards and Labour Law, ILO Caribbean Office

Ms. Jankanish gave a presentation on International Labour Standards, focusing on three main themes: the status of Caribbean member States with regard to the promotion and ratification of standards, the Declaration on Fundamental Principles and Rights at Work and its follow-up, and the matter of empowering Ministries of Labour to utilize reporting obligations for national planning and policy-formation purposes. She offered that International Labour Standards were used as both a framework for normative action and served as benchmarks for achieving Decent Work. She discussed the differences between Conventions and Recommendations in terms of reporting obligations, ratification, and supervisory machinery.

Ms. Jankanish went on to report on the specific performance of the sub-region regarding the eight fundamental Conventions (as identified by the ILO’s Governing Body). These fundamental Conventions are:

- Forced Labour – Conventions 29 and 105
- Freedom of association and collective bargaining – Conventions 87 and 98
- Child Labour – Conventions 138 and 182
- Equality in Employment and Occupation – Conventions 100 and 111

She announced that 5 countries within the region had ratified all fundamental Conventions (Bahamas, Barbados, Belize, Dominica, and Guyana). In addition, 3 countries had 7 ratifications, 3 had 6, 1 had 5, and 1 had 4 ratifications).

In addition to the ILO’s promotion of the ratification of all fundamental Conventions, special emphasis has been given to the Worst Forms of Child Labour Convention, 1999 (C. 182). In this context, “worst forms” of child labour were defined to include: children in slavery, the sale and trafficking of children, debt bondage, forced labour, prostitution and pornography, illicit activities and drug trafficking, and hazardous work. Ms. Jankanish emphasized that consultations were necessary with employers’ organizations and trade unions to determine the national designation of “hazardous” work. She further specified that while some national definitions vary, the ILO defines a child in the context of the Worst Forms of Child Labour as any individual less than 18 years old. This reflects the international agreement that these forms are intolerable, no matter the level of development, and for all young people under the age of 18.

Ms. Jankanish reported that Convention No. 182 has received 8 ratifications in the Caribbean, and that immediate measures on the issue were to be taken as a matter of urgency. She mentioned the countries in the Caribbean with ILO and national projects
and activities on the Worst Forms of Child Labour. She also gave an overview and reported on the status of the ILO’s Priority Conventions, as well as other Conventions selected for priority consideration in the Caribbean. In addition to Conventions and Recommendations, the ILO also developed other instruments, such as the recently adopted ILO Code of Practice on HIV/AIDS and the World of Work.

On the subject of member State obligations, she covered the basic requirements of submitting new Conventions and Recommendations to the competent authority, reporting on ratified Conventions and reporting on unratified Conventions and Recommendations as requested. Ms. Jankanish then illustrated the responsibilities of Ministries of Labour to communicate with employers’ and workers’ organizations, and offered suggestions concerning their role in reporting on Conventions, Recommendations and other aspects of the standards system. She explained the role of employers and workers in the International Labour Conference Committee on the Application of Standards in discussing how governments live up to their obligations.

Looking at ILO reports in a national context, Ms. Jankanish suggested that Governments could better integrate reporting into their national planning as a means of:
- Supporting the modernization efforts of the Ministry of Labour;
- Raising the profile of the Ministry of Labour within government;
- Gaining important data and information to develop strategies and arguments to support these strategies;
- Enhancing social dialogue and tripartite consultations, and
- Demonstrating compliance with fundamental standards to the public, the international community, and current and potential trading partners.

Ms. Jankanish addressed *The Declaration on Fundamental Principles and Rights at Work* and its Follow-Up, recognizing it as a powerful new international instrument for development. She pointed out that if a country had not ratified one of the 8 fundamental Conventions covered by the Declaration, it was obligated to respect, promote and realize the relevant principles and report to the ILO annually. Such reports constituted an integral part of the Follow-Up to the Declaration. *Global Reports* on one of the subjects of the Declaration are also produced each year to provide a global picture of progress in achieving fundamental principles and rights at work. She also explained that the ILO used these annual reports to identify areas where technical assistance might be needed, which could greatly benefit member States. She identified the PROMALCO project as a regional programme developed to promote the Declaration principles aimed at the enterprise level.

Ms. Jankanish covered a number of developments aimed at standards-related activities that began with the review of the 1994 Report of the Director General *Defending Values, Promoting Change – Social Justice in a Global Economy: and ILO Agenda*. She concluded her presentation with the proposition that, “in order to benefit from the standards system, the Caribbean must be an active and effective participant in it.”
To demonstrate the point, Ms. Jankanish showed a new video produced by the ILO Caribbean Office entitled: *International Labour Conference: Caribbean Voices Touching the World*. This video presented the International Labour Conference and the participation of Caribbean government, employers’ and workers’ organizations.

**Item 8: The 90th International Labour Conference**

*Ms. Michele Jankanish, Senior Specialist on International Labour Standards and Labour Law, ILO Caribbean Office*

Ms. Jankanish gave information on the 2002 International Labour Conference, including the announcement that the Right Honourable Owen Arthur, Prime Minister of Barbados, would be addressing the Conference. She offered an overview of the technical items which were on the ILC agenda. The second and final discussion of the *Recommendation on the Promotion of Cooperatives* was recognized as an important item, as it was scheduled to be voted on for adoption. Ms. Jankanish reported that Trinidad and Tobago would be taking the lead on this item, and that the CARICOM strategy was to maintain the text as it was.

The second item dealt with the single discussion that was to take place regarding the *Recording and Notification of Occupational Accidents and Diseases* and the expected adoption of a *Protocol to the Occupational Safety and Health Convention, 1981 (No. 155)* and a new Recommendation. Third, the conference was undertaking a general discussion of the *Informal Economy*. Finally, the withdrawal of 20 outdated Conventions and Recommendations were also on the agenda of the Conference.

For the upcoming 2003 International Labour Conference, Ms. Jankanish stressed that advance preparation for full Caribbean participation was necessary. In this regard, she outlined the main topics that would be addressed in 2003:

2. A general discussion on the *Scope of the Employment Relationship* (previously contract labour), for which studies in Trinidad and Tobago (access to justice) and Jamaica (which was the first test of an integrated approach to standard setting) were prepared, and
3. ILO standard-setting activities related to *Occupational Safety and Health*.

Immediately following her presentations, Ms. Jankanish answered questions and offered clarification is issues brought out by the participants. She clarified the ILO’s expectation that governments were to submit new standards to parliament so that they would be aware that a new instrument existed and could then decide on actions that they might wish to take. She explained that Convention No. 182 applied to *all* persons under 18, but that individual countries’ definitions would not be effected as long as they do not conflict with the categories of work considered among the Worst Forms of Child Labour as outlined in the Convention.
Ms. Jankanish referenced the supervisory mechanisms of the ILO and to article 33 of the ILO Constitution which provided that the ILO could take action “as it may deem wise and expedient.” She described the integrated approach as part of a range of efforts to improve the standard setting process of the ILO, and proposing items for ILC discussion. As part of trying to make reporting requirements easier and more relevant, changes would be introduced in 2003 which involved grouping subject-related Conventions and Recommendations for reporting purposes.

