



2018-2019

# Head 04: Industrial Court

A summary of the Industrial Court's Expenditure, Divisions and Projects.

Financial Scrutiny Unit, Parliament of the Republic of Trinidad and

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## About this Guide

This guide provides a summary of expenditure for the Industrial Court for the period 2013-2019. It provides the Members of Parliament and stakeholders with an overview of the Department's responsibilities. The primary purpose of this guide is to consolidate all of the information contained within the various Budget Documents pertaining to the Industrial Court and provide readers with an analysis of the same. This guide is based primarily on

- the Draft Estimates of Recurrent Expenditure;
- the Draft Estimates of Development Programme; and
- the Public Sector Investment Programme.

# Head 04 – Industrial Court

## Overview<sup>1</sup>

### **Establishment of the Court**

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 This act was repealed and replaced by the Industrial Relations Act, Chapter 88:01 on July 31st 1972.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

### **Role and Function**

The principal role of the Court is to settle unresolved disputes and other matters which arise between employers and trade unions representing the workers employed by the employers under the Industrial Relations Act, Chapter 88:01 (I.R.A.), the Retrenchment and Severance Benefits Act, No. 32 of 1985, the Maternity Protection Act, No. 4 of 1998 the Minimum Wages (Amendment) Act, No. 11 of 2000 and the Occupational Safety and Health Act No.1 of 2004 (as amended by Act No.3 of 2006).

### **Jurisdiction of the Court**

In addition to its inherent powers as a superior court of record, the Court has jurisdiction – to hear and determine trade disputes; to register collective agreements and to hear and determine matters relating to the registration of such agreements; to enjoin a trade union or other organization or workers or other persons or an employer from taking or continuing industrial action; to hear and determine

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<sup>1</sup> Industrial Court website, accessed on October 03, 2018; <http://industrialcourt.org.tt/AboutUs/AbouttheCourt.aspx>

proceedings for industrial relations offences under this Act; to hear and determine any other matter brought before it, pursuant to the Act.

**Mission:**

We are an effective Court upholding the Principles and Practices of good Industrial Relations as pillars of Industrial Peace, Economic and Social Development.<sup>2</sup>

**Registrar (Accounting Officer):** Mr. Noel Inniss

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<sup>2</sup> Industrial Court of Trinidad and Tobago website, Accessed on October 03, 2018: <http://industrialcourt.org.tt/AboutUs/AbouttheCourt.aspx>

# Where the Department spends its money

## 2018 – 2019 Estimates of Expenditure

The budget allocation of **\$41,500,000<sup>3</sup>** for the Industrial Court is comprised of:

- The Draft Estimates of Recurrent Expenditure in the sum of **\$40,000,000;**
- The Draft Estimates of Development Programme – Consolidated Fund in the sum of **\$1,500,000.**

The Estimates of Recurrent Expenditure include:

- 01 Personnel expenditure- **\$23,700,000;**
- 02 Goods and services - **\$16,100,000; and**
- 03 Minor equipment purchases - **\$200,000.**

