

Evolving Industrial Relations for Changing Times

Date: Monday 21st November 2022

Time: 1:30 p.m. – 6:00 p.m. EST

Venue: Compass Rose Ball Room

Margaritaville Resort Nassau, The Bahamas

THE BAHAMAS INDUSTRIAL TRIBUNAL

hosts the 3rd Annual

DAY OF SOLIDARITY

Seminar

In collaboration with

The Government of The Bahamas

The Bahamas Bar Association

The Bahamas Chamber of Commerce and The Employers' Confederation

The Trade Union Congress (TUC)

The National Congress of Trade Unions of The Bahamas (NCTUB) and

The Caribbean Agency for Justice Solutions



Welcome from The President

Dear One and All,

Once again, it is my pleasure to welcome you to The Bahamas Industrial Tribunal's Annual "A Day of Solidarity " Seminar. This is our Third Seminar hosted in cooperation with The Bahamas Bar Association; the Ministry of Labour; The Bahamas Chamber of Commerce & Employers' Confederation; the Trade Union Congress (TUC) and the National Congress of Trade Unions of The Bahamas (NCTUB).

It has been two years since we hosted our last Seminar, and during that period, we have come through two particularly challenging events – namely Hurricane Dorian and the Corona Virus Pandemic. In the aftermath of those two formidable ordeals, the Tribunal has emerged more resilient and better equipped to fulfill its mandate to ensure ease of access to justice for the common man. We were compelled to turn our 'crises' into 'opportunities'. This was perhaps most evident recently in the aftermath of Hurricane Dorian, the 2019 Category 5 hurricane that flooded our nation's second city, Freeport, Grand Bahama.

Our work there was able to continue because our files were stored virtually 'in the cloud', and as such, were secured and protected from water damage. In 2020 and 2021, while the world suffered lockdowns during the pandemic crisis, we took the opportunity to innovate and leverage technology – and our work continued, thanks to our virtual courts. I touch more on this in the Annual Report.

For now, I am so pleased to have your participation here – whether you are a member of any of the representative Unions, the Chamber of Commerce and Employers' Confederation; The Bahamas Bar Association and the Judiciary, any Governmental Department or entities, Civil societies, Human Resource Department or operations - we are all stakeholders and the state of Labour Relations in our country impacts us all.

Evolving Industrial Relations for Changing Times

Accordingly, and in keeping with our tradition of honouring those who have provided significant influence and contribution to the betterment of Labour Relations in our country, I am most pleased to announce our Honouree for the year 2022 – albeit posthumously - an exceptional son of the soil, and one who has been dubbed the 'Father of Labour', the Honourable Sir Randol Fawkes. Sir Randol is best known for establishing the trade union movement in The Bahamas. In doing so, he is credited, along with others, with changing the course of Bahamian history for workers.

Today, we are also pleased to welcome our distinguished presenters, including the Honourable Keith Bell, Minister of Labour and Immigration, Court of Appeal judge, the Honourable Madam Justice S. Maureen Crane-Scott; Central Bank's External Relations Officer, Mr. Kevin Demeritte; Director of Labour, Mr. Robert Farquharson; Chairman of The National Tripartite Council, Mrs. Sharon Martin.

Our keynote speaker is the Director of the International Labour Organization's (ILO) Decent Work Team and Office for the Caribbean, Mr. Dennis Zulu.

On the matter of Digitalization and under the theme of 'The Pursuit of Justice through Innovation and Technology', our panel of experts and practitioners include Chief Technology Officer for the CAJS, Mr. Richard Wall, Manager, Tech Support Analyst for the CAJS, Mr. Mark Headley, Online Services for the Bahamas Industrial Tribunal, Mrs. Ulysses Plakaris-Kerr, Vice President Labour Relations, Kenneth Lightbourne and Corporate Counsel at Bahamar, J. Almitra Collie.



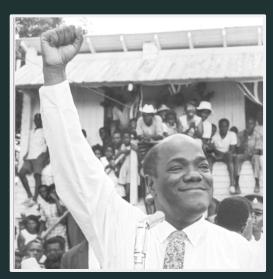
About Our 2022 Honouree

Sir Randol Fawkes NH, KB









Our Honouree, Sir Randol Fawkes is a Bahamian National Hero, after whom our annual Labour Day Celebration is named. His contributions to the cause of advancing the welfare of the Bahamian worker are renowned and demonstrative, earning him the title the 'Father of Labour'.