In a brief intervention, Mr. Momm reminded the participants of the difference between the International Labour Organization and the International Labour Office when it came to the reporting obligations to which Ms. Jankanish referred. He explained that the International Labour Organization, as a membership organization, agrees on the subjects of ILC discussion and development of standards. The reporting requirements were not made by the Office, but rather by the Organization of which the states are members. The supervisory machinery was created by the members of the Organization, and not the Office.

**Item 9: The Modernization of Ministries of Labour: Options, Challenges and Strategies:**

a.) **Report of the Ministerial Working Party**

*Mr. Samuel J. Goolsarran, Senior Specialist on Labour Administration and Industrial Relations, ILO Caribbean Office*

Mr. Goolsarran explained that the Ministerial Working Party had been established in 2000 with the mandate to consider the relevant reports and Recommendations for the modernization of Labour Ministries in the region and to make suitable proposals. Through the review and discussion of numerous studies as well as a survey carried out by the ILO, he related the Working Party’s consensus that critical issues affecting the labour portfolio placed the role of the Ministries of Labour at the forefront of national social and economic planning. The measures that were identified to move Ministries of Labour toward this new role included the improvement of efficiency in the use of both human and financial resources, the establishment of strategic objectives and benchmarks and the redefinition and expansion of the labour portfolio beyond current arrangements.

The Report addressed several priority areas identified by the Working Party for immediate attention including:

- Adequate staffing and clarity of roles;
- Staff development / training;
- Alternative dispute prevention and resolution mechanisms;
- Strengthened labour department authority;
- Tripartite consultation; and
Adequate remuneration, intended to address staff retention in the public service.

He stated that the conclusions of the Working Party covered the vision, mission, objectives, function and staffing for Ministries of Labour in the sub-region. The vision was described to comprise active participation in the development and implementation of relevant policies on issues relating to the social and economic agenda.

Mr. Goolsarran encouraged the delegates to use the report and implement modernisation measures as appropriate within each of their national contexts. The full text of the Ministerial Working Party’s Report is appended to this Report for your reference.

b.) Strategy Paper on Ministries of Labour as Facilitators of HRD Strategies

Mr. Samuel J. Goolsarran, Senior Specialist on Labour Administration and Industrial Relations, ILO Caribbean Office

Mr. Goolsarran presented the draft Executive Summary to the meeting on behalf of Dr. Gomes, Executive Director of CARICAD. This paper essentially reinforced the study of the Ministerial Working Party. The executive summary covered the following headings:

- Rationale and Scope of the Study;
- Methodology and Terms of Reference;
- The context: Global and Caribbean;
- A Brief Overview of Ministries of Labour;
- An Enhanced Role and Capacity for Ministries of Labour as Follows:

“Based on the findings of this study and relying on the extensive deliberations on modernization of Ministries of Labour, that preceded this effort, four broad areas are suggested for action:

First, the understanding of Labour Ministries as a government agency implies that their “modernization” must be situated within the wider context of “state modernization” or public sector reform / development and administrative restructuring.

At the heart of this issue is the imperative that the core business of each government agency must be defined with a clear mission and vision. It is more than likely that any such redefinition will inevitably that in the performance of their core business, labour ministries will assume the functions of policy formulator, advisor and facilitator of an environment in which business and labour effectively function to produce goods and services for the development of society as a whole.

Secondly, removed more and more from day-to-day functions of traditional labour administration, low level skills training and employment exchanges, Labour Ministries will define the regulatory framework for accountability and monitor compliance with labour laws. In this domain adequate research capability of multidisciplinary teams, working in close collaboration with other government agencies, concerned with human resource development, will provide information services on requirements for investment,
economic priorities, labour demand and job opportunities accessible through electronic media.

Thirdly, the promotion and nurturing of industrial democracy by means of consensus building between employers and workers has assumed growing importance for small societies.

The *deepening of the social dialogue / social compact* by which common needs and goals can foster optimum productivity and enhance the competitive advantage of economies can not be addressed in ad hoc, piecemeal activities. The imperatives of inclusion, genuine partnership and multipartism between various strata, classes and interests in society place a special responsibility for “a culture in the workplace” that facilitates the realization of human potential. Ministries of Labour are specially positioned to give leadership to the social dialogue and encourage a change of organizational culture in the world of work.

The coordination and monitoring of key issues by which the social dialogue is deepened and enlarged should be addressed as a core function of Labour Ministries.

Fourthly, the development and regulatory functions to be performed by labour ministries presuppose that they operate beyond an “agency culture”, as separate silos in the administrative apparatus of the State. Rather, it is necessary that they become “learning organizations” and champions of a holistic, inter-agency collaborative machinery.

The mode of operation and delivery of services will be set within a strategic plan, with distinct targets and deliverables, continual self-assessment and managing knowledge gained by experience to improve the processes by which business is conducted. The institutionalization of productivity and optimum use of human innovation in how Labour Ministries function will be the source by which they promote a culture of productivity in society, as a whole.

From the above broad thematic areas for a redirection of the roles of Ministries of Labour, the specific requirements for skills, expertise and competencies can be explicitly defined. These are partly addressed in the *Report of the Working Party on Modernization of Labour Ministries* and will be elaborated in the Final Report of this study.”


*Mr. Willi Momm, Director, ILO Caribbean Office*  
*Mr. David Rogers, IDB Washington*  
*Ms. Neelima Grover, Director, The QED Group, LLC (IDB Consultant)*

*Mr. Momm* introduced *Mr. David Rogers*, IDB representative, and noted the importance of the work being carried out through IDB-ILO collaboration and the emerging coherence
in policies between the ILO and IDB, as both institutions were working toward ways to help manage change in face of globalization.

Mr. Rogers then introduced Ms. Neelima Grover, the principal consultant from the QED Group which undertook the modernization study. As yet another example of the long and fruitful relationship in strengthening Caribbean labour market institutions, Mr. Rogers cited the close collaboration between the IDB and the ILO Caribbean Office in the design and implementation of the study. He commented that the project was contributing to a shared vision of flexible labour markets in the context of economic growth and democratic participation.

Ms. Grover presented the preliminary results of the ILO-IDB study on the modernization of labour market functions in the face of globalization. Her presentation consisted of an a general background and overview of the study, presentation of the economic model, linking strong labour market functions and economic growth, identification of issues and best practices from the field, as well as short- and long-term Recommendations. She identified the objectives of the study as drawing heavily on the work that had already been done, and developing an argument outlining the costs to Ministries which did not modernize.

