

“YEAR OF YOUTHFULNESS”

PUBLIC SERVICE MINISTRY

CIRCULAR NO. 14/1985

REFERENCE NO. PS:22/0/3II

FROM: Permanent Secretary,
Public Service Ministry.

SUBJECT:

TO: All Permanent Secretaries,
Heads of Departments and
Regional Executive Officers.

Breach of the Agency Shop Agreement.

DATE: 1985-07-11

I attach for your information a copy of the agreement concerning the Check-Off of Agency Fees.

It has been brought to the attention of this Ministry that Ministries/ Department/ regions are not submitting monthly returns to the unions in relations to recruitment of employees, and that separate lists indicating which employees are paying Union Dues or Agency Shop Fees do not accompany the remittances. This constitutes a breach of clause 5 of the Agreement and hinders the Unions from discharging the responsibilities set out in clauses (6), (7) and (8) thereof.

Please ensure that immediate steps are taken by the relevant officers in your organizations to correct the above situation.

.....
J. McCurdy
For Permanent Secretary.

“HEALTH AND EDUCATION YEAR”

PUBLIC SERVICE MINISTRY

CIRCULAR NO. 43/1976

REF:NO PS: 22/0/3

FROM:	Permanent Secretary Public Service Ministry	
TO:	All Permanent Secretaries And Heads of Departments	SUBJECT: Agreement Concerning the check off Agency Fees
DATED	24 th August, 1976	

With reference to Public Service Ministry Circular No. 7/1976 dated 27th February, 1976 on the subject “Introduction of Agency Shop in the Public Service,” I forward herewith for your information and necessary action, copies of the agreements concerning the check-off of agency fees, executed between this ministry (representing the Government of Guyana) and (i) the Guyana Public Service Union and (ii) the federation of Unions of Government Employees.

Please ensure that all officers are made aware of their provisions which should be honoured in-so-far as their obligations related to your Ministry/Department.

The attachment to Appendix A of the Agreement is the up-dated version of the attachment to the Circular under reference, and should be substituted therefore.

Sgd. C.E. DOUGLAS
C.E. DOUGLAS
Permanent Secretary.

MEMORANDUM OF AGREEMENT

BETWEEN
THE PUBLIC SERVICE MINISTRY representing THE GOVERNMENT OF GUYANA
(herein after called the Ministry)

and
THE GUYANA PUBLIC SERVICE UNION
(a Registered Union under the trade Union Act
- hereinafter called the Union)

CONCERNING CHECK-OFF OF AGENCY FEES

This agreement entered into the 29th day of July, 1976, between the Ministry and the Union expresses the understanding of the Ministry and the Union on the matters contained herein, and shall come into effect on the 1st March, 1976.

It is agreed that:-

- 1) The purpose of this agreement is to fix for such employees identified in the Public Service Ministry Circular No. 7/1976 dated 27th February, 1976 (attached hereto as Appendix A) and in any subsequent amendments thereto as falling within the traditional unit of the Union, the conditions and procedures under which Permanent Secretaries/Head of Departments of the Public Service, agree to check-off agency fees from salaries of full-time employees as set out in Schedule I to Appendix A (including those on probation) recruited to the Public Service on or after 1st March, 1976, in favors of the Union.
- 2) For the purpose of this agreement –
 - a) The term ‘Public Service’ shall mean those Ministries and Departments including the Transport and Harbour Department appearing in the Estimates (current and Capital) of Guyana from year to year, as passed by the National Assembly;
 - b) The tern ‘Agency Fee(s) shall mean that amount payable in lieu of union dues by Public Service employees who exercise the option of not becoming a member of the appropriate union (See Clause (1) above) at the time of recruitment into the Public Service.
- 3) The Permanent Secretary/Head of Department will deduct Agency fees from the salary of an employee identified in Clause (1) who exercises the option of not being a member of the Union, and will remit such fees to the general Secretary of the Union.
- 4) Agency Fees shall be a sum equivalent to the Union Dues which may, from time to time, be fixed in accordance with the registered rules of the Union and shall be notified by the General Secretary, of the Union to the Permanent Secretary, Public Service Ministry, who will notify all Permanent Secretaries/ Head of Departments.
- 5) The Permanent Secretary/Head of Department shall furnish the General Secretary of the Union with a monthly return of employees recruited on or after the 1st March, 1976, together with a statement accompanying the monthly remittance of Union Dues deducted in favor of the union.
- 6) The Union shall apportion not less than twenty-five percent of Agency Fees received by the union (a) for financing Worker Education Programs which might be undertaken by the Union, the trade Union Congress or the Critchlow Labor Collage and/or (b) as donations given either wholly or in part to such social institutions as maybe approved by the Minister of labor, in consultation with the Ministry and the Union.

