

EXCERPT OF VERBATIM NOTES OF THE TWENTY-FIRST MEETING OF THE JOINT SELECT COMMITTEE ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE ARNOLD THOMASOS MEETING ROOM (EAST), LEVEL 6, (IN CAMERA), AND THE J. HAMILTON MAURICE ROOM (MEZZANINE FLOOR) (IN PUBLIC), OFFICE OF THE PARLIAMENT, TOWER D, THE PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON WEDNESDAY, FEBRUARY 21, 2018 AT 9.46 A.M.

PRESENT

Dr. Dhanayshar Mahabir	Chairman
Mr. Esmond Forde	Vice-Chairman
Mrs. Christine Newallo-Hosein	Member
Miss Khadijah Ameen	Member
Mrs. Glenda Jennings-Smith	Member
Miss Allyson West	Member
Brig. Gen. Ancil Antoine	Member
Mr. Julien Ogilvie	Secretary
Mr. Johnson Greenidge	Assistant Secretary
Miss Vahini Jainarine	Legal Officer

ABSENT

Mr. Rohan Sinanan	Member
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10.30 a.m.: *Meeting suspended.*

10.40 a.m.: *Meeting resumed.*

UNREVISED

**OFFICIALS OF THE MINISTRY OF PUBLIC ADMINISTRATION AND
COMMUNICATIONS**

Ms. Joan Mendez	Permanent Secretary
Mr. Claudelle Mc Kellar	Deputy Permanent Secretary
Ms. Savitri Balkaran	Director, Public Management Consulting Division (Ag.)

OFFICIALS OF MINISTRY OF LABOUR AND SMALL ENTERPRISE DEVELOPMENT

Ms. Natalie Willis	Permanent Secretary (Ag.)
Ms. Shanmatee Singh-Ng Sang	Deputy Permanent Secretary
Ms. Sangeeta Boondoo	Senior Legal Officer

OFFICIAL OF THE MINISTRY OF FINANCE

Ms. Michelle Durham-Kissoon	Permanent Secretary (Ag.)
Ms. Lesann Bago-Seebaran	Director, Human Resources (Ag.)
Ms. Jacqueline Gomez	Senior Human Resource Officer (Ag.)

OFFICIALS OF THE CHIEF PERSONNEL DEPARTMENT

Mr. Beresford Riley	Chief Personnel Officer
Ms. Wendy Barton	Ag. Deputy Chief Personnel Officer
Ms. Juliette Gonzales	Ag. Director, Human Resource Management
Ms. Mala Boodoosingh	Ag. Senior Human Resource Advisor
Ms. Dawn De Silva	Senior Human Resource Officer

Mr. Chairman: Good morning and welcome to this the 21st Meeting of the Joint Select Committee on Social Services and Public Administration. I want to welcome this morning, officials from the Ministry of Public Administration and Communications, officials from the Ministry of Labour and Small Enterprise Development, and officials from the Ministry of Finance. Welcome as usual to all

our viewers on the Parliament Channel and our listeners on Parliament Radio and our viewers on the Parliament *ParlView* Channel.

This is our Committee's first public hearing pursuant to its enquiry into the state of contract employment in the public service. Before I ask our guests this morning to address us, I would like to invite members of the public who have issues that they would like to raise with the Committee and/or suggestions and comments and recommendations, please forward those. We do take them seriously and we encourage, as a democratic Parliament, the widest possible participation by every citizen of Trinidad and Tobago on a matter as important as the terms and conditions of employment in the public service of our Republic.

At this point, I would like to invite representatives from the three Ministries to introduce themselves and then I would ask members of the Committee to introduce themselves followed by brief opening remarks from the Committee members. So our guests, could you please introduce yourselves? We start with the Ministry of Public Administration and Communications.

Introductions made.

I understand we have other officials present. Please introduce yourselves, other officials, so that we may want to direct questions to you. Any other officials from the CPO's department?

Introductions made.

And I think that now completes the full slate of introductions. So we are very fortunate this morning to have the individuals from the Ministries in Trinidad and Tobago with the expertise to guide the Committee on this particular subject of contract employment. At this point I will ask my colleagues on the Committee to introduce themselves. And may I start with my colleague on the right?

Introductions made.

And good morning. I, who have been prattling on and on and on, am Sen. Mahabir, Independent Senator, Chairman of the Committee. Before I ask the officials to make their brief opening remarks, may I remind all about the objectives of our enquiry? The first objective is to gather information on the prevalence of contract employment in Ministries and statutory bodies. Second, to examine the terms and conditions of employment of contract workers. Third, to assess the adequacy of existing arrangements in place to manage and/or regulate contract employment. Four, to attempt to evaluate the impact that contract employment has had on the overall efficiency of the public service.

At this point, I will invite brief opening remarks from the following in that order. First, Miss Joan Mendez, Permanent Secretary, Ministry of Public Administration and Communications; second, Miss Natalie Willis, Acting Permanent Secretary, Ministry of Labour and Small Enterprise Development; third, Ms. Michelle Durham-Kissoon, Acting Permanent Secretary in the Ministry of Finance; and fourth, Mr. Beresford Riley, Chief Personnel Officer. So I will start with Ms. Joan Mendez, Permanent Secretary.

Ms. Mendez: Good morning again, Chairman, Vice-Chairman and members. We are happy to be here this morning to assist the Committee in gaining understanding with respect to our role in contract employment in the public service. Amongst our portfolio under the Ministry of Public Administration and Communications, we, through the Public Management Consulting Division, undertake review systems/processes regarding contract employment, maintain contract establishment in respect of positions of contract in the public service. We also review and strengthen processes within public service organizations and assist in the design and structure of Ministries and Departments and agencies, to assist them in fulfilling the mandate of their respective portfolios. Thank you.

Mr. Chairman: Thank you very much. Ms. Natalie Willis, Acting Permanent Secretary, Ministry of Labour and Small Enterprise Development.

Ms. Willis: Thank you, Chairman. We at the Ministry of Labour and Small Enterprise Development are very grateful for the opportunity to share with the Joint Select Committee on Social Services and Public Administration on the state of contract employment in the Ministry as part of the enquiry into the state of contract employment in the public service. The Ministry of Labour and Small Enterprise Development plays a strategic role in creating growth, promoting diversity and restoring confidence through its critical work in fulfilling Government's labour employment and entrepreneurship commitments which impact all sectors of the economy and all Ministries and agencies. The work of the Ministry has been given greater prominence in national development, especially with the adoption of the sustainable development goals in 2015, especially Goal 8, which speaks to promotion, inclusive and sustainable economic growth employment and decent work for all.

In keeping with its mandate, the Ministry of Labour and Small Enterprise Development had made every effort, with the assistance of the Chief Personnel Officer, to ensure that proper terms and conditions of employment are extended to all contract staff. Decent work is our top priority and it has to be properly instituted at home before we can promote it elsewhere. Our portfolio at the Ministry of Labour and Small Enterprise Development is unique and contract officers bring unique skill sets to the table. As such, our Ministry encourages in-house development so as to maintain institutional knowledge even after key persons leave the establishment. This is critical in order to ensure continuity of policies and programmes that are necessary to adequately meet the needs of our stakeholders.

Again I want, in closing, I want to thank the Committee for the opportunity to be part of this enquiry and I look forward to fruitful discussions.

Mr. Chairman: Thank you very much. Ms. Michelle Durham-Kissoon.

Ms. Durham-Kissoon: Thank you, Chair, Vice-Chair, members. The Ministry of Finance is pleased to have been invited to this enquiry to share our perspective in contract employment in the Trinidad and Tobago Public Service. You will see from the numbers that we have presented to you and will discuss in our conversation this morning, that the expenses are significant. Despite the significance of the numbers, particularly in the financial constraints that we face, we recognize that apart from our energy resources in this economy, a key resource is our human resource and we have demonstrated that we are working with Ministries, Departments and the wider public service in attracting and retaining high quality talent for the realization of strategic priorities and objectives. But we also are mindful that they should make the hard decisions in streamlining their total expenditure and achieve greater efficiency. Thank you, Chair.

Mr. Chairman: Thank you very much, and now Mr. Beresford Riley, CPO, Chief Personnel Officer.

Mr. Riley: Thank you, Chairman. The Personnel Department welcomes the opportunity to assist the Joint Select Committee in these very important deliberations on the issue of contract employment in the public service. The Personnel Department is responsible for determining and advising on a wide range of—sorry—on the terms and conditions of employment on a wide range of persons in the public service. These include persons in the police service, the civil service itself, the teaching service, the fire service, the prison service and statutory authorities governed by the Statutory Authorities Act. We are also responsible for determining the terms and conditions of daily-rated workers, contract employees

and for advising the SRC on terms and conditions of officers within its purview.

Given its role and function, the Department touches the lives of a large number of persons in the public service. Additionally, the Department is also asked to provide thought leadership and advice on a wide range of issues affecting HR management in the public service as well as industrial relations. It was on that basis that the Department approached the Cabinet in 2015 to set up a committee to look at contract employment in the public service because of its concern with the issues surrounding contract employment. The focus of the Department's leadership at this point in time is to strengthen the organization so that it can improve the quality of service it provides to its clients and stakeholders, a focus which is present in the Department's strategic plan, 2018 to 2020, before Cabinet currently.