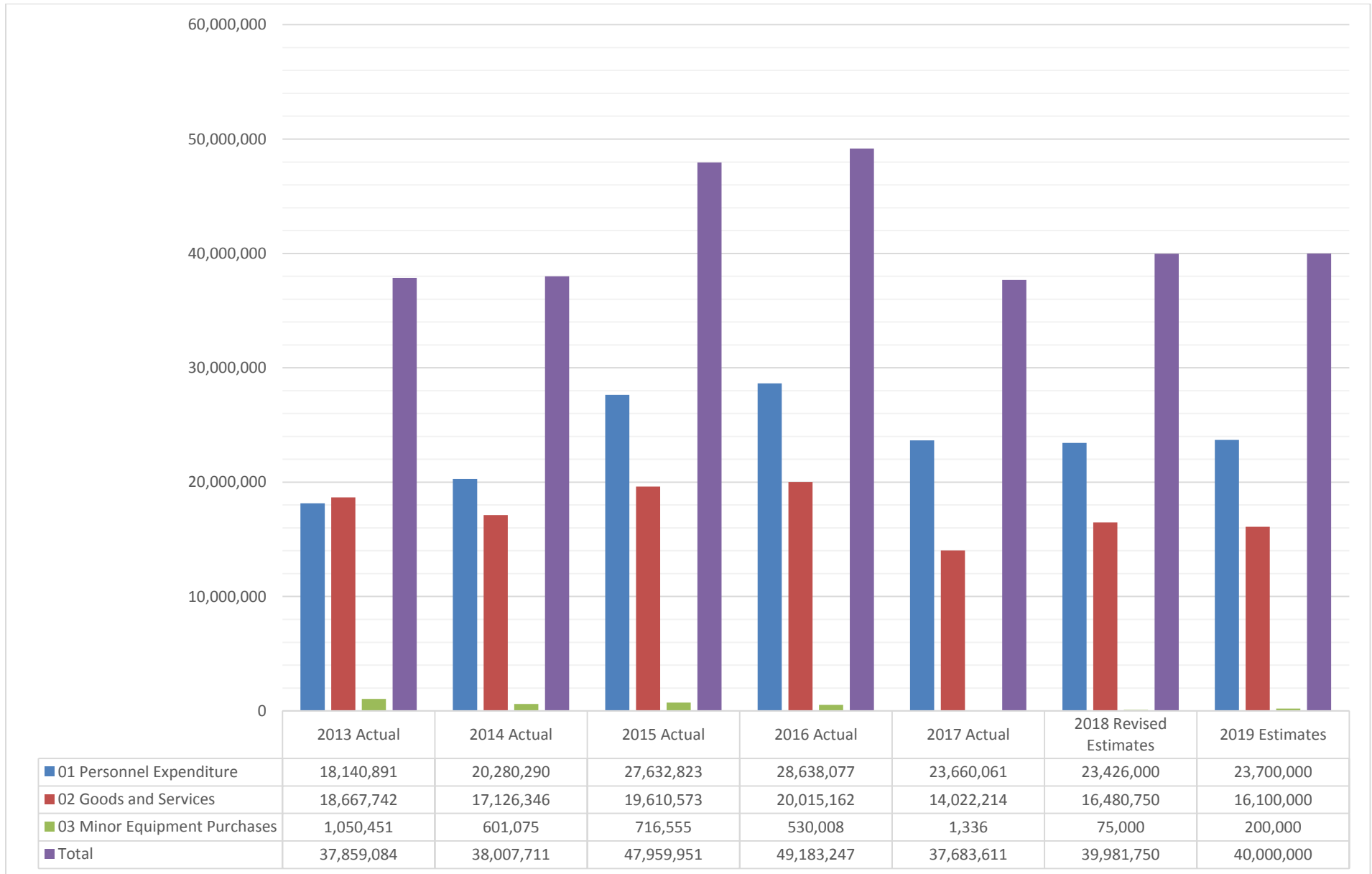
The Industrial Court's

- Total allocation as a percentage of the National Budget = **0.07%;**
- Recurrent Expenditure as a percentage of the total Recurrent Expenditure budget is **0.08%;** and
- Consolidated Fund as a percentage of the total Consolidated Fund budget allocation is **0.06%.**

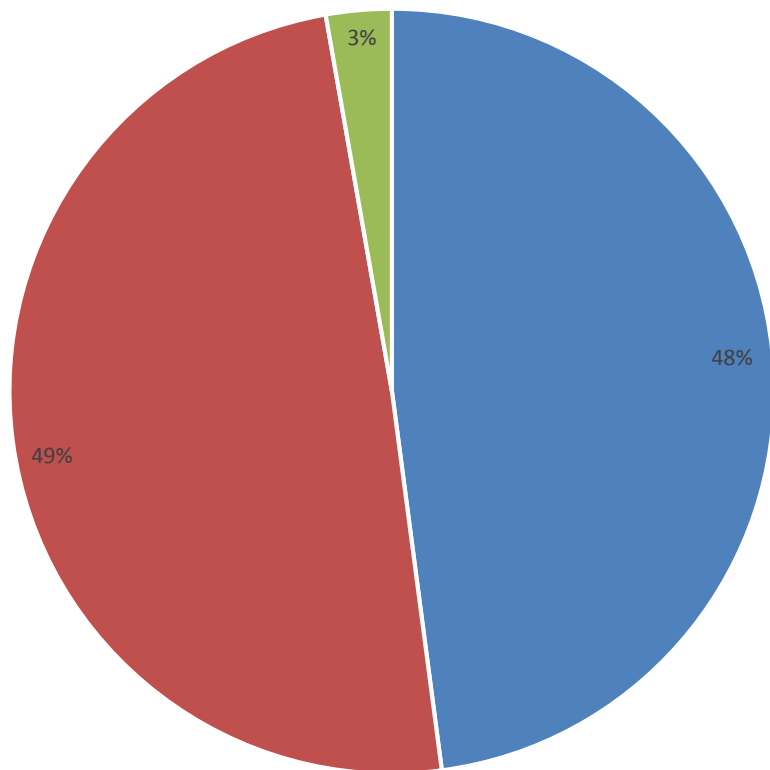
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<sup>3</sup> Ministry of Finance website – Draft Estimates of Recurrent Expenditure for the financial year 2019 accessed on October 02, 2018: <https://www.finance.gov.tt/wp-content/uploads/2018/10/Numbered-Draft-Estimates-Recurrent-Expenditure-2019.pdf>