This august attorney's interest in things political became more pronounced throughout his involvement with the Citizens' Committee (1949) and The Bahamas Federation of Labour (1955), which was the umbrella union for the several craft and trade unions that were in existence.

Some well-known facts – Sir Randol was the first representative to raise the question of independence for The Bahamas on the floor of the House of Assembly. In September 1966, he pleaded the case before the United Nations urging its assistance for the Bahamian people in their stride towards self-determination. It was his vote that broke the 18-18 deadlock between the two major parties, the United Bahamian Party and the Progressive Liberal Party.

From January 1967 to April 1968, Sir Randol served as Minister of Labour and Commerce in the first PLP-Labour Government. In recognition of his outstanding contributions to the trade union movement and to the country, knighthood was conferred on Sir Randol by Her Majesty, Queen Elizabeth in 1978. The many details of Sir Randol's journey are documented in his book of memoirs "The Faith That Moved The Mountain".

For more information on the life and accomplishments of Sir Randol, please visit: https://www.facebook.com/people/Sir-Randol-Fawkes-and-The-Bahamas-Federation-of-Labour/

Our 2022 DAY OF SOLIDARITY HONOUREE

In grateful appreciation, celebrates and commemorates the service and dedication of the late

Sir Randol Fawkes NH, KB





Judges of The Bahamas Industrial Tribunal



INDIRA DEMERITTE-FRANCIS
President
Appointed 10 June 2015



HELEN ALMORALES-JONES
Vice-President
Appointed 4 September 2015



SHARADA HUMES FERGUSON
Vice-President
Appointed 1 July 2022



SIMONE FITZCHARLES
Vice-President
Appointed 4 April 2019



INGRID COOPER-BROOKS
Vice-President
Appointed 4 July 2022



RIONDA GODET
Vice-President, Acting
Appointed 1 September 2022

Our Agenda
Evolving Industrial Relations for Changing Times



OPENING CEREMONY

Time	Activity	Presenter				
1:30	Registration and seating of guests					
2:00	Call to Order	Master of Ceremonies: Her Honour Rionda Godet	Vice-President (Acting), Industrial Tribunal			
	Invocation	Her Honour, Sharada Humes-Ferguson	Vice-President, Industrial Tribunal			
	Welcoming Remarks	Her Honour, Helen Amorales-Jones	Vice-President, Industrial Tribunal			
	About Today and Our Honoree	Video Presentation	Honoree: Sir Randol Fawkes			
SESSION 1: Perspectives on Industrial Relations In The Bahamas						
2:20	OPENING ADDRESS: Perspectives on Industrial Relations in The Bahamas	The Honourable Keith Bell	Minister of Labour and Immigration			
	GROUP PHOTOS					
2:45	BREAK					
2:55	Smart Court and Role of the Judge in the hearing	Video Presentation				

SESSION 2: - Stakeholder Perspectives on Industrial Relations in The Bahamas					
	E-Folio Filing at the Industrial Tribunal	Video Presentation			
3:05	Stakeholder Perspectives on Industrial Relations in The Bahamas	Obie Ferguson	Trade Union Congress		
		Krystle Rutherford	Bahamas Chamber of Commerce and Employers' Confederation		
	Administrative Directions for Tribunal Staff	Video Presentation			
	Responsibilities of Judge's Court Clerk	Video Presentation			
3:15	Economic and Financial Developments "A Rising Tide Lifts All Boats?"	Kevin Demeritte	Snr. External Relations Officer, Central Bank		
	Judges Administrative Directions (Responsibilities of Judges Secretary)	Video Presentation			
	Complaints against a Judge and Process for Appeal	Video Presentation			
3:30	BREAK				