10.55 a.m.

Again, the Department welcomes the opportunity to provide support to the Committee in its deliberations.

Mr. Chairman: Thank you very much. As Chairman, my Committee members have invited me to open the questioning and I am grateful to them for that. And I would like to just raise the enquiry objective number four and to place that in a particular context: To attempt to evaluate the impact of contract employment on the efficiency of the public service. Our Committee has, in the past, examined the issue of school violence and bullying in some detail. We have looked at homelessness, mental health and we have also examined the Conditional Cash Transfer Programme for the needy in society.

And during our hearings, it was revealed, in the Ministry of Education, for example, that the social workers and school guidance officers who are so necessary and critical for reducing the incidence of school violence in our community, in our

society, to a large extent, are operating under contracts. Not only that there is an inadequate amount of staff but the staff which exist, largely, are not full-time staff but they are contract employees. Similarly, in the Conditional Cash Transfer Programme, it was revealed that a number of contract employees did not have their contracts renewed and therefore, the Ministry of Social Services may be challenged in discharging some of its critical responsibilities, again, for the poor and the vulnerable in society.

So I would like to ask from any of the representatives here with us this morning, whether an evaluation was done either at the Ministry of Public Administration or in any of the line Ministries on the overall impact of contract employment on the ability of the Ministry to discharge its various functions? Have we done any evaluation so far on whether contract employment is having an adverse effect, a positive effect or a neutral effect on public sector efficiency? Any response?

Ms. Mendez: Good morning, again, Chair. I will ask my Director of Public Management Consulting Division to give details in terms of the operational aspects with respect to requests that come in from various Ministries, which include Ministry of Education, Ministry of Social Development. When these requests come, there is a rigorous system in terms of requirements that are looked at by the technical officers at that Division in respect of their strategic direction, the mandate, the overall staffing at the particular Ministries and the critical role that the Ministry may be playing or has to play in terms of the National Development Strategy and of course, in achieving our sustainable development goals. So I will pass over to Ms. Balkaran who will give the actual details in respect of evaluating and coming up with the definite structure and staffing. Thank you.

Mr. Chairman: Thank you, Permanent Secretary.

Ms. Balkaran: Good morning, Mr. Chair, Vice Chair, members and colleagues.

With respect to the requests that come in from Ministries and Departments and agencies, PMCD has, according to an approved Cabinet Minute where Cabinet would have decided and agreed that Ministries submit 10 requirements for the creation of positions, whether it is contract or established and five requirements for the renewal of contract positions, PMCD and the Ministries would work together on those submissions. So that the Ministry, in their draft note to Cabinet, must include these requirements.

I want to give some examples. So for the creation of an established position or contract position, a Ministry needs to include things like the projected workload statistics, the work plan, the process map that would show the use of the position and the current organizational structure, the proposed organizational structure. We can submit further to the Committee these lists of requirements so that you can have a full view of it. In terms of renewal of contract positions, there are five or six requirements that the Ministry must submit, which includes, again, their achievement report and work plan and workload statistics and others.

So that PMCD would use our methodology and look at the current information and that information in terms of what I just referred to and we would do our investigations and analysis and come up with our recommendations in terms of staffing.

Mr. Chairman: Okay. Just a point of clarification. Ministries need labour in order to discharge their functions. They need officers, they need manpower. How does a Ministry go about deciding that it needs permanent employees as opposed to contract employees? Is there a basis, a set of criteria used so that they can justify we need this position as a permanent position and we would like these positions as contract temporary positions? Yes, it is the criteria, I am asking about that—the guidelines, criteria used by Ministries to determine the type of worker that they

require to discharge their functions. Yes, you can continue.

Ms. Balkaran: So that there is a policy which PMCD tries to adhere to and Ministries are supposed to be guided by. The policy is on the guidelines for the administration of devolved functions October 1988 Contract Employment which stipulates that contract positions can be utilized under certain circumstances. So if I may, the three circumstances would be: where there is a dearth of suitable candidates for permanent appointment to pensionable offices in the public service and there is an urgent need for the services attached to such offices. The second criteria would be where special projects or programmes of specified duration are undertaken by Ministries, Departments and statutory authorities and need to be executed and monitored by personnel additional to those on the permanent establishment. And the third one would be where a need has been identified for the specialized services of an individual, for example, an advisor and so on, in a particular area of expertise and such need cannot be met by the filling of any existing position on the establishment.

Mr. Chairman: I note that the economics of the situation has not played a role; that is the economic environment in which we operate which would make it more feasible to employ contract as opposed to permanent has not been mentioned in your list of criteria. That has not been mentioned. Am I correct in that assertion, that you have other criteria except the economic environment in which we operate?

Ms. Balkaran: So the economic environment is not—

Mr. Chairman: Not there?

Ms. Balkaran: In this, no.

Mr. Chairman: Okay. Could you, just for my edification, and I know MP Newallo-Hosein wants to come in, but could you indicate from the statistics that you have, what percentage of employees in the state sector is now contract

employees and how has that percentage changed over the last few years? So the question is: How has the percentage of workers who are contract employees in the state sector changed over the last, say, three years? Do you have that statistic? You see, I would like to see whether there is a correlation between the parlous state of the public finances and the rise in contract employment. We need to get to the truth in the Committee and that will then assist us in making the necessary determinations. So do you have the statistics, say, on the percentage of contract employment over the last, say—the changes?

Okay, we have a submission that it is now—percentage of contract positions in the public service is 26 per cent but I would like to see how that has changed. We know what the level is but how has it changed over the—you do not have that information. Could we request that information in writing? Yes. It would be very valuable for the Committee to see over, to say the last decade how, in fact, the percentage of contract employees in the state sector has changed, so from 2007 to 2017, that would certainly provide the necessary statistics for us. MP Newallo-Hosein has a follow up on that question.

Mrs. Newallo-Hosein: Yes, thank you, Chair. In terms of the criteria that is used, I noticed that you gave a guideline as to the Ministries as to what they are to propose to get approvals. What I would like to know is what criteria does one use in assessing the basis for contract workers to be entitled to travel allowance? Because I have found that there are a number of contract workers who require travelling as a part of their daily work routine, and they are not entitled to travel, and I want to know what is the criteria that your Ministry utilizes in determining whether travel allowances are approved or not.

Mr. Chairman: Is that a question to CPO, to the Chief Personnel Officer? Yes, CPO, yes, you can respond. Because I have follow-ups as well and I think other

Committee members now have follow-ups on that, yes.

Mr. Riley: With respect to the criteria that would be used for determining whether or not a contract employee receives a transport allowance, which is what it is called when it is a contract employee, those criteria actually begin with an assessment within the Ministry or Department concerned as to the need for travel of the particular employee or the particular category of employee. So that it starts at the—the Ministry determines that and they make a request for travelling. At the Personnel Department, we then decide on whether or not we agree with that assessment and on that basis, we administer, as part of the terms and conditions, a transport allowance. We place that within the terms and conditions of the contract.

Mr. Chairman: Okay, thank you. Sen. Ameen.

Miss Ameen: Coming out of that, wherever a Ministry or a Government agency, a state agency, has the authority to determine that they need contract workers, many times, their terms and conditions would have to be verified with the CPO. Correct?

Mr. Riley: By Cabinet decision, the Personnel Department determines terms and conditions of employment for contract employees, so you are correct.

Miss Ameen: The reason many state agencies decide to—in fact, I should not say—it is not the only reason. But one of the reasons they decide to hire contract employment is because positions on their establishment are vacant, waiting to be filled and in the meanwhile, they must function, and I say this out of personal experience being in a regional corporation for more than 10 years with the position of chief officers established in legislation since 1990, never appointed and to date, it is perhaps still being waited to be evaluated by the CPO, and in the meanwhile, the Ministry of Local Government and the regional corporations hire persons on contract to do the work, but to date, you still have those positions vacant. I want to

get to the root of the problem in terms of why it takes so long to evaluate those positions which have been in legislation since 1990 to determine the terms and conditions that those persons should be hired on and allow those positions to be filled?

Mr. Riley: To answer your question, I would need to get some specifics with respect to the particular positions. Because there may be a number of factors that would have led to what you call the evaluation—the length of time it took.

Miss Ameen: Well, specifically, in every regional corporation, there are chief officers—there is the chief medical officer, the chief financial officer, the chief legal officer which is like their corporate secretary and there are two others, but for every department, you have chief officers. Those positions have never been filled and from my understanding, they are waiting for the CPO to make some determination. If you can shed some light on that specifically which affects every regional corporation in Trinidad.

Mr. Chairman: Of interest to the Chair is why is it taking the CPO's office so long to make a determination on a chief officer at a regional corporation? There must be some reason for the length and the delay.

Mr. Riley: I do not know if that particular case falls within the ambit of the CPO in that—I am not sure if you are speaking about the classification of the office. I am not sure so that is something which we will have to check and get back to the Committee. We will have to provide that information to the Committee subsequently but I do not have that specific information at hand.

