

LUCELEC Statement on Retirement Age Ruling & Strike Notice By CSA

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Submitted by cjoseph on Fri, 2018-09-07 08:55

Castries, September 7, 2018 – St. Lucia Electricity Services Limited (LUCELEC) operates within the law. There was a dispute between the Civil Service Association (CSA) and LUCELEC on the interpretation of the law regarding the retirement age. The CSA represents the Company’s Grade 1 employees (Junior Staff). The matter went before the Labour Tribunal which ruled in favour of the CSA.

LUCELEC has decided to apply to the High Court for judicial review of the Tribunal’s decision. This is in accordance with Section 448 of the Labour Code which entitles “any party to a matter before the Tribunal to apply to the High Court for judicial review in respect of any decision of the Tribunal” on various grounds. The Company is therefore exercising its right, under the law, to have a judicial review of the ruling of the Tribunal on the retirement age.

This is perfectly legal. In fact, long before the ruling, the CSA representatives had indicated more than once that if the ruling on that matter went against them they would put the matter up for judicial review and take it further, if necessary.

On the matter of the Strike Notice issued against the Company by the CSA, LUCELEC can confirm the Company has received a copy of the strike notice filed with the Minister for Labour, which is to take effect on September 10. The notice is related to a long standing dispute on a grade structure and its inclusion in the Collective Agreement for the period 2011 – 2013. That matter is also before the Labour Tribunal. In fact, the Company and the CSA met with the Labour Tribunal on August 23 and 30, and this matter is currently being heard by the Tribunal.

Notwithstanding, the CSA has not lifted the Strike Notice although Section 392 (1) of the Labour Code says “a person shall not take part in industrial action in connection with a trade dispute in an essential service during the period that the matter is before the Tribunal or where the Minister has referred the matter for settlement in accordance with Section 391 (3).” LUCELEC is an essential service, as defined by the law.

LUCELEC would like to clarify that there are no monies owed to the Grade 1 staff in relation to the unsigned 2011 – 2013 Collective Agreement. The Company has provided to the staff all benefits and retroactive payments including the wage increases of 4%, 2% and 2% negotiated for that period despite the agreement not being signed. In addition two proposals made by the Company in an effort to resolve this matter have been rejected by the CSA without even offering a counter proposal.

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