SESSION 3: Evolving Industrial Relations – Trends, Transformation and Tribunals						
3:45	EVOLVING INDUSTRIAL RELATIONS Adapting to Changing Times	Dennis Zulu	Director of the ILO Decent Work Team and Office for the Caribbean			
4:00	Emerging Trends in Labour Decisions	Justice S. Maureen Crane-Scott	Justice of Appeal			
4:15	Industrial Tribunal Notifications	Video Presentation				
4:25	NTC – A National Social Dialogue Institution	Sharon Martin	Chair, National Tripartite Council			
4:35	BREAK					
4:50	Labour and Industrial Relations in a Changing Society	Robert Farquharson	Director of Labour			
	Industrial Relations <u>In</u> The Digital Age	Bevil Wooding	Executive Director, Caribbean Agency for Justice Solutions (CAJS)			
	Panel Discussion: The Industrial Tribunal at Your Service Online	Richard Wall				
5:00		U. <u>Plakaris</u> -Kerr	Chief Technology Officer, CAJS Manager, Online Services, BIT			
		Ken Lightbourne	Vice President Labour, Atlantis Corporate Counsel, Bahamar			
		Almitra Jasmine Collie				
5:45	Digital Transformation in Action – Bahamas Industrial Tribunal Website and Online Services	Video Presentation				
6:00	Tokens of Appreciation	Her Honour Ingrid Cooper-Brooks	Vice-President, Industrial Tribunal			
0.00	Vote of Thanks and Closing Remarks	Her Honour, Indira Demeritte-Francis	President, Industrial Tribunal			
	Cocktail Reception and Networking					

Our Moderator

Rionda Yvette Godet, LL.B., LL.M, began her tertiary education at the College of The Bahamas where she obtained an Associate of Arts Degree in Journalism & Mass Communications in 1984. That year, she was employed as a News Reporter for the Broadcasting Corporation of the Bahamas (ZNS). In 1987, she continued her studies at the University of Buckingham, Buckinghamshire, England where she earned her Bachelors of Laws (LL.B.) Degree and later a Masters of Law (LL.M) Degree, International Commercial Law.

Mrs. Godet, since being admitted to the Bar, has thirty-two (32) years of legal practice in Civil & Commercial Law areas. She has practiced law as Civil Counsel and Crown Prosecutor for the Office of the Attorney General. She has been engaged as an Associate in the Law Firm of Harry B. Sands & Co., before accepting a position of Director of Labour Relations, eventually being promoted to Vice President of Labour Relations at Kerzner Sun International (Atlantis).

In January of 2013, she became a Founding Partner in the law firm Deleveaux Godet & Co., a multifaceted, boutique law firm, engaged in the predominant practice of Employment Law, Conveyancing & Mortgages, Personal Injuries, Wills & Probate, Civil Litigation, and Tort & Negligence, and H. R. Consultancy. Mrs. Godet has also served as an Acting Stipendiary & Circuit Magistrate and since 1st September 2022, she has been serving as an Acting Vice President at the Bahamas Industrial Tribunal.



Rionda Yvette Godet Seminar Moderator

Our Presenters

The theme for our event this year is "Evolving Industrial Relations for Changing Times". This is an acknowledgment of the reality that we have emphatically, and perhaps irreversibly, entered the so-called "new normal" of industrial relations. Consequently, we will focus on the local, regional and global factors shaping the sector, with particular attention to the implications for Labour and Industrial Relations in the Commonwealth of The Bahamas.

As in previous years, our exceptional line up of presenters will address the evolving nature of industrial relations during times of change. Our seminar will draw on perspectives from economic, legal, judicial, and social standpoints, and you too can take advantage of the opportunity to contribute to the dialogue.





FEATURE SPEAKER

Perspectives on Industrial Relations in The Bahamas

THE HON. KEITH BELL

Minister of Labour and Immigration

Excellence has been the hallmark of the Hon. Keith Bell's career. As the top graduate from the Royal Bahamas Police Force in 1986, he was awarded the coveted 'Baton of Honour'.

He worked in the Criminal Investigation Department for most of his tenure on the Police Force and headed 7 major departments covering a number of legal and intelligence activities before retiring from the Force after 22 years of service. He holds an Associates of Arts Degree in Law and Criminal Justice from the College of The Bahamas and is the first Bahamian to attain First Class Honours in law from the University of the West Indies, Barbados, where he graduated in 1997.

On May 10, 2012, he was appointed a Senator and made Minister of State in the Ministry of National Security where he led the implementation of several legal milestones (including 'Marco's Law'). He also spearheaded over 15 major capital initiatives at the Ministry of National Security, the Royal Bahamas Police Force, the Royal Bahamas Defence Force and the Department of Correctional Services.