Miss Ameen: Thanks. I will appreciate that.

Mr. Chairman: Okay, we would like to get that at some subsequent time and I will ask MP Newallo-Hosein to come in, then Deputy Speaker will come in. We are getting in fast and furious, now.

Mrs. Newallo-Hosein: Mr. Riley, just to ask, not in any particular position, why does it take so long for any position, whether it is in any Ministry, for the CPO to act upon? What is the problem? Is it that the CPO is understaffed? What is the problem in the lengthy delays in having positions filled at all and getting contracts out?

Mr. Riley: Member, you have asked a range of questions within that one question. You have asked how long it takes for positions to be filled, vacancies to be filled—

Mr. Chairman: And you can answer them one at that time and in particular, why does it take the CPO's office so long to make a determination on a position? And you can identify a position and give us an example of what are the constraints that you face.

Mr. Riley: Okay, sure. I will do my best, Chair. Why does it take the CPO so long to treat with certain matters? I will be very general at the start. The CPO's office is drastically understaffed. It is understaffed particularly with respect to, one, its core technical offices. By that, I mean, the offices that determine terms and conditions of positions, both on the establishment and on the contract portfolio. Because I did not read, at the start, all of the list of offices for which we have to have an input but it is a long list and the numbers go into the thousands.

Having said that though, to come back to the issue of understaffing, in terms of the core technical staff, those positions are called human resource advisors. The percentage of vacancies there and I am going to check with my Senior HR Officer to confirm but I believe it is 41 per cent filled. Is that correct? There are 41 per cent vacancies. Is that what you said? Forty-one per cent vacancies for the core technical offices. So, in other words, just over half of the positions are filled.

Mr. Chairman: And these are permanent positions?

Mr. Riley: Permanent positions.

Mr. Chairman: Do you have contract workers in the CPO's office?

Mr. Riley: Yes, we do. With respect to the core technical—I am making a distinction between the core technical work and the support work. The core technical officers, we have positions there. I think most of them are filled but they are not enough. Right? They are not enough because when I speak of what have been filled, we are speaking about an establishment that was established sometime, I think, it was 1997. So that apart from the positions being under-filled, the actual staff establishment is considered to be inadequate.

Mr. Chairman: Okay, clarification on inadequacy, your job is being constrained because of inadequate staff. Clearly, you would have tried to have these vacancies filled. What were the constraints that you experienced as CPO in getting your full complement of staff?

Mr. Riley: The constraints which the CPO has experienced and still continues to experience essentially would lie with the Service Commissions Department. In other words, we would approach the Service Commissions Department to fill those positions. Now, I need to let you know though, in terms of the constraints on the Service Commissions Department, within the public service—I am not sure if I should speak for them, but I just need you to know—to some extent, they may have some challenges because the HR practitioners we tend to be looking for are experienced HR practitioners and in the public service, the actual—there has been a high rate of upward mobility in that particular stream of HR officers.

So that you find that both for the technical staff, in my department, HR advisors and for HR officers who support my—because I had not reached there as yet in my discussion. I had not reached to the point that my own support to help me with my staffing is woefully inadequate. So that it is both the technical staff to do the work

of analysing the terms and conditions and the support staff to get more technical staff, both groups are inadequate. Inadequate in terms of numbers, all right, the numbers are inadequate.

So to come back, the Service Commissions though may have their own constraints which I probably should not speak to but the answer lies though in obtaining the technical staff from the Service Commissions Department.

Mr. Chairman: Very well. Again, I know that there are follow-ups and with the leave of my Committee members, I want to pose a question to the Ministry of Public Administration and the question is: According to the submission of the CPO, there seems to be a need for manpower planning in Trinidad and Tobago because the CPO has indicated that there are certain cadres of officers who are simply not available. Is the Ministry of Public Administration engaged in a process of manpower planning so we can know five years from today, 2023, what the needs would be in the various Ministries and we can start to plan for them because it usually takes about five years to produce a professional? Are you engaged in that kind of activity and if so, what has been the outcome of that planning process?

Miss Ameen: Chairman, if I could just add to your question because I think it will be along the same lines. I also want to ask how often is a review of the establishment of any state agency/organization or Ministry—how often is an establishment re-evaluated? So you can tie it in with the answer to the Chairman.

Ms. Mendez: Chair, at this time, the Ministry of Public Administration and Communications has developed its strategic plan and part of the role in terms of foreseeing or forging or developing a 21st Century public service organization, we were engaging in HR forecasting, HR planning. This will have to be in collaboration with all the Ministries and Departments as PMCD is also mandated

and is undertaking a review of the functions and operations of all Ministries. Actually, we started at home. So we have undertaken a review of our Ministry, our mandate, because our strategic plan spans 2017 to 2020 and looking at what are the certain responsibilities and the quality and quantity of human resources we will require.

Our organizational structure is still in draft because the strategic plan is receiving the attention of Cabinet at this time, but overall, we must engage in a human resource forecasting and human resource planning, manpower planning for the country. This will align to our National Development Strategy, also align to the sustainable development goals and the critical pillars that each Ministry will be aligned to in respect to their strategic plan in their work programmes. In our Ministry, we align to good governance and of course, enhancing the delivery of services throughout the public service, including at the Ministry of Public Administration.

So to answer you, yes, we are actively engaged in doing our forecasting and as I said, we are also going to be collaborating with the Ministries and in particular, with the Ministry of Labour. My colleague at the Ministry of Labour will add in terms of how they are going to be approaching this exercise.

Miss Ameen: How often do you re-evaluate the establishments in the various state agencies, regional corporations, Ministries?

Ms. Mendez: It really stems from the request that may come from the Ministry but being proactive, we are now engaging actively in all Ministries so it is where we are going to prioritize, and the priority will be aligned to what is the strategic intent of Government policy. In terms of the regional corporations, that will be aligned in terms of the local government reform and as we know, the legislation is still to be debated. So it will happen but I guess it will not be a first priority at this

time.

Mr. Chairman: Okay and just a follow-up to that and afterwards, Minister West will come in. Another follow-up here and that is, I really would have liked to see some past plans where a plan say started in 2005 for 2010 with respect to the manpower needs being met and then you evaluate in 2010, you evaluate in 2015 as per Sen. Ameen's question. I do not know if that is done. But you see, there is a 2030 vision document. That has to be, in my mind, the overarching document which will guide the Ministries as to where Trinidad and Tobago is going to be 10 years down the road, 20 years down the road. That will require an input with respect to human resources in the state sector.

What I would like to determine or to know at this time is whether the various line Ministries, the Permanent Secretaries or the planning officers, the forecasting economists there, have been engaged over the last couple of years to provide forecasts as to what they would need to ensure that *Vision 2030* becomes a fruition. I say this in the context say about the ageing of our population; our population is ageing. Have we planned, in the Ministry of Health, for example, to have more specialist geriatricians employed by the year 2030? And if so, are we putting things in place so that we could recruit the geriatricians and have them in place so that when the ageing population descends upon Trinidad and Tobago, we have the staff available? Is that kind of planning process on the ground now in the progress?

Ms. Mendez: Chair, from where I sit, I would say it is quite piecemeal.

Mr. Chairman: Okay.

Ms. Mendez: Because you have Ministries will approach the Public Management Consulting Division indicating this is their plan which is aligned to the NDS, the National Development Strategy, but as I said, we have been mandated to undertake

a functioning and operational review of all Ministries and the approach that we are going to adopt is realigning and ensuring that all our manpower plans, HR forecasts, are aligned to our National Development Strategy, strategic plans and work programmes. We initiated that activity just for the pilot at our Ministry. So we have our process, how we will approach and collaborate with the other Ministries. But I would like to ask my colleague at the Ministry of Labour who also is going to treat with manpower planning from her portfolio.

Mr. Chairman: Very well. Thank you. Ministry of Labour.

Ms. Willis: Thank you, Chair. On the organizational structure of the Ministry of Labour and Small Enterprise Development, there is a unit called the Labour Market Information Unit and that unit was set up to generate information on the labour market needs of Trinidad and Tobago. Currently, that unit is understaffed as we do not have certain expertise to treat with it and in this regard, we are seeking to ask assistance from one of our major stakeholders, the International Labour Organization, to assist us in determining an appropriate structure as well as the training that would be necessary for that unit to function fully. We are also in the process of establishing a labour market council comprising—it will be a tripartite mechanism comprising employers, workers' representative organisations as well as Government, which will look at the needs of Trinidad and Tobago and determine how we move forward.

One of our projects on our PSIP, our Public Sector Investment Programme, for this fiscal, is the development as well as roll-out of a vacancy survey report in both the public sector as well as the private sector. The intent of that survey is to gather information on what are the critical HR needs of Trinidad and Tobago.

11.25 a.m.

Mr. Chairman: Okay, very well, thank you. Sen. West.