She explained that the data was gathered through detailed interviews in a number of Ministries and organizations from a representative sample of Caribbean countries which were intended to identify beliefs and concerns of key stakeholders. Ms. Grover presented an overall macroeconomic framework for the region, within which the objectives of the study were developed, as well as detailing the implications inherent in such a framework. She identified the demand- and supply-side of labour issues, as well as a number of problems affecting specific sectors of the Caribbean economies.

In terms of the “next steps” for the region, Ms. Grover outlined a number of potential strategies, and specified that the Ministry of Labour must support the efficient function of the labour markets through micro-enterprise development, administration of training programs, development and maintenance of social safety nets and the facilitation of social relations. The Ministry of Labour was identified as a key institution that could ensure labour market efficiency and thus a higher standard of living for its community. She then offered a matrix showing the linkages between:

- Improved industrial relations
- Rapid and flexible training
- Promotion of growing and flexible labour markets
- Development of capabilities for policy analysis and formulation
- Encouragement of micro-enterprise development
- Social safety nets for retrenched and unemployed workers
- Enforcement of legislative reforms
The matrix, according to Ms. Grover was indicative of the strong linkages between the various labour market functions, making it essential to coordinate, integrate and develop a coherent approach to the labour market to ensure proper delivery.

In order to show the disparities between the two, she outlined both the theoretical role of an ideal Ministry of Labour, as well as the current reality facing many Ministries of Labour in the region. She highlighted the importance of the visibility and role of the Ministry of Labour in policy making, moving beyond the traditions of dispute resolution and being housed within a Ministry with various and unconnected responsibilities. She went on to outline the numerous capacities which would need to be developed within each Ministry of Labour in order for them to work effectively and with a broader mandate, offering some best practice examples from around the Caribbean to reinforce these claims.

Ms. Grover closed her presentation with a number of Recommendations that resulted from the study. In the short-term, the primary goal was seen as strengthening and building analysis and policy development capabilities. She mentioned a number of long-term goals as well, many of which surrounded the development of mechanisms for efficient functioning of the labour market. The regional dimension of labour market functions was also addressed, with Recommendations aimed at facilitation of mobility and regional integration, efficient utilization of available resources and taking advantage of collective economies of scale, which are not available to individual States.

Discussion:

Mr. Momm summarized the purpose of the study as offering Ministries of Labour strong and relevant arguments to make a case within their governments for more resources to be provided for them to carry out a broader mandate. He argued that the study proved in economic terms the potential damage to a country if modernization did not occur.

St. Lucia communicated their concern about the high costs of implementation involved with many of the strategies outlined in the study.

Trinidad and Tobago commented that the matrix included in the presentation made no mention of the institutional requirements necessary to realize the benefits outlined in it. The question of defining “efficient” and “flexible” labour markets was also raised.

Ms. Grover conceded that the matrix reflected a perfect world scenario, showing only linkages and not costs. She defined efficient from a labour-economic standpoint, whereby there existed no demand or supply side constraints on the labour market. Flexible was described with regard to situations where wages were linked to performance or productivity, and based on output.

British Virgin Islands noted that few Ministries were exclusively Ministries of Labour and had to deal with issues coming from varying portfolios. He posited that Ministries had been negligent in their labour focus, and as a result Ministries had been marginalized.
Recognizing that it was not an individual phenomenon but one shared by many countries throughout the Caribbean, he suggested that member States should appeal to CARICOM for the ILO to make a presentation to the Heads of State at the CARICOM-level for a re-focus and prioritization of Labour Ministries and their missions.

**Antigua** pointed out that there was no comment in the presentation as to whether any Ministries had been involved in implementing recommendations. He asserted that such activities had been undertaken, and that attention should be given to these successes. While the IDB paper was seen as helpful in making presentations for additional resources, he pointed to the shortcoming that no evaluation or follow-up was planned, suggesting that more time should have been given to follow-up and collecting and disseminating best practices.

Referencing the statement in the methodology section of the study that a representative sample of countries were selected for field visits and interviews, **Suriname** questioned the criteria used for selection.

**Ms. Grover** acknowledged that the list of countries selected was provided in the terms of reference, and referred the question to Mr. Momm.

**Mr. Momm** cited the issues of limited funding and time as affecting the determination of countries for the study, and mentioned that other criteria included levels of development and industrialization. In an ideal situation, he claimed that studies would be carried out in all 13 countries, and asserted that if the demand was there, and the means were available, the study might be continued study for the entire Caribbean. He warned that this was not intended to give a comprehensive picture or assessment of the situation in all Caribbean countries, but rather to provide snapshots that could be used in the development of arguments to persuade Cabinet or the Prime Minister for more resources, streamlined operations, and other important considerations.

**St. Kitts and Nevis** suggested that the main issue for labour was new international economic order, asserting that no matter how much Ministries of Labour upgrade, once the new international economic order marginalized labour, it would be restricted and immobile. Without mobility of labour, he cautioned that Caribbean Ministers would not be able to achieve the flexible labour markets being referred to in the presentations.

**Barbados** questioned whether labour’s position was perhaps due to the loss of labour leaders moving into positions of power in government.

The **Chairman** remarked that while times had changed, Ministers must operate in the current circumstances. He pointed to the decline of sectors and products that historically propped-up the economy, and a move from Ministries of Labour to Ministries of Human Resource Development, but advised that Ministers must continue to act proactively and in the present.
**Belize** reinforced the call for urgent and proactive solutions, alluding to the strong political will necessary to restructure and modernize Ministries of Labour. Given the high level of coordination required by such an undertaking, the representative suggested undertaking a proposal to seek funding to bring Ministries up to speed urgently.

**Mr. Rogers** affirmed that the IDB was very interested in continuing dialogue to look for ways to assist countries in the modernization of their labour sector. He reiterated the IDB’s interest in working with international organizations to support development generally at a regional level. But he added that these are very complex and sophisticated areas that don’t allow for simple answers, and as such suggested that the IDB must take into account the individual situations of the countries.

The **CCL** addressed the relegation of the Ministry’s position within the framework of government in terms of budgetary allocations. The representative stated that Ministries were basic fire-fighting instruments, and governments had seen the Ministry of Labour as a place where any Minister can be sent and can function. Referring to the Country Reports, it was stressed that the current reality must not continue in the future. The CCL recognized the need for persuasive arguments to be developed, and expected Ministers to return to their respective countries, share the studies and seek a way forward.

**The Bahamas** noted that the studies reflected the views of the social partners, NGOs, and public in the countries involved, and contended that it was the duty of the Ministers to move forward to make representations to heads of government. The representative stated that support and collaboration of the social partners was critical, and that it was clear that they were interested in moving the agenda forward.