He was elected as the Member of Parliament for the Carmichael constituency on September 16, 2021 and appointed Minister of Labour and Immigration on September 22, 2021. His portfolio includes: labour relations, manpower and employment, employment agencies, the National Training Agency, trade unions, trade disputes, wage councils, labour education, inspection and safety, immigration, naturalization, citizenship and work and residency permits. Minister Bell is a member of the Catholic faith. He and his wife, Clara, have 3 sons.



Emerging Trends in Labour Decisions

THE HON. MADAM JUSTICE S. MAUREEN CRANE-SCOTT

Justice of Appeal

The Honourable Madam Justice S. Maureen Crane-Scott is a graduate of the Sir Hugh Wooding Law School. She was initially called to the Bar of Guyana 19th October 1979 and later to the Bars of Jamaica and Barbados in 1980 and 1985 respectively.

She began her legal career in her native Guyana as a State Prosecutor in the Office of the Director of Public Prosecutions and subsequently worked in private practice in Kingston, Jamaica, before relocating to Barbados in 1985 where she spent the next twenty- two (22) years in the Barbados Public Service. She rose through the ranks of the legal service in Barbados serving as a Senior Crown Counsel, Principal Crown Counsel, Acting Deputy Solicitor General, Registrar of Companies and finally, as the Registrar of the Supreme Court.

Justice Crane-Scott holds a Master's Degree in Law (LLM) (Legislative Drafting) from University of the West Indies and was appointed to the Inner Bar as a Queen's Counsel in June 2005. She was appointed a Judge of the Barbados High Court on 15th April 2007 and was appointed a resident Justice of the Court of Appeal of the Commonwealth of The Bahamas on 1st May 2015.



Labour and Industrial Relations in a Changing Society

ROBERT FARQUHARSON

Director Of Labour & Vice Chair – National Tripartite Council

Robert Farquharson serves as the Director of Labour and Registrar of Trade Unions in the Ministry of Labour & Immigration. Mr. Farquharson previously served as Executive Manager in the Ministry of Labour, with responsibility for The National Tripartite Council and Special Projects Unit. In his present capacity, Mr. Farquharson functions as the Chief Technical Officer for the Government of the Bahamas relating to Industrial Relations and the relationship between the Employer and Employees.

Prior to his appointment, Mr. Farquharson served as a Labour Consultant to the Government of the Bahamas. He is a former Associate in the Chambers of Anthony Thompson & Co and Lord Ellor & Co. where he served as Team Leader of the Industrial Relations Unit of both firms. Mr. Farquharson is a past President and General Secretary of the Bahamas Communications & Public Officers Union and past General Secretary of the National Congress of Trade Unions Bahamas.

Mr. Farquharson holds a Certificate of Higher Education from Ruskin College, Oxford, a BSc and MSc in Employment Law from MI International College. He earned his LLB from MI College and completed his Graduate Diploma in Legal Education at the Australia National University. He has served in numerous capacities in the Caribbean Congress of Labour and is a lecturer at the NCTUB Labour College

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MR. OBIE FERGUSON, KC

President – Trade Union Congress

Mr. Obie Ferguson is a graduate in Hotel Administration, Lindsey Hopkins School of Hotel and Motel Administration, Miami, Florida. He then moved to Miami Dade, where he obtained an Associate Degree in Hotel Administration.

At Florida International University (FIU), Mr. Ferguson earned his Bachelor of Science degree, with a specialty in Hotel and Tourism Management. He later went on to complete a Master's Degree in Management, also at FIU.

On returning home, he joined the hospitality industry in a management capacity. He also became a lecturer in Hotel Accounting at the Hotel College of the Bahamas, as early as 1974, to share and impart his training among young Bahamians.

Mr. Ferguson always saw the need to challenge his growth and intellect. Consequently, the decision was again made to further his professional studies and he left the Bahamas in 1982 for the United Kingdom. On arriving in England, he entered the University of Buckingham Law School, in the County of Buckinghamshire, where he pursued legal studies leading up to the LL.B. degree, with emphasis on Labour and Administrative Law and Commercial Law.



Perspectives on Industrial Relations in The Bahamas

He served as a member of the Industrial Relations Board 1992-94; acts as an advisor to many Unions; and he is the President of the Commonwealth of the Bahamas Trade Union Congress as well as the Bahamas Hotel Managerial Association.

In addition to the above, Mr. Ferguson is Cochairman of the One Bahamas National Committee, and also is a member of the joint Advisory Committee on Labor. Mr. Ferguson is a member of the Bahamian Bar, and specializes in Employment Law.