Miss West: Thank you, Chair. I think that this point brings me to the issue that was concerning me. We get a sense that there—Trinidad and Tobago issues hundreds of scholarships every year, and we get the sense that there are people who are graduating, bright Trinidadians and Tobagonians and cannot find a job, and they are committed to serve the State. And on the other hand, we have hundreds of vacancies that do not mesh. So, do we now, or in the plan that you currently have, do you intend to try to merge the education of our young with the needs of the public service, so that not only can we provide guidance to them when they are determining what direction they want to take, in terms of their career, but we have a plan for them when they emerge from their studies?

Ms. Ng Sang: Just to reassure the Committee that we have been having these discussions with the Ministry of Education. The need by the Scholarship Division has been identified to the Ministry of Labour and Small Enterprise Development. The Ministry of Education would also be part of the labour market council as a part to express their needs in developing and finalizing the survey my Permanent Secretary would have referred to. So, yes, it is being taken into consideration and the results naturally would be going back to the Ministry of Education to be able to advise on what the needs are and ultimately the areas of scholarships should be awarded. Thank you.

Mr. Chairman: Okay, could I ask for a follow-up from MP Smith.

Mrs. Jennings-Smith: Chairman, I want to follow-up question. I have some notes here. I noted that reference was made to a 2017 to 2020 strategic plan. But I know from my own experiences that before you engage another new strategic plan, you would have had a strategic plan prior to that plan. And what I note too is that the public service is not like a government of a day. And it is said government comes and government goes, but the public service is a continuous element in our

society, which is good, to ensure that we have continuity. But you know most of the answers I am hearing this morning, it is almost as if we got up today. What has been happening before today? Because, for instance, if we are saying we are talking about a 2017 to 2020 strategic plan, we would have done a review of the last strategic plan to show us what were the weaknesses, what we did not accomplish and what we have to accomplish going forward.

Could someone enlighten us as to what happened prior and not really, because you are putting 2017, which was last year. Okay? And in my own Ministry we have those situations where you have persons going away on scholarships and they cannot get a job. We have young people studying and they do not even know what areas to specialize in. And you all are the guiders of this country and the country deserves better. Could you tell us what has been happening continuously? Because you all did not come into offices in 2015. You all have been there prior to 2015. Tell us, in a continuous fashion, what you all really have planned for this country that deserves better? Our young people deserve better.

Mr. Chairman: The question is just asking that the public service is permanent. Members of Parliament are temporary. The public service has been around for quite a while. There would have been systems in place that you have inherited and that you are building upon, and what are some of those systems to ensure that all Ministries are adequately staffed? Is that a question that ought to be directed more to the service commissions or to the Ministry of Public Administration? Please tell us who has to answer that question.

Ms. Mendez: I would believe the whole of government has to answer. Basically, as the Ministry of Public Administration treats with policy and systems, we know that there needs to be an overhaul of our human resource management system.

Because we can have all the great plans, all the great forecast but are we able to fulfil the needs at home? We have vacancies, Personnel Department, Service Commissions Department. So we need to review our systems. We need to review our processes, and as I said, move towards a 21st Century public service.

The jobs that existed and still exist on the public service establishment may not be the jobs that we need in the next five, 10, 20 years. So we need to put a system that would be able to evaluate within two or three years what are the job designs. It must be flexible enough that we can quickly design the job, have the jobs evaluated and be able to quickly attract the type of quality talent in the public service. And I do agree, in terms of any HR strategy and plan, we need to take in those persons who have been on scholarships.

Education, I know with the Ministry of Labour and Small Enterprise Development, we will really have to decide what are the programmes, what are the areas of study that we need to have our young people accept and get scholarships. Do we need people to take up scholarships that will take them to the moon? Because sometimes you see people go into areas that probably are not a need in Trinidad and Tobago, aeronautics, aeronautical engineer. You know you are going to be losing that person to the United States or some sort of programme because we may not have those programmes or jobs open to that.

So, in terms of our manpower needs, we have to be very clear what are the manpower needs of the country, aligned to our national development strategy. In terms of our scholarships, we have to ensure the scholarships that are being provided are guiding and really leading our students to areas that there are needs. Because many times scholars do return and they get frustrated. They leave because they cannot be placed, because they do not have the areas of study, in terms of what they would have pursued.

Also, we have a situation in that you cannot just place persons in vacancies. Through the Public Service Commission, their specific regulations would have how and the process, in terms of recruitment so that persons get into that whole exasperation in that they have to apply for the jobs once there are vacancies and go through the process of interviews. They are not placed in vacancies.

What we are attempting to do at the Ministry of Public Administration, which was a strategy following from the previous strategic plan, we have persons, some of our scholars, in various areas: management, accounting, IT, business process management. They are on contract as public management analysts.

We do have vacancies in our Public Management Consulting Division, Public Service Academy, and we are hoping but we would have to wait on the commission, that we can get these people move seamlessly into vacancies that exist in these divisions.

Mrs. Jennings-Smith: Sir, one last question.

Mr. Chairman: Is it a follow-up on that?

Mrs. Jennings-Smith: Yes, yes.

Mr. Chairman: We have the follow-up and then Sen. Sinanan would come in.

Mrs. Jennings-Smith: Madam, could you tell us where is that process? I hear you and I am happy to hear you. But could you tell us? Because you talk about a consultant analyst, so I believe you all have been tracking and you all would now do some predictions as to the future. Could you tell me, at what stage of the process are we in at this point in time?

Ms. Mendez: The process I am talking about is at the Ministry of Public Administration. So we have persons who are public management analysts, and recommendations have been forwarded to the Commission to engage in terms of how we can get these persons on the establishment.

Mr. Chairman: Sen. Sinanan.

Mr. Sinanan: Thank you, Chair. I just want to get some clarification. We are hearing a lot about the vacancies and in the CPO Department we talk about 41 per cent and I am sure if you check most Ministries, you would probably be close to that same figure. Yet still the personnel expenditure in the budget is not in proportion to government spending. The largest chunk of the national budget goes to personnel expenditure and it is climbing, but yet we have all these vacancies. That still needs to be explained to me because if we were to fill all these vacancies, how are we going to fund it?

The second question I want to ask to the CPO is basically, there are some Departments that have to go to the CPO to get terms and conditions, salaries and so, under statutory employment. Why are we not in a position to attract some of the best, the brightest in the public sector? I am saying that because there are a lot of jobs that you see would go out for, being advertised and when you look at the applicants, you basically have to start the process all over again. We are not attracting the best and the brightest and I think a significant part of that has to do with the remunerations that we are offering in certain fields.

If we have to get efficient in this country, it just cannot be that we are settling for anybody who would accept the salary. What are we looking for and how are we going to address that from the CPO? How do you base the salaries for specific positions that you know you have to get, probably at least try to get somebody in that position who understands what is required, has the experience, and so on? Because you are competing with the private sector for those types of jobs. Explain to me how you come up with that because I can give you certain instances, but I would not want to go into that to prejudice the cases that may be coming before you or may be before you. But there is a challenge in how does the CPO or the

different Ministries attract some of the scholars that we might be trying to get to work within the Government/the public service.

Mr. Riley: Thank you, member. With respect to attracting, the question has to do with: How do you attract the best and brightest? In compensation terms, if I were to answer that and I were not in the public sector, I would say I would pay above the market in compensation terms.

You spoke earlier about expenditure, Senator. There is in fact, within the Personnel Department, an understanding that—we understand the need to attract and retain, but we also understand the need or the importance of the Government's ability to pay. So we are always trying to ensure that we can strike a balance, an appropriate balance, between the two, so that Ministries and Departments can obtain the services they require from individuals, as well as ensure that government can meet its wage bill, which, as mentioned earlier Senator, is very high, both in absolute terms and as a percentage of the overall expenditure.

So that, what we try to do, and I am not believing that we do such a poor job of it, I do believe that the Personnel Department does a fairly decent job of balancing those two, sometimes opposing objectives, attracting the best, as well as allowing government to be able to pay.

Now, with respect to answering you in more specific terms though, as to the process, a lot of what we do, in terms of the actual compensation package, is pegged to the public service itself. And the reason we do that is because in the public service at present, there is something of a parallel public service that has been developed over time with the contract workforce. So you have within Ministries and Departments persons who are on contract working side by side with persons on the establishment. If it is that the terms and conditions, if the gap between those two, is very wide, you can create other HR issues within the

workforce. In our way, the best strategy is to try to peg it as close as we can to the public service pay. I hope that answers your question.

Mr. Sinanan: Well, it tells me what you are doing. But it “ain tell me that it working”. I can give you an instance where there is a general manager who gets less than regular managers in the same establishment, because the departmental managers are working on contract and his position is a permanent position in the fixture. But because of the, as you said, what you use to peg, he is working for less than managers who are working under him. I am just making the point that we need to find a way rather than just keep using the public service that you use to measure and to come up with the figures. There are certain specific jobs, and this does not go across the board, that you may have to look for another method if we really want to attract. Because the Government, we said personnel expenditure is a significant part of the Government’s total expenditure. Another significant part is transfers and subsidies. And the reason why transfers and subsidies are so high is because there is a lot of inefficiencies in some of the state enterprises. And if we are able to attract—*[Interruption]*

Mr. Chairman: Could you pose the question, because I do need to get MP Forde to come in.