**Trinidad and Tobago** asked when the final study would be made available, stating that there may be a case for acting early on the “regional dimension” section of the study, as some of the recommendations made were attractive. The representative suggested that the delegates, as a body, would need to develop a strategy on tackling these recommendations, but was concerned about the levels of resources available for such an undertaking.

**Mr. Rogers** assured the meeting that a final report would be available by July. He added that the resource question was a vast one, and one which involved – at the outset – making an internal statement that something needs to be done on the matter and convincing leaders that further investment in the labour market would have returns in future economic development. He advised that technical cooperation money was difficult to come by, and that ensuring measurable success and proper management of projects became difficult when the projects had a regional focus. He did suggest, however, that individual country finance requests could be accompanied by a larger, regional technical cooperation programme.

**Mr. Momm** reported that the ILO – in collaboration with a number of Ministries – was already engaged in the process of modernization, recognizing that several aspects of the presentation were already at the forefront of ILO actions such as LMIS and productivity...
initiatives. He assured the meeting that the ILO was not waiting for the document before moving forward. He noted that the Office had been waiting for endorsement of and feedback on the Working Party Recommendations, in an effort to ensure that the ILO is moving in the right direction.

**St. Kitts and Nevis** asserted that the WTO would need to be addressed at the international level by the ILO in order to ensure that labour is not marginalized in the process of trade liberalization.

**Mr. Momm** assured the delegates that the ILO had been seeking a high-level dialogue with the WTO on the subject of the labour dimension of globalization. He explained that the Director General had established a very good working relationship with the Bretton Woods financial institutions, in much the same way as the ILO Caribbean Office had been collaborating with IDB. But he noted that many governments were not prepared to move forward on the idea of a social clause with enforceable sanctions within global trade agreements. He continued that the ILO was promoting the argument that globalization and trade liberalization could not continue without a better system of social protection, safety nets and redistribution. He sited a recent OXFAM report which brought up the arguments being made by developing countries that the WTO process was rigged, unfair and a “one way street” whereby developed countries were able to protect their markets through subsidies and protectionist tariffs from the products of developing countries.

**St. Kitts and Nevis** added that the First World had been able to continue protective subsidies while developing countries were not allowed to subsidize numerous products. He questioned the logic of holding the Caribbean responsible for 100% of WTO rules when total production in the region doesn’t even reach 2% of world production.

**Antigua** commented that technical assistance should be made use of in more practical ways, rather than spending millions of dollars for studies and consultancies whose conclusions are already well known. He cautioned that Ministers could not utilize infrastructure by itself, as the playing field is not level. He stressed that the Permanent Secretary and technocrats had the responsibility of making these studies effective, and to put effect to their Recommendations. Emphasizing the importance of a high-profile image, he suggested that the Ministry of Labour must make itself a household name, and must ensure that its aims reflect household principles.

**Item 10: Issues on the CARICOM Labour Agenda**

**Mr. Steven MacAndrew, Deputy Programme Manager, CARICOM Secretariat**

**Ms. Carmen Lomellin, Executive Secretary, Inter-American Commission of Women, Organization of American States**

**Mr. MacAndrew** conveyed the fact that Caribbean Heads of Government had stressed the importance and urgency of the implementation of the CARICOM Single Market and Economy (CSME) – a fact which led to the development of the 2001 priority action plan.
He explained that in February 2002, the Heads approved the removal of restrictions on the right to establishment, provision of services and free movement of capital by December 31st, 2002. He explained that the free movement of labour – along with the free movement of goods – was another key pillar to the CSME. Ministries of Labour were encouraged to play a role in advancing the free movement of labour at the national level, as the Heads had approved the free movement of certain categories of workers (artists, university graduates, musicians, athletes and members of the media) effective June 2002. Mr. MacAndrew reported that while a majority of member States had enacted relevant legislation, most lacked the necessary regulations.

He related that the Heads had extended approval to additional categories in February, including self-employed businesspeople and service providers, stressing that implementation was time bound, with a final date of December 31, 2005 for the removal of all restrictions. He added that the CARICOM Agreement on Social Security was a supportive measure of the free movement of labour, and that it had been operationalized in a majority of member States.

Mr. MacAndrew suggested that Ministries of Labour would also have a key role to play in the establishment of a harmonious industrial relations climate as referenced in the revised treaty, through continued collaboration with the ILO in promoting social dialogue and through regional attention to international labour standards. Given the Caribbean’s unfortunate reality of having the second highest prevalence of HIV/AIDS, he contended that Ministers of Labour would also need to get involved in combating this pandemic, specifically addressing the impact of HIV/AIDS in the workplace.

He concluded by reporting that the Bahamas would work to secure the Titular Seat on the ILO Governing Body (GB) at the end of Trinidad and Tobago’s term, while Barbados would move to secure a Deputy Seat.

The meeting endorsed the candidature of the Bahamas for a Titular Seat, and that of Barbados for a Deputy Seat on the ILO Governing Body and expressed appreciation for the work done by the representative from Trinidad and Tobago, Ms. Madhuri Supersad during her three-year term on the Governing Body.

Ms. Lomellin then addressed the meeting on the subject of the Inter-American Program for the Promotion of Women’s Human Rights and Gender Equity and Equality (IAP), a new instrument aimed at furthering the legal equality and equal opportunity for women and men. She explained that the programme mandated the mainstreaming of gender in the member States and indicated that the Ministries will be the main avenue of implementation. In an effort to protect the rights of women to equal opportunities for employment and to uphold the principle of equal pay for work of equal value, she asserted that policies that were developed with the IAP would need to be responsive to the needs and experiences of women, and particularly those in insecure, low-paying and unregulated jobs.
Ms. Lomellin went on to outline several Recommendations for action that can be taken by the Ministries of Labour in the Caribbean, including:

- The institutionalisation of a gender perspective that would be reflected in the objectives, design, implementation and monitoring of the policies, plans and programmes of the ministries;
- The improvement of labour information and statistical systems from a gender perspective;
- The undertaking of research to examine the impact of globalisation and economic integration on women;
- The identification of gender stereotypes throughout the human resource and labour process that might prevent full and equal access to employment, and
- The promotion of training for the use of gender based analysis by ministry staff.

**Item 11: The Follow-up to the OAS Labour Ministers Meeting**

*Senator Edwin Snagg, Vice Chair, IAMCL*

*Senator Edwin Snagg* stated that there has been consistent dialogue between the XII InterAmerican Conference, the CARICOM Secretariat, the OAS Secretariat and the Canadian Department of Labour. He referenced the meeting held in January 2002, which outlined a timetable of activities of the Conference leading up to 2003. Although members of CARICOM were unable to attend the meeting in the Dominican Republic, they remain committed to the regional effort. In meetings held prior to the Dominican Republic meeting, CARICOM has been able to have its voice heard. The Second meeting of the Working Groups would be held in St. Vincent and the Grenadines in April 2003.

