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## PRESS RELEASE

### **Certification of Bargaining Units of the University of Belize Faculty and Staff Union**

*Belmopan. July 10, 2020. 3:20 p.m.*

The Ministry of Labour, Local Government and Rural Development hereby clarifies and corrects inaccurate information regarding the process of Certification of Trade Unions under the Trade Unions and Employers' Organizations (Registration, Recognition and Status) Act, Chapter 304, Revised Edition 2011.

The need to do this has arisen in the context of the imminent certification of the University of Belize Faculty and Staff Union as the sole bargaining agent to represent staff of the University of Belize who are members of the following units: (i) Full Time Faculty and Staff and (ii) Faculty and Staff on Temporary Assignment where they have been employed for two consecutive twelve-month contracts.

As set out in the law, the certification process is executed by the Tripartite Body, which comprises representatives from the Government of Belize, the National Trade Union Congress (NTUCB) and the Belize Chamber of Commerce and Industry (BCCI) as follows:

- Government: Mr. Gabriel Martinez, Chairman, Mr. Lloyd Enriquez and Ms. Carol Hyde
- NTUCB: Mr. Daniel Luna, Ms. Adelaida Guerra and Mr. Floyd Neal
- BCCI: Ms. Katherine Meighan, Mr. Nikita Usher and Ms. Suzette Tillett

The Ministry of Labour, through the Office of the Labour Commissioner, provides administrative and secretariat support for the work of the Tripartite Body.

The law requires that the following steps are taken to certify a union:

1. The union makes a written application to the Tripartite Body to be certified as the sole and exclusive bargaining agent, providing (a) a description of the proposed bargaining unit; and (b) evidence and facts which establish that the majority of the employees in the bargaining unit wish to have the trade union certified as their sole and exclusive bargaining agent.
2. A copy of the application and the information should also be provided by the trade union to the employer.
3. The Tripartite Body should make a decision on the application as expeditiously as possible, but in any case, not later than three months after receiving the application.
4. Upon receiving a copy of an application for the certification, the employer should write to the Tripartite Body within 14 days to indicate agreement or refusal to recognize the union.
5. The Tripartite Body then carries out a survey among the employees comprising the bargaining unit to determine that the trade union has the support of at least 51% of the employees in the bargaining unit.
6. Once all of this has been done, the Tripartite Body meets to formally certify the Union.

In the case of the University of Belize Faculty and Staff Union, the survey was conducted on January 10, 2020, which confirmed that the Union has the required support of the bargaining unit.

A meeting of the Tripartite Body was scheduled for January 29, 2020, which would have dealt with this matter, but this was postponed to the next meeting to address issues raised by the University of Belize. The meeting that should have been held on February 26, 2020, was postponed due to the illness of the Chairman. The next meeting should have been held on March 25, 2020, but due to the COVID-19 public health crisis, it was not. Thereafter, the Ministry closed its offices to the public and reopened in May.

On May 21, 2020, the Union contacted the Labour Department to find out the new date for the certification. On that said day, the Chairman was contacted to ascertain his availability. Tripartite Body meetings require six members for a quorum and so attempts were made to find a date on which a quorum could be established. The first attempt was for a meeting on June 24, 2020, and finally the date of July 29, 2020 was confirmed.

On July 9, 2020, an online meeting was held to discuss the matter. Present were Dr. Hon. Carla Barnett, Minister of State in the Ministry of Labour; Mrs. Sharon Young, CEO in the Ministry of Labour; the Labour Commissioner Ms. Anne Marie Thompson; Dr. Pio Saqui, President of the Union; and Dr. June Young, the Union's Communication and Membership Coordinator. The

certification process was again explained as well as the efforts being made by the Labour Department and the Tripartite Body to ensure that the certification takes place.

At that meeting, the Union representatives were also given the opportunity to speak about the challenges they indicated that they have been experiencing with the University of Belize. It was the first time that these challenges were brought to the attention of the Labour Department. The Labour Commissioner has requested an official report of these so that they can be expeditiously addressed within the provisions of the appropriate legislation.

The Ministry now advises that the Labour Department has been in consultation with the members of the Tripartite Body, which has agreed to bring forward the meeting to Monday, July 13, 2020. The Ministry thanks all the members for making themselves available to attend, whether in person or online.

It should be noted that between June 2019 to January 2020, two new trade unions were certified by the Tripartite Body: the KMHM Workers' Union and the Southern Workers' Union. This underscores the seriousness with which both the Tripartite Body and the Labour Ministry approach their role and responsibility. This particular delay in certifying the University of Belize Faculty and Staff Union reflects the exceptional circumstances brought on by the COVID-19 pandemic and other factors beyond the control of the Tripartite Body and the Labour Department.

The Ministry reassures the public that the Labour Department and the Tripartite Body will continue to uphold the freedom of association as enshrined in the Constitution of Belize, the Trade Unions and Employers' Organizations Act, and ILO Conventions No. 87 (Freedom of Association and Protection of the Right to Organize Convention, 1948), and No. 98 (Right to Organize and Collective Bargaining Convention, 1949).

**Ends**