Mr. Sinanan: If you are able to attract the best and the brightest in some of these state enterprises, the increase in the salary or the remunerations may be well worth it in the long run. The question that I want to pose to you is: Are you looking at another formula to come up with the terms and conditions for specific jobs?

Mr. Riley: Thank you, member. Chair, I am glad the question is posed in that way because it allows me to clarify something that I have wanted to from the start of the session. Various terms are being used during the course of our deliberations. We have been referring to the state sector. We referred to the public service, and

so on, but it is very important for us to make distinctions between those groups. The question posed by the member has to do with, it appears to me, some terms and conditions within a state enterprise entity or within a public sector entity, not necessarily a state enterprise. When I was referring to a pegging, using the salaries in the public service as a means to peg contract terms and conditions, I was not referring to public sector entities at all. I was referring to only those entities within the public service proper, that is the civil service, the police service, the teaching service, et cetera.

When it comes to the state sector, we provide guidance or we provide technical advice to the committee called the Human Resource Advisory Committee who makes a determination as to the remuneration packages and the limits to be set for public sector entities. In providing that advice, we do not look at the public service per se only. We look at comparators across the board, and in fact we use other public sector entities as often as the comparators in trying to do so.

If I may go further, even in the public service, I understand what you are saying, member, and we do not think it is necessarily the ideal situation because what Government is faced with, as you alluded to, is the need to ensure that people are well paid, but also manage its budget. Now, to my mind, there are some situations where you would wish to pay a little bit more for high skills, for expert skills. Right? Currently, and we do that with respect to a number of positions, even in the public service, where you would find advisors, and so on, are paid at fairly high levels, in terms of our overall package. Right? So we do not just—it is not just a matter of just pegging it. Public sector job gets X, this looks like X, so we give it X. That is not what we do. We try to make a proper assessment.

Mr. Chairman: Okay, thank you very much. MP Forde has been silent for all of the proceedings and he now has the floor.

Mr. Forde: Thanks, Mr. Chairman. In terms of listening to you all, there was a trend of thought that I had gathered in order to present. But after listening to you all, I want to be clear, in terms of the underemployment, the vacancies in the public service squarely lie with the Public Service Commission. The CPO: have all the various Ministries, through the Public Administration Department, submitted the necessary documentation, applications, documentation in order to fill these necessary vacancies? Have those things taken place? Who can answer?

Mr. Chairman: I think public administration.

Mr. Forde: Public Administration? Because we do not want to leave with the notion that the Public Service Commission has the necessary information in order to fill. But have they been provided with the necessary information in order to create the fill? So we clearly know this morning where the bottleneck lies.

Ms. Mendez: As you clearly indicated, in terms of filling of vacancies, that falls under the purview of the Public Service Commission. So if a vacancy needs to be filled, let us say from the Ministry of Public Administration, a recommendation will be sent, a request will be sent to the Director of Personnel Administration, indicating: “We would like to have an Accountant I. This is the vacancy.” And then the Public Service Commission will take its role.

Mr. Forde: Presently, you have applications at the Public Service Commission to fill vacancies?

Ms. Mendez: Yes.

Mr. Forde: Average of how many?

Ms. Mendez: Well, we have for various different divisions: Public Management Consultant Division, PSA. So I would say about 10 to 15.

Mr. Forde: And from where you sit, the reason why the public—can you give a reason why the Public Service Commission has not responded? Are you in a

position to—[*Interruption*]

Ms. Mendez: One of the reasons, because I do keep in touch with the Director of Personnel Administration, it would lie on the staffing. And I think at this time I probably should indicate that under the Ministry of Public Administration we are undertaking two critical projects which are called the institutional strengthening and this is also hinged on the review of our whole HR management system. So there are two projects: institutional strengthening for the Service Commissions Department. We have a report which has been prepared and submitted for Cabinet to review and a determination to take place; and another institutional strengthening project, which is about to commence is with the Personnel Department and again that will treat with their review of their structure in line with their strategic plan. So there are projects in train, in terms of re-organizing and strengthening the two key agencies.

Mr. Forde: And in terms of budgetary allocations, what role would it play in terms of the Public Service Commission giving you the authority now to hire? Will any budgetary constraints come into effect there?

Ms. Mendez: Well, the projects would have been approved by Cabinet and would have been provided under the Public Sector Investment Programme through the Ministry of Planning and Development.

Mr. Forde: One last question. As a result of the delay of the Public Service Commission in filling these positions, the easiest option is to go with contract employment.

Ms. Mendez: Yes.

Mr. Forde: Right. And the contract employment does not have to go to the Public Service Commission for approval?

Ms. Mendez: The contract employment, following our guidelines, falls under the

purview of the Ministry. So, once we have contract positions approved, the Ministry has the authority to advertise the position and do the necessary recruitment and selection. The line Minister, once we have the process, in terms of the recruitment process in line with the guidelines, the line Minister, through the recommendations of the HR and the Permanent Secretary, approves the employment and following that the terms and conditions are determined by the Chief Personnel Officer.

Mr. Forde: Right, and in terms of a document provided by your division enquiring into the state of the contract employment, the statistical sheet, you have a total of 2,793 contract employment within the list of Ministries. This particular document came out from your communication unit?

Mr. Ogilvie: The Secretariat provided that.

Mr. Forde: Our Secretariat. But we would have totalled based on the statistics given. So according to the statistics, it is 2,793, subject to correction.

Miss Ameen: That is only five Ministries.

Mr. Forde: Right, within five particular Ministries. In terms of budgetary allocations for those, versus now what the Public Service Commission is not doing, we are still spending the money, because we are doing it under contracts, running a parallel individual in some Ministries where we would have certain public service positions, versus the contractual employment. And again, following up to what Sen. Sinanan is saying, we need to ensure that the Public Service Commission plays its role in order to ensure that we move away. Because we are hearing on a daily basis what is happening with the public service, who are pleased, who are not pleased, contractual persons working for more than them, they doing less work, you know? We need to regularize those scenarios, Madam PS.

Ms. Mendez: Yes, certainly, Vice-Chair. And this is the exercise that we are

undertaking through the Public Management Consulting Division, looking at the various functional and operational areas, in order to ensure there is no duplication, no redundancies and these are the areas that we will be looking: contracts positions, permanent established positions and the necessary processes and systems that need to be put in place in order to ensure we get it right.

Mr. Chairman: Thank you very much, PS, and a follow-up from MP Newallo-Hosein, followed by Sen. West.

Mrs. Newallo-Hosein: Thank you, Chair. PS, I heard earlier you made a statement saying enhancing delivery; that is the whole purpose of the Ministry. And you could only enhance delivery if you utilize and understand that your greatest asset would be your human resource. And yet I hear the word, you know, and you bypass the service commission because of the fact there is this delay, and so you have side-lined a great important entity. And so, really and truly, is there a relationship between Public Admin, Ministry of Labour and Small Enterprise Development, CPO, Service Commission, and not just a superficial relationship, a relationship that deals, you know, with how do you enhance delivery by managing your greatest asset, which is your human resource?

It comes to my question. In your submission, Ministry of Labour and Small Enterprise Development, you indicated that the Director of Personnel Administration has been approached by your Ministry for consideration to be given to contract employees to fill established positions when advertised, and I would like to know how long ago did the Ministry of Labour and Small Enterprise Development engage the Service Commissions Department on this issue, and has the Public Service Commission and the Service Commissions Department responded? Because, I mean, as MP said, you all are there permanently; we come and we go. And therefore, whatever policy that you have in place must ensure that

there is continuity and smooth transitions because of the fact that you recognize that your greatest asset needs to be treated with the respect that they deserve. And so my question is: Has the Ministry responded? What is the engagement process? Where has it reached?

Ms. Willis: Thank you, member. The example we would have been referring to is in terms of our conciliation division where we would have approached the DPA in 2016, to fill the positions with those persons we would have engaged on contract. We are still awaiting a response to our request.

Mrs. Newallo-Hosein: But what is the relationship, Madam PSs, between the both of you all, in terms of going forward with a plan, a workforce assessment plan that says: “You know, we need to consolidate how we think”, as opposed to working in silos? I mean, what is the relationship?

Ms. Mendez: At this time we are engaging, through a committee that has been established, the key central agencies, which include the Ministry of Public Administration, Service Commissions Department, Personnel Department, Office of the Prime Minister, Ministry of Labour and Small Enterprise Development, and we will be meeting to design an HR strategy.

Actually, I should say, under the Ministry of Public Administration we have the Strategic Human Resource Management Committee, which is chaired by the line Minister. So monthly we would meet and indicate and come up with and discuss these similar issues on how we can derive solutions, how we can work better.

One of the areas last year you would recall the Public Service Commission had given permission to certain Ministries to go ahead and advertise posts that were peculiar to their Ministries. However, at this time the Public Service Association has taken legal action against the Ministry of Energy and Energy

Affairs. So we have not proceeded fully in all the Ministries in advertising. So that has put a difficulty, in terms of the unique positions that some Ministries would have been given the authority to recruit.

11.55 a.m.