**Item 12: ILO Caribbean Office Research and Publications**

*Mr. Samuel J. Goolsarran, Senior Specialist on Labour Administration and Industrial Relations, ILO Caribbean Office*

*Mr. Willi Momm, Director, ILO Caribbean Office*

*Ms. Roma Wong-Sang, Information Officer, ILO Caribbean Office*

*Mr. Samuel Goolsarran* officially released his new publication “*Labour Relations Systems in the Caribbean – An Overview*” and highlighted salient parts of the publication, including: the historical background, the social partnership option and the national legislative framework. He expressed the hope that the publication would be used as the main reference guide to labour relations in the Caribbean and expressed appreciation to officials of the various Labour Departments and agencies for their assistance.

After announcing his impending departure from his post as Director of the ILO Caribbean Office, *Mr. Momm* gave a preview of a publication which would be produced as one of the outcomes of the PROMALCO project, by the ILO Caribbean Office. The publication would highlight best practice case studies in the area of labour and
management at the enterprise level. The genesis of the publication came out of the First Enterprise Forum which was held in January 2001, and at which both management and labour presented on the same platform on their specific labour and management issues pertaining to their respective companies.

Ms. Roma Wong Sang, introduced the delegates to the information services available through the ILO Caribbean Office and presented the work of the ILO Caribbean Office in the areas of publications and research. She highlighted the role of the ILO in generating, promoting and disseminating information and knowledge on the world of work and identified the flagship publications of the ILO.

Item 13: Closing Remarks

Mr. George DePeana, General Secretary, Caribbean Congress of Labour

Mr. DePeana’s closing remarks centred around “what the CCL is doing”. He outlined cooperative projects that partnered the CCL with such organizations as the Centers for Disease Control, the Caribbean Epidemiology Centre, the ILO, the Caribbean Development Bank, the UWI Institute for Business, the Inter-American Development Bank, and the CEC on a broad range of topics, including:

- HIV/AIDS in the workplace
- The Caribbean Single Market and Economy
- Labour-Management Cooperation
- Industrial Strengthening
- Harmonization of Caribbean Labour Colleges
- Social Dialogue

He stressed the deep appreciation that trade unions held for Ministries of Labour, and their desire to see them strengthened so that they might better meet the challenges of modern industrial relations problems. Mr. DePeana identified Ministries as the nexus between sound industrial relations and economic and social development, and encouraged them to promote that role with their colleagues. Given the serious challenges that had put stress on the Ministries, he emphasized the importance of training and remuneration of staff as critical to realizing and expanding their mission and goals. He concluded with a sincere expression of thanks to Mr. Momm on the occasion of his departure from the position of Director of the ILO Caribbean Office.

Mr. Marcel Meyer, President, Caribbean Employers Confederation

Mr. Meyer expressed his appreciation for the honour of addressing the meeting on behalf of the CEC. Citing the rapidly changing relationships between employers, trade unions and governments, he added that new actors were appearing and demanding a voice in the development of social and economic policy. He opposed the notion that employers were a
“necessary evil” as some governments and trade unions characterized them, arguing that employers organizations were the most representative organizations to contribute to the ILO strategic objectives, based on their mandate, experience social objectives, and their long-standing position as a social partner.

He pointed to several important considerations that must be addressed by the social partners in order to ensure the positive contribution of the CEC to the ongoing partnership to which it has committed itself:

- Employers were also in the process of globalization and reform;
- Employers needed encouragement, and a reformulation of employers’ rights;
- Mutual support was necessary, and undue attention should not be focused on employer shortcomings based on worst cases.
- Attention should not be shifted away from the core mandate of employers’ organizations in favour of other private sector bodies.
- Certain definitions must be harmonized in the Caribbean context, among them: social partner, employers, private sector, business sector, enterprise, civil society, and social dialogue versus civil society dialogue.

He concluded that the CEC was encouraged by the meeting, pointing to the common expressions of support for the goals of sustainable and socially responsible regional growth and the generalized improvement in quality of life that should follow from globalization.

Mr. Willi Momm, Director, ILO Caribbean Office

Acknowledging the difficulty with which he was leaving the region, Mr. Momm declared his satisfaction for having worked with Caribbean Ministries and social partners. He asserted that he approached his work not as a German catapulted into the Caribbean with his own foreign ideas, but adopted the regional agenda as his agenda. He asked the participants to lend support to Mr. Reguera who would be charged with running the Office after his departure. While he recognized that all countries did not necessarily have the resources to take on additional responsibilities, he suggested that there continued to be a lot of wastage, overlap and lacking coordination that could be addressed simply by reviewing the portfolios of the various Ministries. He concluded that every effort should be made to gear up, prepare and move forward with regard to the imminent removal of preferential trade agreements.

Honourable Idabelle Meade, Minister of Education, Health and Community Services, Montserrat

Minister Meade delivered the vote of thanks on behalf of the delegates, and offered a “double century” of thank yous to the ILO and the Government of Barbados for hosting such a successful meeting. Mr. Momm was commended for the battles he had fought and won in the name of safe and fair labour for all, and for his part in moving Caribbean
Ministries of Labour toward modernization. She offered that his contribution to the advancement of labour of the region entitled him to the designation “Caribbean man”. She offered thanks to The Honourable Rawle Eastmond for his hospitality and chairmanship. She also commended the many presenters and resource persons for their support and contributions. Rounding out her vote of thanks, she offered gratitude to the many staff persons both from the ILO and from the Government of Barbados for their good work and support.

The Honourable Rawle C. Eastmond, Minister of Labour and Social Security, Barbados

The Honourable Minister Eastmond closed the session with the declaration that Ministers must do their best in the face of many changes and pressures, to advance the welfare of the Caribbean region. He advised that each country look closely at the Report of the Ministerial Working Party and identify proposals that could be implemented within their own governments. After the traditional exchange of courtesies, he officially declared the meeting closed.
# APPENDIX A

Caribbean Labour Ministers Meeting  
*Sam Lords Castle Resort, St. Philip, Barbados*  
24-26 April 2002

## PARTICIPANT LIST

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<thead>
<tr>
<th><strong>ANTIGUA AND BARBUDA</strong></th>
<th><strong>BELIZE</strong></th>
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| Mr. Austin Josiah  
Labour Commissioner  
Ministry of Labour, Cooperatives and Public Safety | Mr. Wendell Parham  
Chief Executive Officer  
Ministry of Sugar Industry, Labour and Local Government |