KEVIN DEMERITTE

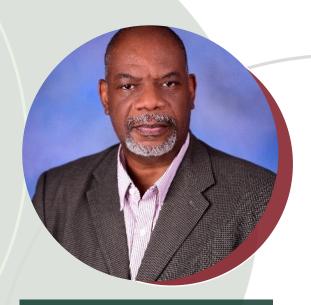
External Relations Officer, Central Bank of The Bahamas

Mr. Kevin Demeritte was appointed External Relations Officer & Senior Economist in the Office of the Governor in November 2016

In this role, he has primary responsibility for all Central Bank external communications, serves as the chief spokesperson for the Bank and manages the Bank's public outreach, public education and financial literacy programs. Mr. Demeritte also serves as a senior economist on the Central Bank's Monetary Policy Committee and its Policy Advisory Committee

Prior to his appointment, he served as Payments Head in the Research Department, where he spearheaded the regulation and oversight of payment systems, instruments and services operating in The Bahamas.

Mr. Demeritte joined the Central Bank in 1995 and has served in various capacities with principal focus on economic research and policy. In addition to his responsibilities with the Central Bank, Mr. Demeritte currently contributes as a Lecturer in Economics and Mathematics at The Bahamas Institute of Financial Services and as an Adjunct Lecturer, in Economics and Finance at the University of The Bahamas and the same at the previous College of The Bahamas.



Economic and Financial Developments

He holds a Bachelor's degree in Economics & Mathematics from Columbia University, New York, as well as Masters' degrees in Economics and Economic Policy Management and a Masters of Business Administration degree with a concentration in economics, all from Columbia University, New York.



NTC – A National Social Dialogue Institution

SHARON MARTIN

Chairman – National Tripartite Council

With nearly 40 years of professional experience, Sharon Martin is the CEO and founder of her company The WinFluentials and is a consummate professional.

As a strong advocate for the Labour Movement, she holds the distinct title of being the first female Union President in the history of the National Insurance Board when she was sworn in as President of the Union of Public Officers.

She is also serving as President of the Women's Association of the National Congress of Trade Unions of The Bahamas (the NCTUB is the official voice of Labour). Ms. Martin is a former Secretary of the National Tripartite Council (a statutory body charged to ensure the practice and promotion of sound industrial and labour relations in The Bahamas). She was recently elected as Chairman by the Council Executive Members to lead the Council for the 2021-2024 statutory period; she will hold the seat for Labour as mandated by the National Tripartite Council Act 2015 for the next three (3) years. This election is monumental as for the first time during its six (6) year existence, a woman will lead the organization.

She holds a Certificate of Achievement in Social Dialogue and Industrial Relations earned at The International Training Centre (ITC) of the International Labour Organization, Turin, Italy. She currently represents The Bahamas as a Delegate for the Workers on the Governing Body of the International Labour Organization (ILO). Ms. Martin is also the Focal Point for the 2nd Generation Bahamas Decent Work Country Program (DWCP).

Additionally, her service has also extended to the Education Loan Authority; where, as a Board Member, she functioned as Chairperson for the Allocation & Compensation Committee. With an interest in policy-making and support of women in full participation in public life, she sat as a founding Elected Officer (Secretary) of the Caribbean Women in Leadership (CIWiL) Bahamas National Chapter.

She worships at Bahamas Harvest Church (where she is a founding Member)and serves as a Worship Host.

Her indelible footprints in the sands of time cannot be denied

KHRYSTLE RUTHERFORD-FERGUSON

Chairman – Bahamas Chamber of Commerce & Employers' Confederation

Mrs. Khrystle Rutherford-Ferguson is serving her second consecutive term as the Chairman of the Bahamas Chamber of Commerce and Employers' Confederation (BCCEC), the premier voice of the business community in The Bahamas. As a result of this role, she sits on numerous statutory Government Boards and Committees, including the Bahamas National Statistical Institute.

By profession, Mrs. Rutherford-Ferguson is an Attorney-at-Law and is the Chief Operating Officer of a Bahamian Asset Management firm. She has extensive knowledge in the banking industry, corporate governance and law, having spent twelve (12) years at a retail bank holding various positions including heading the legal department as Legal Counsel and Corporate Secretary.

In April 2020, Mrs. Rutherford-Ferguson was appointed to the Economic Recovery Committee to make recommendations to the Cabinet of The Bahamas on the long-term recovery of economy, including job creation and stimulating business recovery and development in response to Covid-19.