Mr. Chairman: Thank you very much, Madam PS, we will follow up, but I do need to have Sen. West come in at this point.

Miss West: Thank you, Chair. I have two questions, Chair. The first one is, one gets the sense that there is a general perception that public servants are regarded as untouchable and therefore regardless of whether they perform or do not perform they remain in their position. How many of our contract employees have been engaged to do the work that a proper functioning public servant should be doing? So are we duplicating costs and not getting double rewards for that?

And secondly, the sense I get from listening to the CPO is that the two main agencies responsible for filling the vacancies and fixing the problems in the various ministries are significantly understaffed themselves. Can we solve this problem in the context of the existing structure?

Mr. Chairman: Double questions, responses requested. Basically, it is who are to guard the guards? If the CPO's office and the Service Commissions themselves are understaffed, do we not have a problem at the very top? And hence the problem we are seeing at the bottom can very well be solved by fixing the problems at the top. Okay, there seems to be consensus that that is an issue that warrants some— [*Interruption*] At the very top. Okay.

Mr. Riley: Chair and members, I would agree that we are in a catch-22 situation with respect to HR management in the public service. The central agencies which are supposed to assist and provide services to the line ministries and agencies are understaffed. My own view—so that Service Commissions Department is

understaffed, Personnel Department is understaffed and I know that some aspects of the Ministry of Public Administration and Communications are understaffed.

How do you break the deadlock? To my mind—now, because of the importance of these agencies on the rest of the public service, it seems to me that the logical thing to do is to focus on staffing these central agencies. Because, if we are to provide support to the others and we are understaffed and we cannot help—one hand is tied behind our backs, then the rest of the service itself will go limping along, right.

So, clearly there is need to fix the central agencies. Now, PS Mendez mentioned institutional strengthening of the services at the Personnel Department and the Service Commissions Department. My own view is that it goes way beyond that though, because those projects—we have a project that will start soon, but to me I am crying out for staff now. I do not want to wait six months, or two, or a year to get the staff that I need. To me if I were to try to solve the problem, I would say treat me specially because of my importance to the rest of the public service, all right. That argument not being advanced in a sort of—it is not a personal issue, it is not a self-serving issue either. It is just a logical conclusion. If we impact the rest of the service so drastically, because when persons complain about length of time to get contracts, length of time to get posts classified, et cetera, and of course, they will point fingers at us, and rightly so. But the fact is, if we are understaffed and we cannot help you, to me it means that, what is logical to fix—help us as a first priority, as a top priority.

Mr. Chairman: Thank you. Now, you have raised a critical point here and I think we are now getting some traction in the Committee in that there is a problem at the very top. Let me propose a solution and I would want to get your response to it. And the solution is that the agencies at the very top, the CPO's office, the Service Commissions which are not here, but the Service Commissions are responsible for

the permanent employment, recruitment and when they are unable to do that you have a large gap to be filled by contract employees. Hence the parallel public service of which you, CPO, speak about. Would a potential solution be that the critical offices first be identified: the CPO's office, the Service Commissions Department and we identify within those critical offices, core positions which absolutely must be filled and optional positions which we fill, funds notwithstanding?.

Do we have such a system, where we have core positions, mandatory positions, positions that if you do not have the organization will be malfunctioning? Is that a way forward to start to prepare the core positions which absolutely must be filled in those top agencies of which you speak?

Mr. Riley: Chair, I would say, absolutely that is a solution. I would just want to add something to that. We are clear on what the core positions are in our Department that need to be filled. What I would like to add, is a sort of a top priority clause and a time frame that says to the responsible agency, treat with the Personnel Department's staffing whether it is creation of positions or filling of positions as a top priority because of the impact of the Department on the rest of the public service. So I would like to add a clause that says "within a certain time frame as a top priority, treat with these particular positions".

Mr. Chairman: And therefore, to reiterate, is it that you can identify the core positions and you can justify them?

Mr. Riley: Definitely, Chairman, definitely.

Mr. Chairman: Because, let us take a case of a hospital. A hospital has an emergency department where you get on a daily basis accident victims. As a core position you do need medical doctors trained in orthopedics, trained in trauma; without that you would not be able to run an emergency department very well. So

that, I am looking at similarities in the top agencies in the recruitment of personnel. Is it that you are saying that you can identify these core positions, justify them and then mandate the authorities to have them filled? Because if they are not filled, the performance of the overall public service will be compromised. Can you do that?

Mr. Riley: Chair, we can do two out of three. We can identify, we can justify but we cannot mandate. And that is where the crux of the matter lies. So therefore, to my mind, the answer lies in a deeper level of collaboration between the top central agencies. We have to fix ourselves so that we can fix the rest of the public service.

Mr. Chairman: How can you fix yourselves though? You see, is it closer collaboration? And again, I come back to the problem of financing because core positions need to be financed, contract positions need to be financed and the question I want to pose is—and this is a question to all Ministries who are here with us, all the agencies: Are there core positions, critical positions which are now not manned by permanent employees, but which are either left unmanned or manned by contract employees? A response from any agency.

Are there things which are so critical your organization that if the employee is not present for a month, the organization is going to be malfunctioning in discharging its duties? And we know the core functions, do you have those positions unfilled and hence that will explain the lack of performance, or is it that you have a lot of contract workers performing those core functions? That is the crux of the matter now. Is it that you have core positions—any response—that are unmanned and or conducted by contract, temporary employees? You identified core positions.

Mrs. Durham-Kissoon: Chair, maybe I can enter the conversation from the Ministry of Finance's perspective. So the Ministry of Finance and you mentioned in your opening remarks the economic context: for us to be able as a public sector

to deliver, we incur expenditure, but we need to ramp up our revenue. The Ministry of Finance is currently engaged in that said activity, ramping up revenue. If you look at our figures, there is significant contract employment concentrated in our Inland Revenue Division and we have identified positions in that division that are core, that are essential for us to ramp up the revenue. But, the vacancies are—two reasons, the vacancies are not filled at this point in time and also, the establishment is not wide enough.

So to be specific, we have positions such as Field Auditor, the Field Auditor stream where there are significant vacancies and the Tax Officer stream and to supplement, we have engaged contract officers to achieve our objective of ramping up revenue so we can finance the development of the economy.

Mr. Chairman: Very interesting because you are saying in the Ministry of Finance, there are core critical officers who are absent and if you were to get them as permanent employees, you will be able to raise the revenue intake of Government on an annual basis. Is that what you are submitting?

Mrs. Durham-Kissoon: Correct.

Mr. Chairman: Very well, thank you very much.

Miss Ameen: Mr. Chairman, the Permanent Secretary spoke of revenue generation and revenue collection. But in the submissions you also indicated that the Ministry of Finance has engaged the World Bank on a public expenditure review that will look specifically at expenditure in the social sectors to reveal any areas of overlap. What is the established time frame for that review? And the social sector is targeted for that review, is personnel expenditure in the social sector higher in comparison with other areas of public expenditure? But particularly, what is your time frame for completing that review?

Mrs. Durham-Kissoon: Thank you, Member, for the question. Through you,

Chair, the time frame for completion of that review is at the end of March this year. The concern when we engaged the World Bank to conduct this review was in the area of transfers and subsidies and looking at any possible areas of overlap. So, but the end result is expected at the end of March.

Miss Ameen: Is that a report that you will be able to forward to this Committee when it is completed?

Mrs. Durham-Kissoon: I believe so, yes.

Miss West: Chair, I did not get an answer to one of my question, so if I can repeat it. Yes, and perhaps I can direct it to PS Mendez. The issue is, I believe, that we are paying contract workers to do the work that is not being done by public servants who are not being disciplined. In your plan, is there an element of it that seeks to address that issue, so that we can avoid the duplication of those costs?

Ms. Mendez: The issue of discipline, to me, is management. I do not know if we can plan for that. There are management systems, we have our particular procedures regarding initiating disciplinary matters against officers which is the day-to-day operation of the supervisor or manager. So, if we have persons who are not carrying out their duties or for other areas of misconduct, there are processes that the supervisor and manager can undertake.

Miss West: But the general sense is that it is not done and there does not seem to be any monitoring, anybody being called to account, to ensure that we are properly assessing, reviewing and dealing with the officers, generally.

Ms. Mendez: And that really lies within the remit of the Permanent Secretary, the Deputy and all the managers when you meet in terms of managing your human resources, how you treat with indiscipline in the Public Service. As I said, there are procedures and you have to be resilient and courageous enough to take the action when you ought to take action.

Mrs. Jennings-Smith: Thank you, Chair. I want to follow-up on the response of the Permanent Secretary, Ministry of Finance and clearly she outlined a process which will bring in additional income. To me, I did not get a final answer, could you tell me why it has not happened? Who determines when that happens? Because employment of persons to fill positions which will bring in income to our economy is something that we all desire now. And you recognize that situation within your own Ministry in the Inland Revenue department. Can you tell me what is holding back that particular activity from happening? What section, or who is holding back that particular activity from happening?

Mrs. Durham-Kissoon: Through you Chair. Member, may I ask for some clarification. When you say activity, you mean filling of the vacancies?