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<th><strong>ANGUILLA</strong></th>
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Minister of Labour, Home Affairs and Public Safety |

| Ms. Evalie Bradley  
Labour Commissioner | Mr. Robert Horton  
Permanent Secretary |
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<th><strong>BAHAMAS</strong></th>
<th><strong>BRITISH VIRGIN ISLANDS</strong></th>
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| Mr. Donald Symonette  
Under Secretary for Labour  
Ministry of Labour and Immigration | Honourable Julian Fraser  
Minister of Natural Resources and Labour |

| Mr. Leslie Dean  
Director of Labour  
Ministry of Labour and Immigration | Mrs. Josephine Callwood  
Acting Permanent Secretary |
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<th><strong>BARBADOS</strong></th>
<th><strong>CAYMAN ISLANDS</strong></th>
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| Honourable Rawle Eastmond  
Minister of Labour and Social Security | Honourable Roy Bodden  
Minister of Education, Human Resources and Culture |

| Lt. Col. Neville Edwards  
Permanent Secretary | Ms. Joy Basdeo  
Permanent Secretary |
|----------------------|-------------------|

| Mrs. Edla Lowe  
Chief Labour Officer  
Labour Department  
Ministry of Labour and Social Security | 
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Minister of Labour Relations, Public Service and Cooperatives

Mr. Andrew James
Labour Commissioner
Labour Department

ST. VINCENT AND THE GRENADINES
Senator the Honourable Edwin Snagg
Parliamentary Secretary with responsibility for Grenadines Affairs and Labour
Ministry of Finance, Planning, Economic Development, Labour, Information, Grenadines and Legal Affairs

Ms. Shirla Francis
Permanent Secretary

SURINAME
Honourable Clifford P. Marica
Minister of Labour, Technological Development and Environment

Mr. Percy E. E. Antonius
Permanent Secretary

TRINIDAD AND TOBAGO
Mr. Hart Edwards
Permanent Secretary
Ministry of Labour and Small and Micro Enterprises

Mr. Selby Brathwaite
Director, Labour Administration

DOMINICA
Honourable Henry Dyer
Attorney General and Minister of Legal Affairs, Immigration and Labour

GRENADA
Senator the Hon. Lawrence Joseph
Minister of Labour and Local Government

JAMAICA
Honourable Dean Peart
Minister of Labour and Social Security

Mr. Alvin McIntosh
Permanent Secretary

Mr. Anthony Irons
Senior Advisor

MONTserrat
Honourable Idabelle Meade
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Mr. Joseph West
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ST. KITTS/NEVIS
Honourable Sam Condor
Deputy Prime Minister and Minister of International Trade, Labour, Social Security, CARICOM Affairs, Telecommunications and Technology

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Mr. Willette Swann
Labour Commissioner

CARIBBEAN CONGRESS OF LABOUR

Mr. Lincoln Lewis
President

Mr. George DePeana
General Secretary

CARIBBEAN EMPLOYERS CONFEDERATION

Mr. Marcel Meyer
President

CARIBBEAN COMMUNITY SECRETARIAT (CARICOM)

Mr. Steven MacAndrew
Deputy Programme Manager
Labour and Manpower Development

INTERNATIONAL LABOUR ORGANIZATION

Mr. Willi Momm
Director

Mr. Luis Reguera
Deputy Director

Mr. Samuel J. Goolsaran
Senior Specialist, Industrial Relations and Labour Administration

Ms. Michele Jankanish
Senior Specialist, International Labour Standards and Labour Law

Mr. Reynold Simons
Senior Specialist, Employment and Labour Market Policies

Mr. Christopher Land-Kazlauskas
Social Dialogue Officer

Mrs. Roma Wong-Sang
Information Officer

Ms. Kathleen Hinkson
Secretary
APPENDIX B

The Modernization of Ministries of Labour:
Options, Challenges and Strategies

1) INTRODUCTION/BACKGROUND

Since the mid 1990s the ILO Caribbean Office and Member States have recognized the need to review, strengthen and modernize Labour Ministries in the sub-region. At the CARICOM 13th meeting of its Standing Committee of Ministers responsible for Labour (SCML) this was emphasized in a Report on the Strengthening of Labour Administration Systems. This report provided visionary statements in terms of the role, function and mission of Ministries of Labour, through, inter alia, the following recommendations endorsed by that meeting:

• The need to redevelop the concepts of an active labour policy in line with ILO Conventions 144 and 150;
• Labour Ministries/Departments must be made responsible and accountable for the coordination of labour policies;
• The need to establish labour management information systems;
• The need to increase the resources to Departments/Ministries of Labour, and for strategic importance of Labour Ministries to be fully recognized;
• Continuing internal, regional and external training for labour administrators to meet on-going training needs at all levels;
• Regular reviews and updating of labour legislation in keeping with relevant international labour standards and changing circumstances;
• The agenda of labour administration needs to focus on issues of social development through employment creation and poverty alleviation;
• The establishment of tripartite labour advisory boards;
• Labour Ministries/Departments to be equipped with updated libraries, research and planning units to enable staff to keep abreast of developments and provide a source of contemporary information for the social partners.

Subsequently, at the ILO meeting of Caribbean Labour Ministers held in Trinidad and Tobago in April 1996, the Prime Minister of Trinidad and Tobago, the Honourable Basdeo Panday emphasized the central role of Ministries of Labour by asserting that “no Ministry was better placed than a Ministry of Labour to fulfill the country’s mandate regarding human resource development...Ministries of Labour had a responsibility to influence the formulation of policies and strategies for human resource development, employment generation and poverty alleviation...”

In 1997 therefore, the ILO, in consultation with Member States, undertook a major review of the labour administration systems in Barbados, Guyana, Jamaica and Trinidad and Tobago, through ILO Consultant, Mr. Kieran Mulvey. Mr. Mulvey emphasized in his report the “need to
develop a more strategic policy, planning and functional role for Ministries of Labour, and to seek to revitalize and upgrade their role and status in a reorganized enterprise and employment oriented direction”. While most of the recommendations made in the report were considered valid by Governments concerned, in general, no major changes appeared to have taken place since on the status, roles and mandates of Ministries of Labour.

In 1998, at the ILO’s Meeting of Caribbean Ministers of Labour in Georgetown, Guyana, the President of Guyana, Her Excellency Mrs. Janet Jagan, in her remarks to the meeting stated that “…Ministers of Labour have an important role to play in promoting sustainable development within the CARICOM region, but such objectives cannot be achieved unless there is an effective labour administration system with clearly defined and properly co-ordinated responsibilities. This can only be accomplished if the labour administration organisation is adequately staffed, with suitably qualified and trained personnel, well equipped to meet the challenges of labour and employment policies and practices which are subject to rapid economic, social and technological changes”.