In 2021, Mrs. Rutherford-Ferguson was appointed as a Director on the Board of Leno Corporate Services, a leading financial services firm. Other past appointments include; member of the National Coordinating Committee on Covid-19, Treasurer of the Bahamas Bar Council, Director of the Bahamas Financial Services Board, member of the Supervisory Committee (Audit Committee) of Teachers Salaried Workers Cooperative Credit Union, and member of the National Advisory Council for the introduction of Local Government to New Providence. She is the wife of Jevone Ferguson and they are the proud parents of two lovely boys, Maxwell and Camden Ferguson



Perspectives on Industrial Relations in The Bahamas



Industrial Relations In The Digital Age

BEVIL M. WOODING

Executive Director, Caribbean Agency for Justice Agency

Mr. Bevil Wooding is the Executive Director of Caribbean Agency for Justice Solutions and is a globally recognized technology evangelist and innovator. He has pioneered the development of solutions for modernizing courts and court processes and is actively engaged in supporting jurisdictions across the region in rapidly transitioning to online services.

He serves as an advisor to several Caribbean governments and regional institutions, including the CARICOM Secretariat, the Organization of Eastern Caribbean States (OECS), the Caribbean Telecommunications Union (CTU) and Caribbean Court of Justice (CCJ). He also serves in a senior leadership capacity in several international non-profit organization, including the American Registry for Internet Numbers (ARIN); Congress WBN, a UK registered global, faith-based charity; and the Caribbean Network Operators Group, CaribNOG.

His work has brought international attention to technology-enabled development in the Caribbean region, and he has been the recipient of numerous accolades for his contributions to regional development.

In 2010 he was also appointed by the Internet Corporation for Assigned Names and Numbers (ICANN), the international organization responsible to Internet domain names, as one of only seven people worldwide to hold "keys to the Internet" as a recovery-key shareholder.

In 2011 was selected as one of 50 individuals to receive a Distinguished Alumni Award from the University of the West Indies St. Augustine Campus.

In 2017, he was honoured at the 24th annual Caribbean American Heritage Awards for outstanding contributions in the field of Science and Technology

In 2019 the Caribbean Internet Governance Forum presented him with its Excellence in Internet Governance Award for his contributions to regional technology education, youth outreach, Internet development in the Caribbean region.

Our Keynote Speaker

DENNIS ZULU

Director – ILO Decent Work Country Program, Caribbean



Adapting to Changing Times

Mr. Dennis Zulu, on September 1st, 2020 was appointed Director of International Labour Organization (ILO) Decent Work Team and Office for the Caribbean by former Director-General of the ILO, Mr. Guy Ryder. Prior to his current assignment, Mr Zulu worked as Director for the ILO Country Office, Abuja with responsibility for Nigeria, Ghana, Liberia, Sierra Leone and Representative to the Economic Community of West African States (ECOWAS). There, he led development projects and activities on employment creation, entrepreneurship development, microfinance and social dialogue.

A native of Zambia, Mr Zulu brings extensive experience and knowledge of key issues related to the work of the ILO Caribbean Office.

Mr Zulu holds a degree in Economics and Public Administration from the University of Zambia; a Post Graduate Diploma from Stellenbosch University, South Africa; and a Master's Degree in Business Administration (Corporate Finance and Strategic Planning) from Mzumbe University, Tanzania.



PANEL DISCUSSION The Industrial Tribunal at Your Service... Online



The labour markets have changed dramatically over the past two years, due to the impact of the pandemic. From business collapses to supply chain disruptions, employers and employees alike have had to weather an unprecedented storm.

Tribunals and Courts also had to adapt and evolve. An increase in disputes, widespread closure of court facilities, and a traumatic shift to online modalities for hearings and judicial functions has set the foundation for entirely new considerations of where and how courts serve their constituents.

Our expert panelists will look at these issues and share their insights.

OUR PANELISTS



RICHARD WALL
Chief Technology Officer
Caribbean Agency for Justice Solutions



U PLAKARIS-KERRManager, Online Services
Bahamas Industrial Tribunal



KENNETH LIGHTBOURNEVice President Labour
Atlantis



ALMITRA JASMINE COLLIE Corporate Counsel Baha Mar

























TRIBUNA

















Notes