- 7) The Union shall keep a register showing the names of each employee from whom Agency Fees are collectable and the amount of fees collected.
- 8) The Union shall keep a separate account of Agency Fees received and shall furnish the Register of Trade Unions and the Ministry, not later than in the month of May of the following year, annual statements in an approved form, duly audited by the Director of Audit of the Agency fees received and the manner in which the fees have been disbursed. For the purpose of the audit, the annual statements in the approved form shall be submitted to the director of Audit not later than 31st March preceding the due date of the filing of audited annual statements as required above.
- 9) In consideration for the Agency Fees paid to the Union every employee shall be entitled to full Union representation on any matter of concern to the employee and the Union shall render such full representation on any matter of concern to the employee.
- 10) The Union shall identify the Ministry and shall be responsible for any liabilities arising from any action taken by the Ministry in compliance with the terms and conditions of this agreement.
- 11) This agreement shall take effect from 1st March, 1976, and shall continue in force unless terminated by the giving of not less than ninety days notice of intent to terminate by either party.
- 12) Not less than thirty days notice shall be given in writing by the Ministry or the Union if either seeks approval of the other for any amendments of this Agreement and such agreement shall be mutual consent.
- 13) Any notice to amend this Agreement shall contain the proposed amendment(s) and be addressed to the Permanent Secretary, Public Service Ministry or the General Secretary of the Union as the case may be.
- 14) The Ministry grants to the Union the facilities of Agency Fees on condition that the clauses of this Agreement and any amendment(s) hereto are observed.
- 15) This agreement is without prejudice to any future legislation on the subject.

Signed on behalf of the
Public Service Ministry.

Sgd CD Douglas

Countersigned Sgd F A Eytte
Chief Labor Officer

Dated 29th July, 1976

Signed on behalf of the Guyana
Public Service Union.

Sgd N E Semple
President

Sgd F O Emery
Treasurer

APPENDIX A

PUBLIC SERVICE MINISTRY

CIRCULAR NO. 7/1976
(MP. PS: 22/0/311)

FROM: Permanent Secretary, Public Service Ministry

TO: All Permanent Secretaries and Heads of Departments.

DATED: 27th February, 1976.

SUBJECT
Introduction of Agency
Shop in the Public Service.

Cabinet has agreed to accord Agency Shop facilities to the Guyana Public Service Union and to affiliates of the Federation of Unions of Government Employees

In order to give effect to this decision you are asked to include as a condition of their employment and continuing employment system, in the terms and conditions of employment of new entrants into the Public Service as from the 1st March, 1976 unless he/she from salaries/wages will be equivalent to the dues charged by the appropriate Union.

It is intended that the agency Shop facilities should apply only in respect of the occupations and/or classifications traditionally represented by individual Unions. Attached hereto are details in this regards.

This Ministry will be holding meeting with the Guyana Public Service union and the Federation of Unions of Government Employees with the view of arriving at formal agreements on the further application of Agency Shop facilities including the determination of the use to which such fees should be applied and the extent of service to be rendered or made available to an employee paying agency fees. However, it should be made clear that the introduction of Agency Shop facilities is without prejudice to any further legislation on the subject.

Sgd. C.E. DOUGLAS
C.E. DOUGLAS
Permanent Secretary

Representational Units in the Public Service

By Union

SCHEDULE 1

Union

Traditional Units

1. Guyana Public Service Union

(i) Permanent Establishment
- Pensionable and non-pensionable
with the exception
particularized below.

(ii) Medical Employees

SCHEDULE II

Affiliates of the Federation of Unions of Government Employees

UNION

TRADITIONAL UNITS

Postal and Telecommunications Workers
Union

Post Office Employees

Transport and General Workers' Union

Transport and Harbours Department
Employees

National Union of Public Service Employees

Open Vote Employees-
Ministry of Works and Housing
Open Vote Employees

Ministry of Agriculture- Hydraulics,
Land Development, Survey Divisions and Projects

Ministry of Works and Housing- Roads, Buildings,
Mechanical Division, Survey, Stores, Quarries, Clay
Brick factory, Upper Mazaruni Road Project, Project
Watchmen.

Ministry of Information and Culture-
Museum and Zoo.

Ministry of Energy and Natural Resources-
Geological Division: Survey,
Forestry mines and Projects.
Cleaners

Permanent Establishment- Non Pensionable
Artisan Group.