## Summary of Recurrent Expenditure for the period 2013 – 2019

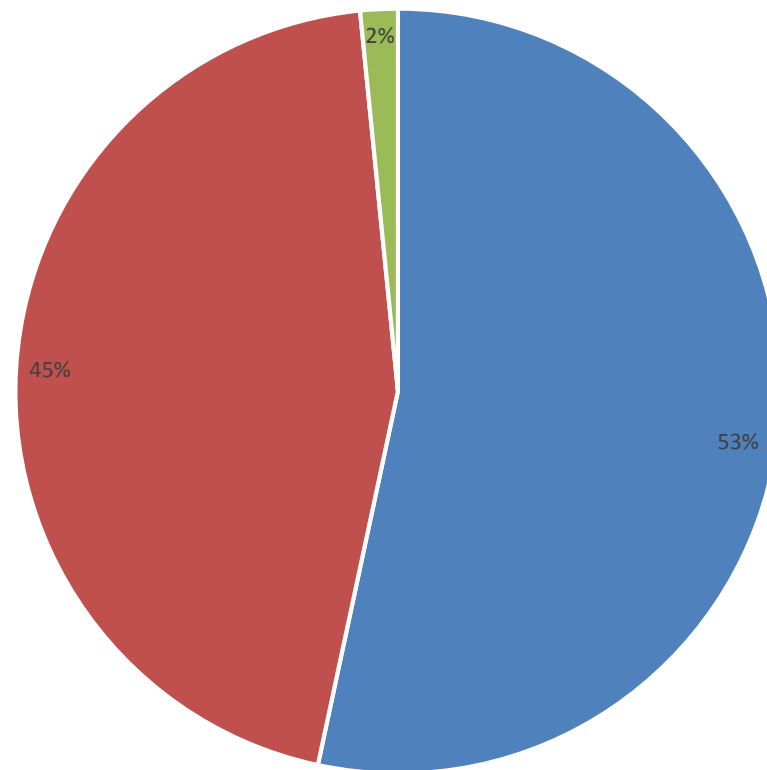


2013 Actual



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

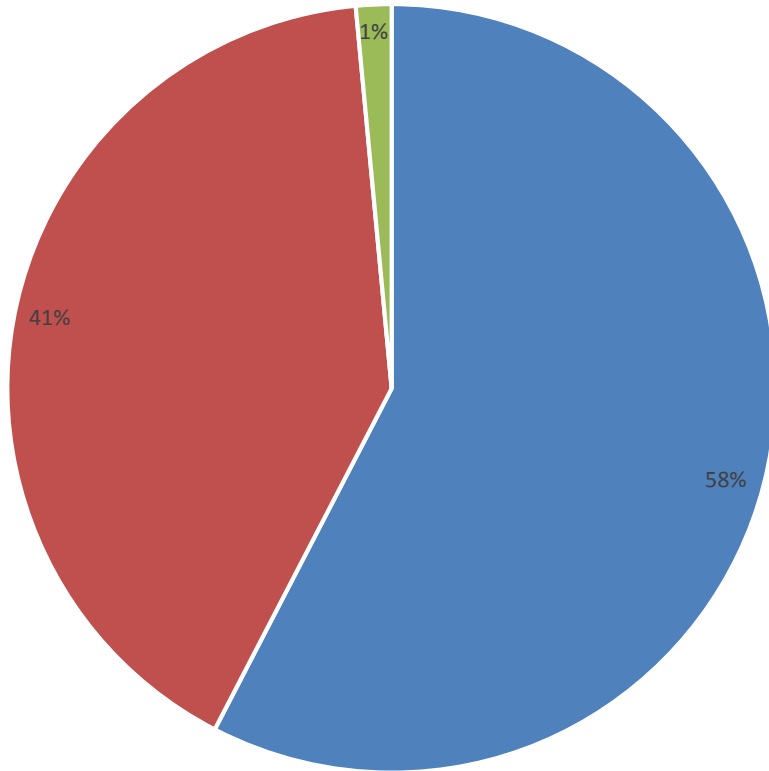
2014 Actual



