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## **Summary of Proceedings**

### **Public Hearing**

#### **Joint Select Committee on Social Services and Public Administration**

Held on Wednesday, February 21, 2018

[10:40 a.m. to 12:28 p.m.]

**The JSC on Social Services and Public Administration inquiry into the state of contract employment in the Public Service.**

**Venue:** The J. Hamilton Maurice Room, Mezzanine Floor, Office of the Parliament, Tower D, the Port-of-Spain International Waterfront Centre, 1A Wrightson Road, Port of Spain.

#### **Committee Members**

The following committee members were present:

1. Dr. Dhanayshar Mahabir – Chairman
2. Mr. Esmond Forde, MP – Vice-Chairman
3. Brig. Gen. (Ret.) Ancil Antoine, MP
4. Mrs. Christine Newallo-Hosein, MP
5. Mrs. Glenda Jennings-Smith, MP
6. Mr. Rohan Sinanan
7. Ms. Khadijah Ameen
8. Ms. Allyson West

#### **Witnesses who appeared**

The following officials were present:

**Ministry of Public Administration and Communications**

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

**Ministry of Labour and Small Enterprise Development**

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

**Ministry of Finance**

- i. Ms. Michelle Durham-Kissoon - Permanent Secretary (Ag.) in the Ministry of Finance
- ii. Ms. Lesann Badoo-Seebaran - Director, Human Resources (Ag.)
- iii. Ms. Jacqueline Gomez - Senior Human Resource Officer (Ag.)

**The Chief Personnel Department**

- i. Mr. Beresford Riley - Chief Personnel Officer (Ag.)
- ii. Ms. Wendy Barton - Deputy Chief Personnel Officer (Ag.)
- iii. Ms. Juliet Gonzales – Director, Human Resource Management (Ag.)
- iv. Ms. Mala Boodoosingh - Senior Human Resource Advisor (Ag.)

**Key Issues Discussed**

The following are the key subject areas/issues discussed during the hearing:

**Issues discussed with Ministry of Public Administration and Communications (MPAC)**

- i. The role of the Ministry with regard to contract employment within the Public Service;
- ii. The role and functions of the Public Management Consulting Division (PMCD), MPAC with respect to contract employment;

- iii. The process associated with the requests made to the PMCD by Ministries/Departments for contract employees. In particular, a Cabinet agreement whereby Ministries must submit justification on:
  1. 10 requirements for the creation of positions, whether contract or established; and
  2. 5 to 6 requirements for the renewal of a contract.
- iv. The guidelines for the administration of the evolving functions of contract employment, October 1988 stipulates that contract positions can be utilized under certain circumstances;
- v. Currently, the economic environment is not a criteria for contract employment;
- vi. The need for proper manpower planning and management across the Public Service;
- vii. Development of the Ministry's Strategic Plan, which is currently before the Cabinet;
- viii. The aim of the Ministry to develop a 21<sup>st</sup>-century Public Service;
- ix. Currently, MPAC is engaged in collaboration with all Ministries, Agencies, and Departments to promote HR forecasting and planning;
- x. MPAC is undertaking a review of its organizational structure, mandate, strategic plan 2017-2020 and the quantity and quality of staff;
- xi. The need to ensure that the Ministry's Strategic Plan aligns with the National Development Strategy and the Sustainable Development Goals (SDGs);
- xii. The need to enhance the services provided by the MPAC and other Ministries, Agencies, and Department;
- xiii. Any reviews that are undertaken by the MPAC regarding the staff of Ministries, Agencies, and Departments are dependent on the requests made by these entities;
- xiv. The need for an overall review of the management systems and processes within all Ministries, Agencies, and Departments;
- xv. The need for collaboration between MPAC, MoE<sup>1</sup> and MOLSED<sup>2</sup> to decide on programmes and areas of study. Furthermore, the need to ensure that scholarships provided are "guiding and leading students to areas where there are

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<sup>1</sup> Ministry of Education

<sup>2</sup> Ministry of Labour and Small Enterprise Development

- needs. There will be the commencement of a survey that will address the needs of the Scholarship Division;
- xvi. The regulations governing the process of recruitment of persons within the Public Service;
  - xvii. Vacancies within the PMCD;
  - xviii. A request for vacant positions within the MPAC to be filled was made to the Public Service Commission. However, there has been a delay in the response of the PSC;
  - xix. Two critical projects undertaken by the MPAC for institutional strengthening of:
    - 1. The Service Commissions Department (report has been generated and is before the Cabinet); and
    - 2. The Personnel Department.
  - xx. The need to ensure that there is no duplication or redundancy of positions within the Public Service due to the creation of contract positions;
  - xxi. The collaboration between central agencies such as the Service Commissions Department, Personnel Department, OPM<sup>3</sup> and MOLSED with respect to the establishment of an HR Strategy for the public service;
  - xxii. An internal Human Resource Management Committee which is chaired by the Minister of MPAC. This Committee was established to address issues related to HR within Ministries, department, and agencies; and
  - xxiii. The legal action taken by the Public Service Association against the Ministry of Energy and Energy Industries with reference to the filling of vacancies by contract employees;