Again, at the ILO’s April 2000 Meeting of Caribbean Ministers of Labour in Kingston, Jamaica, the Prime Minister, the Right Honourable P.J. Patterson, in his address stated that “…Their role is not simply to resolve disputes. They have to be pistons in the engine for economic growth…..” and “Effective tripartism is not possible without strong Labour Ministries and modern labour administrations” and “…Thus, developing new issues for labour administration will require adapting the organization, structures and instruments of the Ministries of Labour…”

In an effort to reinforce the readiness of the political leadership to assign Ministries of Labour a more central place in national decision-making, the ILO included the issue of modernization on the agenda of the Ministers of Labour meeting in Jamaica in April 2000. Prior to this it also carried out a survey on the functions and responsibilities of Labour Ministries in the Caribbean. Consequently, Ministers at their meeting in Jamaica in April 2000, considered the issue of modernization of Labour Ministries, in the perspective of highlighting the need for a new and more strategic role that was required from the labour portfolio. It was pointed out that labour and labour market policies needed to assume a central role in policy-making if the countries of the Caribbean were expected to shape their economies to meet the challenges of globalization. The development of the human capital, the inclusion of workers and employers in the formulation of labour market policies, and the development of industrial relations away from adversarial to a more consensus-based approach were seen as among the necessary ingredients for economic success. These were new challenges for many Labour Ministries.

Against these backgrounds, the Ministers, at their April 2000 meeting in Jamaica, appointed a Working Party comprising representatives from Antigua and Barbuda, Aruba, Barbados, and Jamaica, together with the Caribbean Congress of Labour, the Caribbean Employers’ Confederation, the CARICOM Secretariat, and the ILO as coordinator and Secretariat. The Working Party was mandated to consider the relevant reports and recommendations for the modernization of labour ministries in the region and make suitable proposals.

2) MODERNIZATION

The Working Party began its consideration by discussing the concept of modernization and the need for modernization, taking into account the various background papers and relevant reports.

The Working Party recognized that in many Caribbean countries, Labour Ministries/departments were experiencing a continued diminishing of their role and status. In most of the countries, labour was but one of many departments within a Ministry, often one endowed with inadequate resources, and Ministers with responsibility for labour often have other portfolio responsibilities attracting more of their attention. The traditional function of the Ministry/department of Labour was concentration on the management of labour relations, which was often reactive and not without political overtones. This function of the Labour Department – important for the social system - was limited and absent from the national economic and social policy planning fora. Consequently, very little linkage exists between what is perceived as the predominantly conflict management function of the labour portfolio and the social and economic and political agendas of the governments.

The Working Party observed that Caribbean economies were somewhat dependent on protection through guaranteed export quotas, preferences and high, non-reciprocal tariff barriers. This situation was changing. The exposure of the economy to global competition and the loss of protection created new pressures to upgrade economic performance. In this new scenario, labour and labour markets should assume a new prominence, since social and economic strategies depended increasingly on one major factor - the human resource and its development.

The Working Party felt that internal changes compared to the rapid pace of developments in the external environment could be slow and incremental, and that therefore over time, gaps could develop between the reality and the policies and institutions that had been set up to deal with that reality. The result would be that regulations might no longer correspond to the reality and that public administration might become ineffective in addressing the real issues and problems, often leading to disenchantment with public administration. There was therefore need to review the situation and to examine the continuing validity of labour administration services and the objectives, structures and mandate of labour ministries.

3) ILO SURVEY

The Working Party also examined results of a survey, which was undertaken by the ILO prior to the meeting of Caribbean Labour Ministers in April 2000, in an attempt to ascertain the responsibilities, priorities and capacities of labour ministries in the Caribbean. The survey covered three major areas: labour and social protection policy, labour relations, and employment and labour market policies.
Results showed that there were major discrepancies between competencies, priorities and capacity. Generally, competencies and capacity lagged behind policy priorities. Where there was neither competency nor capacity, but recognized priority, the question was whether the respective function was entrusted to another ministry/department or lacking altogether.

The survey found that there was greatest harmony in the area of labour relations, where capacity corresponded largely to priority and competence ratings. Concerning labour and social protection policy, there was a mixed picture: great variations existed among countries and discrepancies between priority, capacity and competence. A clear correlation existed between resource constraints and problems in implementation in areas that were recognized functions of ministries of labour. Concerning employment and labour market policies, both competencies and capacities achieved lowest scores. However, the importance of these functions for labour ministries was recognized.

In general, the results of the survey confirmed the need for change within the labour portfolio, so as to bring mandates and resources in line with the new challenges and policy priorities that result from globalization.

4) MODERNIZATION IN THE CONTEXT OF THE TRADITIONAL MANDATE OF LABOUR MINISTRIES

The Working Party noted that enforcing labour regulations and putting out industrial fires is currently the main pre-occupation of labour administrations in the Caribbean. It saw as the first priority of a modernization drive to strengthen these traditional mandates:

- Promoting workers’ rights;
- Intervening in labour disputes;
- Providing a conciliation/mediation service;
- Setting up and servicing arbitration tribunals;
- Facilitating settlement of trade union recognition claims;
- Labour and occupational safety and health policy, inspections and enforcement;
- Recruitment and employment placement service;
- Industrial and vocational training;
- Statistical information gathering, analysis and publishing;
- Promoting of international labour standards through legislation and policy, and
- Tripartite collaboration and consultation.

Historically, these services were developed against the background of adversarial industrial relations. It is now expected that due to the impact of globalization, more consensual relations as well as new forms of social dialogue at the national and enterprise levels will develop. This could lead to major changes in the management of labour relations on the part of labour administrations.
The Working Party stated that the critical responsibility of labour ministries must be emphasized since national labour policy is generally applied through labour ministries, which are expected to arrange for the necessary consultation with the social partners, and co-ordination with other agencies. It is therefore important for the labour department to keep abreast of developments since the responsibilities for labour matters are in fact, not exclusively within the domain of labour ministries. Ministries of finance, economic planning, education, immigration, commerce, trade and industry and statutory agencies are among the various ministries/many agencies, which share responsibilities for labour matters.

The Working Party affirmed that the effective co-ordination of the various functions and responsibilities of the system of labour administration is the continuing and essential task for labour ministries or labour departments to ensure:

- Proper co-ordination of the tasks and responsibilities associated with labour administration;
- State agencies act in conformity with legislation and accepted labour standards, and
- Evaluation, publication and dissemination of information of general interest on labour and labour market matters.

In addition, the Working Party emphasized that adequate financial resources were required, taking into account the importance of the duties to be performed, as well as the material means placed at the disposal of the staff, and their own remuneration. It also recognizes that ministries required an adequate number of suitably qualified staff who should receive initial and further training in line with ILO C 150 and R 158.