Mrs. Jennings-Smith: Yes, yes.

Mr. Chairman: Filling of the vacancies.

Mrs. Durham-Kissoon: In the case of the Field Auditors, there is an issue with the entry level position, whereby the job description is inadequate to fill the need, the skill, and there is an ongoing conversation within the Ministry and I believe with the Personnel Department and the Service Commissions Department as to how we can include additional skills in that job description. There is also a matter of a court issue with respect to filling of vacancies, and the conclusion of that court matter, I believe, is pending. So filling of vacancies in one of those streams is being kept back.

Mrs. Jennings-Smith: Mr. Chair, I would not want to go deeper into that because if you are talking about court matters, we cannot determine what will be the time factor with respect to court matters. But is there any other area which you had recognized or submitted a while ago, which is not held back by any court decision? And only has to go to Service Commissions with respect to JDs.

Mrs. Durham-Kissoon: Member, the two areas that I mentioned, those are the main areas and that is in the Inland Revenue department.

Mrs. Jennings-Smith: I have one more question. I have a question, because and I want to quote, you know, it is a famous quotation: “While the horse gazing the cow is starving” and I want to refer to some earlier statements made about the central agencies understaffed, Personnel Department understaffed, and I want to take us to the point where there are many persons who were employed on short contracts, who are not being paid their gratuitous payment, who do not know who to go to pay their gratuitous payment and I want to know if any guidelines were issued to Permanent Secretaries to help or minimize the delays in persons’ gratuitous payment being processed.

Mr. Chairman: Yes, very important question. Because at the end of a contract, an individual is entitled to a gratuity. He will leave with that. What kind of issues arise with respect to a timely disbursement of that particular gratuity. Is it normally paid with the last salary? I would imagine that would be best practice.

Mr. Forde: But, Mr. Chairman. Added to that—yes, I know reference was made to the contractual arrangements, but there are individuals who have passed through the Public Service that are also experiencing problems with regard to their payments, and it would be good that we can shed light on that, even though we are dealing with the contract, if it is that the PS from the Ministries of Finance or Public Administration and Communications could shed some light as to the delays.

It is a question that has come up a number of times in Parliament, right, where persons have been waiting for years, so persons have even passed on, and it has been said that on a number of occasions the person may have worked at various Ministries and they are waiting on information from the Ministry of Health, from wherever—

Mr. Chairman: Let the Chair intervene. I want a response with respect to contract employees and the reason is—before we move on to the permanent employees who retire at 60. The contract employee may be 25 years old, his contract comes to an end; he has no prospect for a job over the next number of months. Is it that there is a policy that the gratuity payment, as indicated by my colleague, Ms. Jennings-Smith, MP, is paid on a timely basis within, say, 30 days of his contract being terminated?

We will address that first and then we will look at the broader issue of the payments for people who retire at age 60. So is there a policy for a timely payment and what is that policy? Is there no policy? Who sets the policy and should we not now set a policy? I think within 30 days the person should get his ex gratia payment; that is my view. [*Laughter*] Yes, yes. CPO.

Mr. Riley: Chair, with your permission, I would like to deal first with the question posed by the member which was focused on short-term contracts, so called. And I would like to alert the Committee that really and truly there is no policy governing short-term contracts in the Public Service at this point in time. In fact, those—

Mr. Chairman: Okay, let me intervene, policy concerning the ex gratia payments or policy in general?

Mr. Riley: Well, okay. Policy in general, in other words, the short-term contracts, and you can correct me if I am wrong, please member.

Short-term contracts being referred to are not the fixed-term contracts for which guidelines exist and which were developed by the Personnel Department and approved by Cabinet some years ago which were referred to earlier. These short-term contracts are really arrangements that have been arrived at between Permanent Secretaries and Heads of Department and certain individuals in an

attempt to treat with their short-term HR needs, right. And currently there exists, I should say a facility, under the existing financial arrangements for PSs and Heads of Department to so do. But, up to six months, all right, according to those guidelines, that facility.

What has happened is that over time, because of the issues around contract employment in general and issues around permanent employment in general also, PSs have tried to also use this as a facility and some persons have been kept on for continuous periods of, sometimes going on over three years, four years, et cetera.

Now, those arrangements do not entail gratuity when they are arrived at. Right. So that just to say that at this point in time the committee which I referred to earlier, the Cabinet-appointed committee, looked at that issue also and felt that something needed to be done about it. And currently there is a Note that is in its final stages of preparation to go to Cabinet seeking to treat with the issue of short-term contract, so called, short-term contract employment. That is being done by the Personnel Department and within a very short space of time that Note will be before Cabinet, seeking to develop a policy arrangement around short-term, because we recognize that there is, in fact, value in having some flexibility in being able to employ persons on short-term.

But what has happened is that the existing arrangements are contrary to good industrial relations practices.

Mr. Chairman: Very well, but we need an answer to MP Jennings-Smith's question, with respect to the gratuity payment which is an entitlement to a contract employee and I would like to know what is the policy in the State sector? A contract—a three-year contract has being issued, at the end of the contract there is no renewal, a gratuity payment is due. How long does it normally take for that payment to be processed? Because when we are dealing with the situation

expressed by MP Esmond Forde, people take a few years sometimes to get their gratuity payments. We are talking about a contract worker, does it take a month, two months, 30 days, or is it paid on the same day that he leaves? What is the practice in the Public Service for the contract employees, with respect to gratuity payments and also are these gratuity payments taxed? In the Public Service, I mean, you must have that information to reveal to us?

Miss West: It is taxable?

Mr. Chairman: Yes.

Mr. Riley: I can answer the second part of the question, Chair: Payment is taxable. With respect to the first part about the policy around the payment, I would defer to my colleague at my extreme left, PS, Ministry of Finance.

Mrs. Durham-Kissoon: Thank you, Chair. My Comptroller of Accounts is not here, she is responsible for the Pensions Management Branch, but she has furnished me with some data here. In practice, payments could be processed from between six months and two years. With respect to the question of—

Mr. Chairman: Okay, I need clarification because someone has a one-year contract and at the end of the year he or she has no more employment with the unit. He collects his last salary on the last month at which he works. You are saying it can take up to 18 months subsequent to that, two years, for him or her to obtain his gratuity payment? Is that correct, that you can take up to two years for a contract employee?

Mrs. Durham-Kissoon: According to the information before me, Chair, yes.

Mr. Chairman: Okay. But, there is a further question, I mean, there must be a reason for this delay because this is not someone who has to go through the normal Comptroller of Accounts procedure to get his final payment at age 60. Is this person going through the normal procedure?

Mrs. Durham-Kissoon: The Pensions Management Branch of the Treasury Division also handles gratuity for contract officers and—

Mr. Chairman: Okay, so it is the same unit, now we are getting a situation where in the parallel Public Service, you have permanent employees, contract employees but you have one Comptroller of Accounts, who will have to process all of it. What is the hierarchy? Is it that contract employees because they are short-term and so—the Comptroller of Accounts is also short-staffed. *[Laughter]*

Mrs. Jennings-Smith: Mr. Chairman, that was the main issue, when I spoke about the horse grazing and the cow starving because everybody is short-staffed.

Mr. Chairman: It would mean therefore that—it comes back to the point that was raised earlier—it is 12.22 and the conversation is now getting very interesting, it means that we will have to continue it at a subsequent occasion.

But it appears, that there are certain critical agencies at the very top of the hierarchy of the public service, the CPO's office is one of those; the Comptroller of Accounts is another which simply cannot afford to be operating without the optimum complement of staff. Because if we are taking up to two years to process a simple gratuity for a contract employee, it is not surprising then to me, that we will take more years to process the files of a permanent employee, where you have to go through a much more detailed process with respect to his years and places where he worked and so on to get the file together.

So that it is emerging to me as Chair, and I could imagine to other members that we need to be looking at the hierarchy and looking at the very top to see how we are going to fix the very top to ensure that the bottom can at least run.

Mr. Sinanan: I just have one question, just to get some clarity to my position. Who has to full all these vacancies, is it the Service Commissions? Who has to full—there are vacancies in the CPO's office that is affecting everything. There

are vacancies in the Ministry of Finance that is affecting—who has to fill?—and there are vacancies in the Service Commissions. Who is responsible for first filling the vacancies in the Service Commissions, so that the Service Commissions could fill the vacancies in the CPO—Ministry of Finance could fill their vacancies, so we can get money to pay people. Who is responsible at the top?

Because when we use the term hierarchy there is a perception in Trinidad and Tobago that the term hierarchy refers only to politicians, and from what I am hearing, here, clearly this is way out of the hands of politicians. Who is responsible for filling the vacancies at the Service Commissions because that is where the problem seems to be coming out from.

Mr. Chairman: Member, we do not have the Service Commissions here. It may very well be that we would need to engage them as well, because when we look at contract employees, we relate it to permanent employees. When we look at permanent employees, we need to engage the Service Commissions, so we do need to look at this problem holistically. I am running out of time, my Secretary has given me a sharp cut-off time of 12.30.

12.25 p.m.

I would at this time ask—do you have a question?

