



SURVEY TO FOLLOW UP ON RIAL COOPERATION FUND ACTIVITIES

INTER-AMERICAN NETWORK FOR LABOR ADMINISTRATION (RIAL)

Survey objectives:

- To gain awareness of actions taken by Ministries of Labor following their participation in RIAL Cooperation Fund activities.
- To facilitate the evaluation of the impact of these activities on the institutional strengthening of the Ministries of Labor.

Instructions:

- Please complete this Survey electronically, bearing in mind that the 'text boxes' expand in keeping with the size of each response.
- The survey should be completed individually or jointly by the requesting Ministry officials involved in each activity.

THANK YOU IN ADVANCE FOR YOUR TIME!

General information on the cooperation activity:

Type of activity: (on-site or experts visit)	On- site visit in Jamaica during the month of November 2013. Two officers from the Labour Department in Barbados visited Jamaica
Requesting institution: (completing this survey)	RIAL
Providing institution:	The Labour Department in Barbados, a division of the Ministry of Labour Human Resources and Social Security
Area and general objective of cooperation:	<p>The area of cooperation was in the provision of resource persons in Jamaica both at the Ministry of Labour and Industrial Disputes Tribunal in Jamaica to give and understanding of the workings and functions of the Labour Department, Ministry of Labour and Industrial Disputes Tribunal in Jamaica.</p> <p>The objective was the provide the necessary assistance to help the Industrial Relations Sections of the Labour Department in Barbados and to assist in the establishment in Barbados of the Employment Rights Tribunal in Barbados.</p>
Date and city or cities where carried out:	Approximately late October 2013 to early November 2013 in Jamaica, West Indies
Names and titles of the participating officials of the requesting institution: (please indicate if the officials are jointly completing this survey)	<p>Labour Department Barbados</p> <p>Angela Knight, Attorney-at-law, Labour Department and Secretary to the Employment Rights Tribunal, Barbados</p> <p>Mrs Linda Bowen, Senior Labour Officer, Industrial Relations Section, Labour Department Barbados</p>

	<ul style="list-style-type: none"> Please note that the questionnaire is being completed by me Angela Knight as Mrs. Bowen in currently in Italy ..May 18th to 28th, 2014 on training with ILO.
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Section I - General follow-up

1. Following the cooperation activity, was the information received disseminated in your Ministry or outside it?

Yes____

No ____

If yes, please indicate below how the information was disseminated, to whom, and whether training activities were carried out.

The information was disseminated within the Ministry to relevant persons only. The information was disseminated to the Chief Labour Officer, the Chair of the Employment Rights Tribunal and to the Employment Rights Tribunal and at a montly meeting of the Labour Department.

2. Is communication ongoing with the providing institution?

Yes____yes_

No ____

3. Have you received additional technical assistance from the providing institution specifically in follow-up to the cooperation activity?

Yes ____ No __not as yet

If yes, please specify what and how this technical assistance was given.

4. Have new cooperation actions been carried out with the providing institution?

Yes ____ No __not as yet

If yes, please indicate what these actions are.

Section II - Follow-up to "Next Steps"

In answering the following questions, please consult the Final Report prepared by your institution on the activity.

5. Which of the "Next Steps" specified in the report were taken and how was this done? Please indicate how much progress has been made and how these actions were implemented.

The following were the "next steps" that were done.

1. Documentation from Jamaica was shared.
2. Budgetary proposals from Tribunal were submitted to Ministry of Labour.
3. The Hearing Room has been outfitted.
4. The staff has been trained in the Liberty Court Reporting system of recording hearings.

6. In connection with the preceding question, what conditions or circumstances made it possible to take the "Next Steps"?

Very few of the "Next Steps" have been taken.

Documentation from the Jamaican Tribunal has been shared with Tribunal and this was possible as it only required the photocopying of these documents to be shared.

The Draft Rules have been discussed and this was possible as there are in existence online Rules from other Employment Rights Tribunal.

The outfitting of the Hearing room and the provision of the Liberty court reporting system were done as there was budget in the previous financial year for furniture for outfitting the Hearing Room. Staff training in the Court Reporting system by Liberty was done with help from a representative in St. Lucia who visited the island on a two day training event for the staff in Labour Department. The representative from St. Lucia had been recommended to the Barbados Labour Department by those persons from who the Department bought the Liberty Court Reporting system.

Hearings have not commenced to date. The existing staff members of the Labour Department namely the Attorney-at-law and two secretaries and one office clerk have been asked to lend their assistance to the Tribunal in addition to their core functions. The Tribunal is now at the stage of sending letters to the complainants asking them to submit their briefs (synopsis of

their cases) and supporting documentation pertaining to their employment so that these documents can be exchanged and dates for hearings established. It is anticipated that the Tribunal will start as soon as it possibly can this year (2014).