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

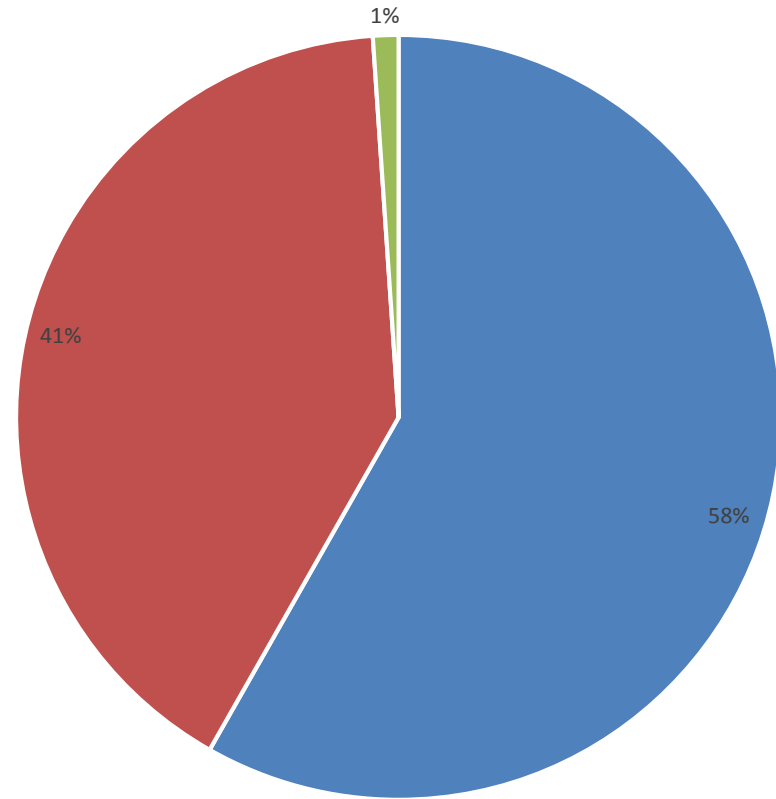


2015 Actual



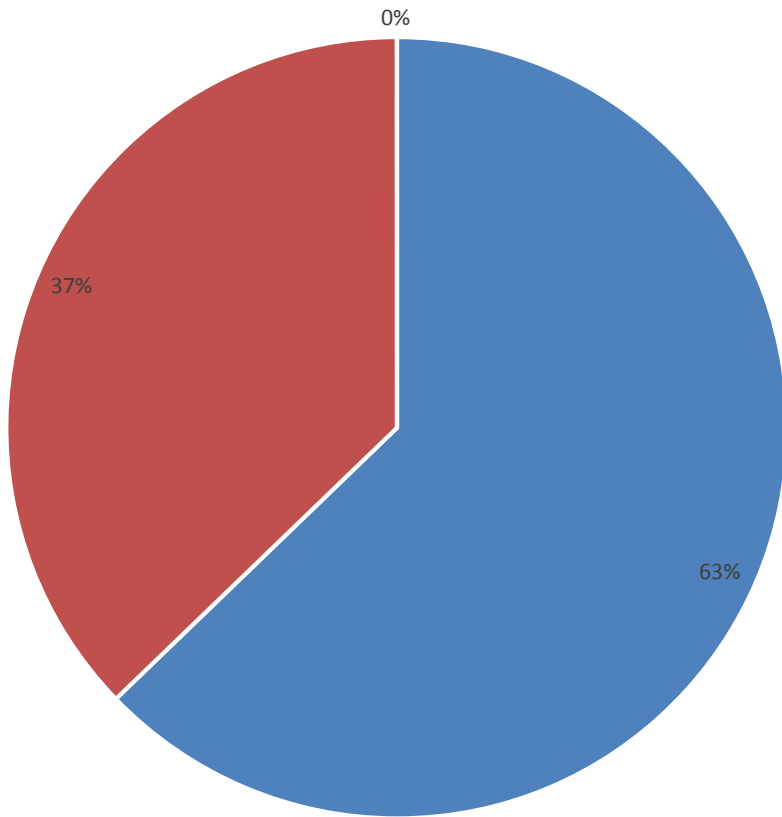
■ 01 Personnel Expenditure    ■ 02 Goods and Services  
■ 03 Minor Equipment Purchases