Issues discussed with the Ministry of Labour and Small Enterprise Development (MLSED)

- i. The strategic role of the Ministry in creating growth, promoting diversity and restoring confidence in its critical work in fulfilling the government labour employment and entrepreneurship commitments;
- ii. The efforts made by the Ministry with the assistance of the CPO to fulfil its mandate with respect to ensuring that proper terms and conditions of employment are extended to all contract staff;

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<sup>3</sup> Office of the Prime Minister

- iii. The promotion of in-house development in order to maintain institutional knowledge in the absence of key personnel;
- iv. The planned establishment of a Labour Market Information Unit. This unit is charged with the responsibility of generating information on the labour market needs of Trinidad and Tobago. Currently, the unit is understaffed and the Ministry is seeking assistance from the International Labour Organization (ILO) in determining the appropriate structure and training that would be necessary for the effective functioning of the unit;
- v. The proposed establishment of a Labour Market Council comprising of employers and workers of both the public and private sector;
- vi. A Vacancy Survey Report being conducted throughout the public and private sector in order to acquire information on critical HR needs;
- vii. The challenges faced by returning graduates to find jobs.
- viii. The attempt made by the Ministry to address the Labour needs within the Ministry of Education;
- ix. Poor remuneration packages hindering the public service from attracting the best talent available; and
- x. The engagement of the DPA<sup>4</sup> in 2016 to fill vacancies in the establishment with existing contract employees. However, MLSED is still awaiting the DPA's response.

#### Issues discussed with the Ministry of Finance (MoF)

- i. The substantial expenses associated with contract employment;
- ii. The need to prioritize expenditure with reference to contract employment;
- iii. Financial constraints faced by the Ministry;
- iv. The collaboration with Ministries, Departments, and the wider public services in attracting and retaining high-quality talent within the public service;
- v. The need for difficult decisions to be made for the streamlining of expenditure to achieve greater efficiency within Ministries, Departments, and the wider public services;

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<sup>4</sup> Director of Personnel Department

- vi. The filling of vacancies in the departments involved in revenue collection and tax administration. This is essential for improving the level of the government's revenue;
- vii. The challenges faced by the Ministry in filling the Field Officer and Tax Officer stream. This has resulted in the recruitment of contract officers to fill these vacancies;
- viii. The review by World Bank of public expenditure in this country is expected to be completed by March 2018;
- ix. The need for timely payments of gratuity to contract workers. In practice the processing of an employee's gratuity may last between 6 months and 2 years, and
- x. The Controller of Accounts Unit being understaffed.

#### Issues discussed with the Chief Personnel Department

- i. The responsibility of the department is to advise the public service/sector bodies on terms and conditions of employment;
- ii. The need to review the terms and conditions of contract employment. Currently, the Department is responsible for determining the terms and conditions of contract employees and advising the SRC<sup>5</sup> on ministries under its preview;
- iii. The establishment of a Cabinet appointed Committee on Contract employment within the public service to address the issues surrounding contract employment and strengthen the quality of service provided to clients and stakeholders;
- iv. The Department's Strategic Plan 2018-2020 is currently before Cabinet;
- v. Criteria used to determine whether a contract employee receives a travel allowance;
- vi. Contract workers functioning in established position;
- vii. The prolonged period taken by the CPO to determine terms and conditions for public officers;
- viii. The CPO's Office is significantly understaffed both in the technical and clerical streams;

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<sup>5</sup> Salaries Review Commission

- ix. The percentage of vacancies at the CPO's office is at 41 percent for the core technical officers;
- x. Concerns with regard to a parallel public service operating in the country. There is a significant percentage of contract workers working alongside permanent public service employees due to vacancies in various ministries not being filled;
- xi. The CPO providing advice to the Human Resource Advisory Committee with regards to remuneration packages in the public sector; and
- xii. The absence of a policy that governs short-term employment. Currently, a note is before Cabinet to develop a short-term employment policy.

### **Recommendations proffered during the Public Hearing**

The following recommendation emanated from the discussions:

- i. That critical officers are identified and priority is given to these central agencies with regard to the filling of vacancies;

### **View the Hearing**

The hearing can be viewed on our YouTube channel via the following link:

<https://youtu.be/LWDkOOgvvMk>

### **Contact the Committee's Secretary**

jscspa@tpparliament.org or 624-7275 Ext. 2283

*Committees Unit*

*March 1, 2018*