7. Which of the "Next Steps" specified in the report were not taken? What reasons or circumstances prevented them from being taken?

Most of the "Next Steps" have not been taken.

The requisite staffing and financial needs to make the Tribunal fully functional are still being considered and operational.

There is no separate office for Tribunal and the Tribunal continues to share existing office space.

There is still need to further discuss the Rules of the Tribunal and ensure the approval of the same.

The staff of the Labour Department who will work with the Tribunal have not collectively had a chance to familiarize itself with the work of other Tribunals in the island as yet.

The outcome of the budgetary proposal submission to the Ministry of Labour on behalf of the Tribunal has to be discussed.

8. Have actions resulting directly or indirectly from the cooperation activity been taken that were not included in the "Next Steps"?

Section III - Results

9. What were the main benefits to your Ministry of this cooperation activity?

The main benefits have been the insight into (a) the working of the Ministry of Labour in Jamaica as it relates to the Jamaican distinction between Labour Officer and Conciliation Officers. In Barbados Labour Officers do both, investigate matters and conciliate.
(b) The observation of the conciliation process in Jamaica.
(c) The observation as to the working of the Industrial Disputes Tribunal, its administration, the office layout and staff compliment.
(d) The discussion of the Jamaican legislation relating to industrial disputes
(e) The opportunity to network with our Jamaican counterparts in Labour law administration whether the staff and officers of the Ministry of Labour in general or the Legal staff of both the Ministry of Labour and at the *Industrial Disputes Tribunal*.
(f) *The opportunity to look and examine legal or relevant precedents.*
(g) *The opportunity to attend hearing of the Industrial Disputes Tribunal and see its operations.*

10. Please indicate what specific results arose in your Ministry from this cooperation activity:
Please place an 'X' next to all applicable results:

- ___ Development of new products, services, or activities
- x Creation of new areas, offices, or units
- x Reform of internal procedures or redefinition of functions
- x Definition of new internal procedures
- ___ Design or modification of training activities
- ___ Proposed amendments to regulatory or legislative framework
- ___ Definition or reformulation of public policies
- x Other (please specify below)

Please provide additional information on the results selected, including specific areas and procedures, specific actions carried out to achieve these results, and degree of progress. We would be grateful for an exhaustive list to enable us to gain an in-depth awareness of results achieved:

Creation of new areas, offices or units: there has been the identification within the existing space of the Labour Department a room which can be utilized for the Tribunal's meetings and another room identified for the Tribunal's hearings. There is no available space which is separate and distinct which can be used exclusively for the Tribunal as an office. In addition the Legal Officer's office space has been subdivided to accommodate a desk, printer and cabinet for the Tribunal's matters.

Reforming of internal procedures or redefinition of functions-To date communication from the Tribunal is being prepared within the Labour Department by the Department's Attorney-at-law. There is no separate and distinct staff hired to work with Tribunal. Two existing Labour Department Secretaries and one clerical officer have been assigned (not exclusively), in addition to their functions to assist the Tribunal in the typing of letters. The clerical officer's duties have been enlarged for the purposes of taking minutes and meetings and photocopying of documents.

Definition of new internal procedures- Slowly the Labour Department is having to define a few new internal procedures to establish how the Tribunal is to function in relation the Labour Department for example, how letters are to be sent from the Labour Department to the Tribunal, the form letters which are to be sent by Tribunal to the complainants, respondents and

their lawyers, the form letters for requesting the necessary documentation from the parties have been designed, the form letters for approving extension of time application by complainants. Within the typing pool the creation between the secretaries of a shared folder between the secretary in which the Tribunal's letters are kept separate and distinct from Labour Department's letters.

Other- other procedures that have been developed include the provision of an Employment Rights Tribunal letter head and other developments would follow. The Department would now have to provide additional office supplies such as an Employment Rights Tribunal stamp, etc.

11. At the personal and professional level, what are the main benefits or results of this cooperation activity? Were new capacities or skills acquired?

Section IV - General evaluation

12. To what extent did the cooperation activity meet your expectations? (Choose one)

x___ Exceeded ___ Largely ___ Somewhat ___ Little ___ Did not meet

13. How satisfied were you with OAS facilitation efforts. (Choose one)

x___ Very highly ___ Highly ___ Moderately ___ Little ___ Not satisfied

14. Please provide below comments and suggestions regarding OAS efforts in connection with the clarity of Fund procedures, logistical arrangements, speed of response, and any other aspect you deem relevant.

15. Suggestions to improve planning and implementation of the RIAL Cooperation Fund:

THANK YOU VERY MUCH FOR YOUR TIME AND ATTENTION!

Please send responses to: Maria Claudia Camacho, RIAL Coordinator, by e-mail
(mcamacho@oas.org) before the deadline indicated.

If you have any questions or concerns please do not hesitate to contact us via e-mail or phone:
(1202) 458-3207.