2016 Actual



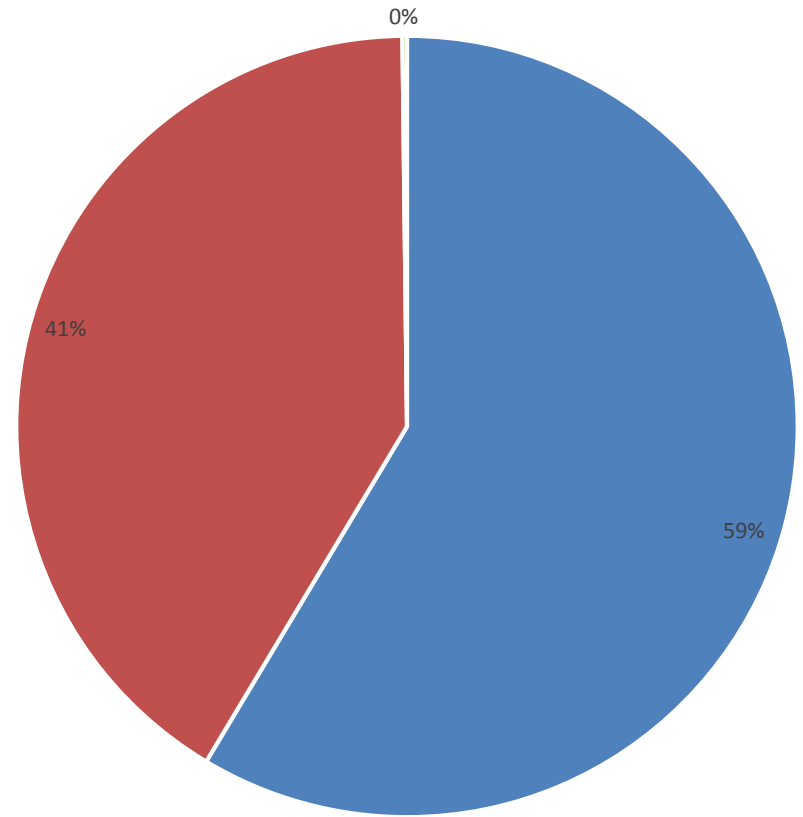
■ 01 Personnel Expenditure    ■ 02 Goods and Services  
■ 03 Minor Equipment Purchases