Mr. Forde: Yeah, one question.

Mr. Chairman: MP—because you are the Vice-Chairman—[*Crosstalk*] last short question, Vice-Chairman.

Mr. Forde: I just want to go back to a statement that was made by Mr. Riley and then also Sen. Sinanan was sort of piggybacking on it just now, but the Chairman seemed to be looking at time.

Mr. Chairman: Well, I am looking at time.

Mr. Forde: You said, recommend, justify, but you cannot mandate. From my

knowledge, your role of responsibility falls under the Ministry of Finance with oversight with regard to the public administration. Correct me if I am wrong.

Mr. Riley: Just to clarify, Vice-Chair, the CPO reports to two Ministers for different areas of responsibility.

Mr. Forde: And those two Ministers are or Ministries are?

Mr. Riley: The Minister of Finance, you are correct, for matters put under the Acts. So that when it comes to dealing with the PSA, for example, a negotiation with the PSA, I report to the Minister of Finance. When it comes to ordinary matters pertaining to the Personnel Department itself, I report to the Minister of Public Administration and Communications.

Mr. Forde: Right. Good. And that is exactly where we are at. So I am correct. Which is to say that on the mandate side that you ask for, you cannot mandate, but the two bodies that you report to are in this room at this time with regard to ensuring what Minister Sinanan is saying, who is responsible for filling these vacancies. We need these vacancies filled in order to ensure that the public service is efficiently run.

So I am saying to public administration, Permanent Secretary, Minister of Finance, Permanent Secretary, where do we lie, with couple of seconds to go, in terms of ensuring that the CPO, based on his justification and his recommendation, to get these positions filled in order to ensure that the same public service that you all are running, that he can deal with filling these vacancies. Can you all take up his mandate and give him the tools that he needs?

Mr. Chairman: Who has the bulldozer to clear the log that is preventing the river from flowing? Right. Who has the bulldozer? Or is it that no bulldozer exists? That would have to be a consideration of the Committee. Who has it? Is it the Minister of Finance? Is it the Minister of Public Administration and

Communications? Is it the Permanent Secretary? Who? I think Sen. Sinanan has raised—Who? From your expertise you are on the ground, who can solve that problem?

Mr. Riley: Chair, in speaking just a while ago, the Vice-Chair left out a key member of the triumvirate. That is, the Public Service Commission who will help me fill my permanent positions and I would love—they were supposed to have been here. I understand they were excused.

Mr. Chairman: We will have to engage them separately. They do not fall within our remit, but we will have to include them because of the direct bearing to the enquiry.

Mr. Riley: But in terms of the, just to go back to my earlier statement about not dealing with a mandate, it is not that I wish to mandate, I just want staff. I want someone to say to me—*[Interruption]*

Mr. Chairman: Okay, and I need to intervene. Someone has to have the responsibility to put the staff in your organization and we just wanted to find out who.

Mr. Riley: With respect to the permanent positions, I would like the Service Commissions Department to say to the Chief Personnel Officer to the Personnel Department, listen, because of the critical impact of your vacancies on the rest of the public service, we will seek within a certain period of time, a reasonable period of time, let us say three months to treat with your matters.

Mr. Chairman: Very well, thank you very much. I have to look at the clock and it is now imperative to include the other stakeholders because we do have the Public Service Commission, we have the Police Service Commission, we have many service commissions who are responsible according to the Constitution of our Republic to employ or to recruit these permanent staff.

At this time, our investigation has not been exhausted, we are midway but I am running out of time. I will ask the representatives of the three Ministries to give some closing remarks. CPO, I will start with Public Administration, Ministry of Finance and then I will go with the CPO's office and finally the Ministry of Labour and Small Enterprise Development. So brief closing remarks, Madam Permanent Secretary, Public Administration.

Ms. Mendez: Good afternoon, Chair, Vice-Chair and members. We were happy to be part of this discussion. I know it is a start of a discussion which we do have at our various meetings, CPO, DPA, at our board of PSs. This problem I must say did not start yesterday. It is a perennial problem that we are now in the chair and facing and I want to assure you that we are looking at solutions. We are solution-oriented. We know that it is not insurmountable but it will need a definite passion, collaboration and communication in terms of moving forward and ensuring that the work of the public service is done

Mr. Chairman: Thank you very much. And a representative from—the Ministry of Labour and Small Enterprise Development, you can come in second.

Ms. Willis: Thank you, Chair. We at the Ministry of Labour and Small Enterprise Development would like to express our thanks for being part of this conversation this morning. We recognize the challenges that Ministries and Departments face in terms of achieving their mandates and as such we are aware that there needs to be further collaboration between Ministries and Departments, particularly the central agencies, together with labour in terms of addressing these problems. As I had indicated before, the Ministry is seeking to establish the labour market council which will address the labour market needs of Trinidad and Tobago, and as such identify critical areas that should be looked at.

Mr. Chairman: Thank you very much. Ministry of Finance and I will give the

CPO the last word.

Ms. Durham-Kissoon: Thank you, Chair. To be brief. We want to thank the Chairman, thank you, and Vice-Chair and Committee members for engaging us in this critical conversation. Ministry of Finance is here to facilitate to meet the needs of accounting officers in financing their projects and programmes while managing our fiscal deficit.

With respect to an issue that was raised earlier, if all the vacancies were filled, we urge accounting officers to always prioritize their expenditure. But we are here to work with Ministries and Departments and we look forward to further conversations in this area. Thank you very much.

Mr. Chairman: Thank you very much, Ministry of Finance. And the CPO.

Mr. Riley: Thank you, Mr. Chair, Vice-Chair and members. This has been a very, very invigorating discussion from an intellectual perspective. I personally feel that this signals the start of something that can in fact hopefully make a difference to delivery of the Personnel Department, to the rest of the public service. We appreciate the candour and the light that has been shed on the matters that are of importance to the public service. We wish to continue to be part of the conversation and to work with our stakeholders, our fellow Ministries and Departments, in solving the problems which have been presented. Thank you.

Mr. Chairman: Thank you very much, representatives. Let me offer some brief closing comments from the perspective of the Chair, and the comments are as follows.

We are all aware of the financial constraints under which the various Ministries are functioning and under which the Government of the Republic of Trinidad and Tobago have to administer the affairs of our Republic. But we do know and coming out of today's proceedings, that there are certain matters which

need to be addressed of which I was not aware before, colleagues of mine perhaps were also not aware, one of which is that there are problems at the very top with respect to the staffing requirements of core positions at critical institutions, such as the office of the CPO.

I would imagine in many agencies there are also shortages of essential manpower at the very top and I think we do need to prioritize, as the representative from the Ministry of Finance indicated, our manpower needs. And I think it is very clear that we need to identify what are really the critical staff members that we need in each and every unit and why and what are the ones we could hopefully get in the medium term and we may have to live without. And if we do that and prioritize in that way, I think we would be able to discharge the mandate of every unit in every Ministry with some level of efficiency.

We know that there is this now parallel public service with contract employees, that contract employees may not be the most efficient form of manpower to employ in a service organization. They do have their uses, but you do not wish to have permanent employees or permanent positions manned by contract labourers. It may not be good for the efficiency of the public service and for the welfare of the people of Trinidad and Tobago. So we would want to receive any reports that you may have on the evaluation of the efficiency of contract employees. We do need to engage the other stakeholders which are the service commissions not falling within the remit of this Committee, but because public administration is our responsibility and they are so critical to it now, I think we would need to invite you and the service commissions to come back for a subsequent hearing so that we can air matters to determine the issues raised by colleagues, Sen. Sinanan and others, on who really as the Vice-Chairman has indicated, who has the final say on making a decision? That is yet unclear.

We would like to know, having identified the problem, having required resources to fix the problem, who is to make the decision? Is it the Minister? Is it the Chief Technical Officer? Who in the state agency? And once we can identify that particular problem and identify who or which arm of the State must solve it, we would be able to proceed and make the recommendations necessary.

At this point in time I want to thank all of the stakeholders who were here with us this morning. This is a very valuable topic because we do need the public service to be efficient to discharge its responsibilities for the benefit of the people of Trinidad and Tobago and we have started our enquiry. It is only the beginning because it is becoming more and more interesting as we proceed. I want to thank you for being here. We do have some solutions coming out, not all yet, so be warned that you will be invited again and I hope you comply with our invitation to reappear before the Committee.

I want to thank all members of the media for being here, our listening and viewing audience, our Hansard reporters, our Parliament staff and most important the Secretariat without whom we cannot function based upon the research they have provided for us. I am seven minutes past my allotted time. I do crave the indulgence of the Parliament staff in giving me the extra seven minutes, but it has been a very timely hearing and I thank you all for being here.

We will continue the dialogue so that at the very end when we issue our report we will have firm, concrete recommendations that we will make to the Parliament on how to make the public service more efficient in the interest of the people of Trinidad and Tobago and how, in fact, contract employees can co-exist with permanent employees and overall the efficiency of the State can be enhanced. I thank you all. This meeting is now adjourned. A pleasant good afternoon.

12.38 p.m.: *Meeting adjourned.*