As far as the new mandate was concerned, the Working Party agreed that the department/ministry could not depend on the public administration ministry alone to provide adequately for its staff training needs. The training officials in central government were generally concerned with functional areas in government ministries, and not specifically labour administration training and staff development. For this reason, attention had to be paid to the management of training and personnel within labour departments if there was going to be development of a cadre of suitably qualified and competent staff, as required in labour administration.

5) MODERNIZATION IN THE CONTEXT OF THE CHALLENGES OF GLOBALIZATION

Having agreed that change/modernization was necessary, the Working Party then focussed on the following questions, to identify the areas that required particular attention in order to ensure an expanded role of Ministries of Labour in national social and economic development:

- Are Ministries of Labour equipped to meet the new challenges of globalization?
- Do they have the necessary expertise and competence to participate in national socio-economic policy formulation?
• Can they adequately interact with the government agencies dealing with trade and industry?
• Do they have the power and status to influence economic strategies?
• Are they respected interlocutors of the private sector and the trade union leadership?
• Do they control the labour market and its institutions?
• Do they have vision and a policy for the new era of globalization and trade liberalization?
• Can they contribute to luring investment into the country?
• Can they offer state of the art economic analysis of labour market trends?
• Can they steer the labour market into the desired direction, in particular with a view to securing more and better jobs for men and women?
• Can they make projections of the impact of national, regional, hemispheric and global trends on labour and induce proactive and corrective measures in labour market strategies?
• Can they contribute to promoting a culture of productivity, equality and compliance with international standards to develop opportunities for decent work?

The Working Party agreed that most Ministries of Labour were far from meeting more requirements, but that these requirements would represent suitable reference for a modernization drive, taking into account that realistic targets needed to be set in this regard. It was agreed that realistic steps towards such forms of modernization should include a mix of measures notably:

• The improvement of internal efficiency and the optimum use of existing staff and financial resources;
• The establishment of objectives and measurable targets; and
• The redefinition and expansion of the labour portfolio beyond its current orientation.

Among the priority areas identified for immediate attention at the national level were:

• Adequate staffing and task descriptions;
• Training and staff development;
• New methods of dispute prevention and resolution;
• Strengthened authority of labour departments;
• Tripartite consultation and social dialogue; and
• Adequate remuneration.

6) CONCLUSIONS

The Working Party discussed and agreed on the following vision, mission, objectives, functions, and staff positions for ministries of labour in the Caribbean sub-region:

a) Vision

The vision for the Ministry of Labour is to actively participate in the formulation and implementation of policies to assist in the realization of Government’s social and
economic agenda at the national and international levels, particularly as these policies relate to the labour environment.

b) Mission

The business/mission of the Ministry of Labour is to assist Government through an effective system of labour administration, in the formulation and implementation of sound labour and employment policies by promoting a stable industrial relations environment; opportunities for employment creation and decent work; social protection and adherence to international labour standards.

c) Objectives

1. To initiate and maintain tripartite consultations on labour laws, ILO standards-related matters, and national socio-economic policy impacting on the labour environment.

2. To promote and ensure that the relevant and appropriate International Labour Standards and Conventions are adhered to within the labour environment, as well as existing labour legislation.

3. To monitor regional, hemispheric and global trends affecting labour policy.

4. To participate in the harmonization of regional labour policies (CARICOM, FTAA).

5. To facilitate and promote voluntary collective bargaining.

6. To ensure free exercise of right to freedom of association and the right to collective bargaining.

7. To collaborate with other agencies in the development of national economic and industrial policy.

8. To develop and monitor strategies for employment creation and advising on the labour and employment dimension of privatization and restructuring.

9. To contribute to enhancing the competitiveness of the economy, inter alia, through productivity related policies and measures.

10. To promote the provision of social safety nets for retrenched and unemployed workers, such as: (a) severance pay, pension plans, unemployment benefits; (b) employment security through retraining.

11. To develop and implement employment and training policies and programmes for unemployed workers and vulnerable groups (youth, disabled workers, older workers, disadvantaged women).
12. To establish and maintain a labour market information system.

13. To train and develop the capacity and capability of staff of the Ministry of Labour so that they may function effectively to realize stated objectives.

d) Functions

(i) Policy Formulation and Implementation

- Research and analysis of information for policy consideration (including labour force household and enterprise surveys; collection and analysis of administrative data etc.).
- Coordination of activities of the various functions of agencies/units in pursuance of policy objectives.
- Participate and contribute to national strategic planning and policy analysis from a labour perspective.
- Advising the Ministers of Labour on matters of labour and labour market policy.

(ii) Legal Services

- Reviewing and upgrading of existing laws
- Formulating of new laws
- Legal advisory services to the ministry
- Harmonization of laws – regional
- Legal services for the ministry (including enforcement and prosecution)
- Promoting the exercise of fundamental labour rights
- International Labour standards matters – obligations under ILO
- Constitution and ratification

(iii) Inspectorate Services

- Occupational safety and health inspectorate
- Social inspectorate – conditions of work
- Monitoring and review to ensure compliance
- Linking / collaborating with other related agencies

(iv) Employment, manpower planning and labour market

- Functions of national employment bureaux/services (including vocational counselling and guidance services)
- Developing and creating strategies for employment (TVET, Skill development, HRD, LMIS)
- Participate in national manpower/human resource development planning
- Become fully computerized and in tune with modern technology to deliver state of the art information to customers and users through on-line access;
• Develop a one-stop employment centre (access all employment services at one department).

(v) **Industrial Relations**

• Promotion of collective bargaining
• Conciliation/mediation/arbitration services
• Ensure the active functioning of tripartite bodies
• Promote social dialogue/social partnership
• Encouraging productivity alliances
• Active advisory services – building greater labour-management co-operation
• Review and strengthen dispute settlement machinery

(vi) **Human Resource Development/Management**

• Human resource policy (recruitment, selection, placement, compensation, career development, performance appraisals, rewards systems
• Develop internal training capacity for staff training and development.
• Review and create appropriate organizational structure
• Enhance the qualification requirements for labour commissioners and labour staff;
• Labour officers and labour administrators should be trained in human resource development.

(vii) **Outreach Programme**

• To sensitize potential, workers and managers, unionised and non-unionised about their respective rights and obligations;
• To bring about an awareness of the Ministry of Labour/ Labour Department – its role and functions;
• To inform the general public about the role, function and services that the Labour Department offers;
• To conduct the above on an ongoing basis.

**e) Staff Positions**

In addition to adequately trained staff to carry out the necessary functions flowing from C 150 and R 158 on *Labour Administration*, ministries of labour should consider the recruitment of suitable staff, with the expertise to enable the ministry to participate actively and contribute to national planning and development.

*Expertise relating to the following positions may be useful in this regard:*

• Policy Analyst/Planner
• Labour Economist
• OSH Experts
• Statistician
• Legal Attorney
• Technical Training Specialist.

Revised April, 2002