2017 Actual



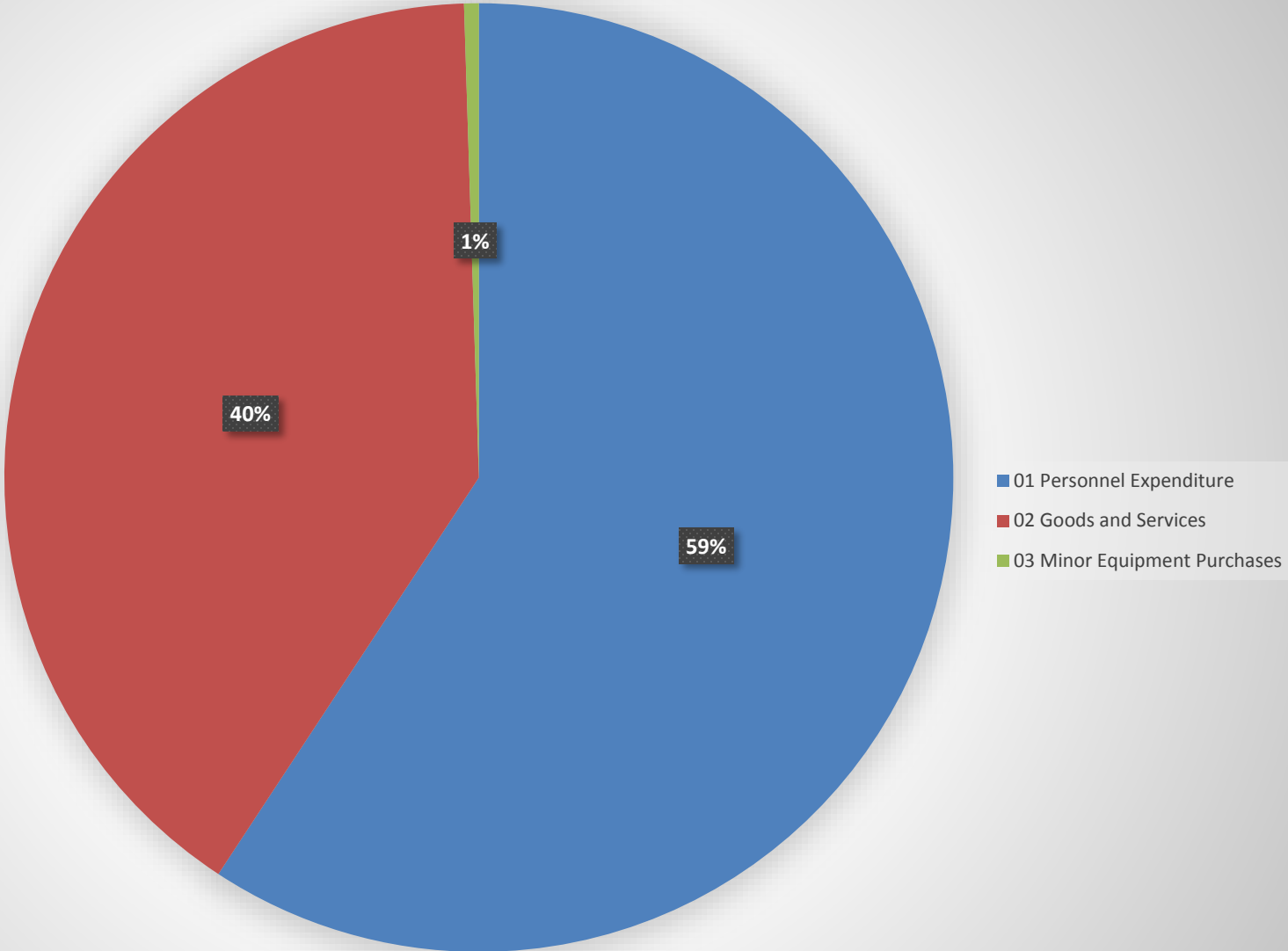
■ 01 Personnel Expenditure ■ 02 Goods and Services ■ 03 Minor Equipment Purchases

2018 Revised Estimates



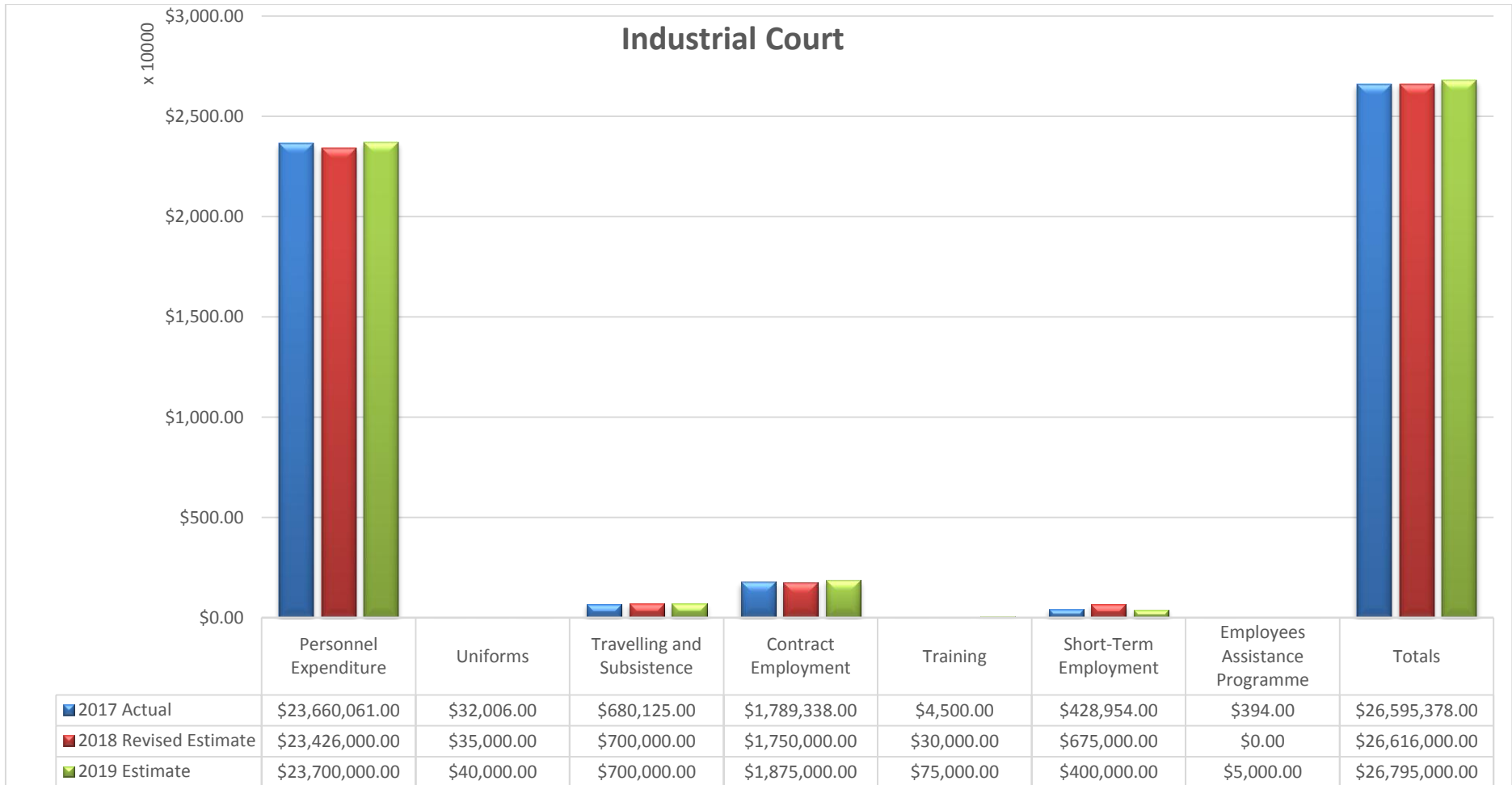
■ 01 Personnel Expenditure ■ 02 Goods and Services ■ 03 Minor Equipment Purchases

# 2019 Estimates



## Staff and Pay<sup>4</sup>

The allocation of staff expenditure for the fiscal year 2018/2019 is **\$26,975,000.00** which represents an increase of approximately **2.4%** from the last fiscal year 2017/2018. The diagram presented below provides a breakdown of all staff related expenditure from the years 2017-2019.



<sup>4</sup> Ministry of Finance website – Draft Estimates of Recurrent Expenditure for the financial year 2019 accessed on October 02, 2018: <https://www.finance.gov.tt/wp-content/uploads/2018/10/Numbered-Draft-Estimates-Recurrent-Expenditure-2019.pdf>

## The Department's total allocation as a percentage of the National Budget for the period 2013 to 2019.

Year <sup>[1]</sup>	Total Allocation <sup>[2]</sup>	National Budget <sup>[3]</sup>	Percentage of National Budget
2013	\$ 38,804,918.00	\$ 59,174,226,196.00	0.07%
2014	\$ 48,412,554.00	\$ 65,020,886,424.00	0.07%
2015	\$ 49,966,734.00	\$ 61,966,922,675.00	0.08%
2016	\$ 44,046,622.00	\$ 56,573,913,053.00	0.08%
2017	\$37,738,020.00	\$54,883,153,410.00	0.07%
2018	\$40,621,750.00	\$54,330,404,592.00	0.07%
2019	\$41,500,000.00	\$55,582,977,415.00	0.07%

- Total allocation for the Department as a percentage of the National Budget remained constant at **0.07%** between the period 2017/2018 and 2018/2019.

<sup>[1]</sup> For the Fiscal Years 2013-2017, actual figures were used to calculate the Department's total allocation. However, estimates were used to determine the Department's total allocation for the Fiscal Years 2018 and 2019.

<sup>[2]</sup> Total Allocation for the Industrial Court= Recurrent Expenditure + Consolidated Fund

<sup>[3]</sup> The National Budget= Total Recurrent Expenditure + Total Development Programme Consolidated Fund

## Analysis of Summary of Expenditure

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

- Recurrent Expenditure for Fiscal Year 2018/2019 is **\$40,000,000**.
- Recurrent Expenditure (**revised**) for Fiscal Year 2017/2018 was **\$39,981,750**. Comparing this figure with Fiscal Year 2018/2019, there is an increase of **\$18,250** or **0.05%**.
- The **largest** portion of the allocation has on average gone to **Sub-Head 01 Personnel Expenditure**. This figure has been fluctuating over the period 2013-2019, accounting for approximately **59%** of total funding for the Department for fiscal year 2018/2019.
- **Goods and Services** received the **second largest** portion of the allocation and has been fluctuating over the period 2013 – 2019. Comparing 2017/2018 to 2018/2019, there was a decrease in the allocation by **1%**.
- **Minor Equipment Purchases** received the **lowest** portion of the total recurrent allocation for the Department over the period 2013 to 2019 receiving an average of **\$453,489** or **1.1%**.
- The actual/estimated expenditure has been **fluctuating** over the seven (7) year period from a **low \$37,859,084** in the fiscal year 2013 to a **high of \$49,183,247** in fiscal year 2016.

## Summary of Development Programme Expenditure for the period 2012 - 2018

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

The Public Sector Investment Programme (PSIP), which represents the capital expenditure component of the National Budget, is the instrument used by Government to effect its vision and policies. It is a budgeting and strategic planning tool made up of projects and programmes, designed to realise the goals set out in the Government's overarching policy.

The PSIP budget document provides a detailed description of the programmes and projects and includes a review of the implementation of projects and programmes in the previous financial year and highlights the major projects and programmes to be implemented in the upcoming financial year.

- The Public Sector Investment Programme is intended to achieve:
  - the country's social and economic development goals; and
  - enhance the quality of life of all citizens.

The allocation of **\$1,500,000** for the development programme are presented via funds appropriated by Parliament and disbursed directly from the Consolidated Fund.

## SUMMARY OF DEVELOPMENT PROGRAMME EXPENDITURE FOR THE PERIOD 2013 - 2019



	Actual 2013	Actual 2014	Actual 2015	Actual 2016	Actual 2017	Revised Estimates 2018	Estimates 2019
005 Multi-Sectoral and Other Services - Consolidated Fund	797,207.00	452,608.00	783,487.00	1,038,690.00	54,409.00	640,000.00	1,500,000.00
Total	797,207.00	452,608.00	783,487.00	1,038,690.00	54,409.00	640,000.00	1,500,000.00



## Noteworthy Development Programme Estimates in 2017-2019

The table below lists the projects that have experienced irregular variances in estimates for funding received under the Ministry of Finance:<sup>5</sup>

<b>PROJECTS</b>	<b>2017 Actual</b>	<b>2018 Revised Estimate</b>	<b>2019 Estimate</b>
<b>005-06-F-001 Improvement Works and Furnishing of the Industrial Court</b>	-	-	1,500,000

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<sup>5</sup> Draft Estimates of Development Programme for the Financial Year 2019, accessed on 04 October, 2018: <https://www.finance.gov.tt/wp-content/uploads/2018/10/Numbered-Draft-Estimates-Of-Development-Programme-New-2019.pdf>