MEMORANDUM OF AGREEMENT
BETWEEN
THE PUBLIC SERVICE MINISTRY represents THE GOVERNMENT OF GUYANA
(herein after called the Ministry)
and
THE FEDERATION OF UNIONS OF GOVERNMENT EMPLOYEES
(a Registered union under the Trade Unions Act- Hereinafter called the Union)
CONCERNING CHECK-OFF OF AGENCY FEES

This agreement entered into this 29th day of July, 1976 between the Ministry and the Union expressed the understanding of the Ministry and the Union on the matters contained herein, and shall come into effect on 1st March, 1976,

It is agreed that:-

The purpose of this agreement is to fix for such employees identified in Public Service Ministry Circular No. 7/1976 dated 27th February, 1976 (attached hereto as appendix A) and in any subsequent amendments thereto as falling within the traditional unit of the union, the conditions and procedures under which Permanent Secretaries/ Heads of Departments of the Public Service, agree to check- off Agencies Fees from Salaries/ Wages of Full-time/ regular employees as set out in schedule 11 to Appendix A (including those on probation) recruited to the Public Service on or after 1st March, 1976, in Favour of the Union.

For the Purpose of this Agreement –

The term Public Service shall mean those ministries and Department including the transport and harbours department appearing in the Estimates (Current and capital) of Guyana from Year to Year, as passed by the National Assembly;

The term ‘agency Fees(s) shall mean that amount payable in lieu of union dues by a Public Service employee who exercise the option of not becoming a member of the appropriate union (see clause (1)) above at the time of recruitment into the Public Service.

The permanent Secretaries/ Head of Department will deduct Agency fees from the salary of an employee identified in clause (1) who exercises the option of not being a member of the Union, and will remit such fees to the General Secretary of the Union.

Agency fees shall be a sum equivalent to the Union Dues which may, from time to time, be fixed in accordance with the registered rules of the union and shall be notified by the General Secretary of the union to the Permanent Secretaries, Public Service Ministry, who will notify all permanent Secretaries/ Heads of Departments.

The Permanent Secretaries/ heads of Departments shall furnish the General Secretary of the union with a monthly return of employees recruited on or after 1st March, 1976, together with a statement accompanying the monthly Remittance of agency fees separate and distinct from the monthly statement accompanying remittance of union dues deducted in favour of the union.

The union shall apportion not less than twenty-five per- centum of agency fees received by the union (a) for financing workers Education Programme which might be undertaken by the union, the trade union congress or with the Critchlow labour collage and/ or (b) as donations given either wholly or in part to such social institutions as may be approved by the Minister of Labour in consultation with the Ministry and the Union.

The union shall keep a Register showing the name of each employee from whom Agency Fees are collectible and the amount of such Fees collected.

The Union shall keep a separate account of agency fees received and shall furnish the registrar of Trade Unions and the Ministry, no later than in the mo of may of the following year, annual statements, in an approved form, duly audited by the Director of Audit of the Agency Fees Received and the manner in which such fees have been disbursed for the purpose of the Audit, the annual statement in the approved form shall be submitted to the director of Audit as far as practicable not later than 1st may preceding the due date of the filing of audited annual statements as required above.

In consideration for the Agency Fees paid to the Union every employee shall be entitled to full Union representation on any matter of concern to the employee and the Union shall render such full representation on any matter of concern to the employee.

The Union shall indemnify the Ministry and shall be responsible for any liabilities arising from any action taken by the Ministry in compliance with the terms and conditions of this Agreement.

This agreement shall take effect from 1st march, 1976, and shall continue in force unless terminated by the given of not less than ninety days notice of intent to terminate by either party.

Not less than thirty days' notice shall be given in writing by the Ministry of the Union if either seeks approval of the other for any amendment of this agreement and such amendment shall be by mutual consent.

Any notice to amend this agreement shall contain the proposed amendment(s) and be addressed tot eh Permanent Secretary, public Service Ministry or the General Secretary of the Union as the case may be.

The ministry grants to the Union the facilities of Agency Fees on condition that the clause of this agreement and any amendment(s) hereto are observed.

This agreement is without prejudice to any future legislation on this subject.

Signed on behalf of the Public Service
Ministry

Sgd C.E Douglas
Permanent Secretary

Signed on behalf of the Federation of Unions
Government Employees

Sgd E.Bolton
For President

Sgd S.O. Felix
Secretary

Treasure

Witness to Federation of Union of
Government Employees Endorsement

- | | | |
|---|---|--|
| I. Guyana Postal and
Telecommunications
Workers Union | <u>Sgd S.O Felix</u>
President | <u>Sgd R.F Beerom</u>
General Secretary |
| II. Amalgamated Transport
and general Workers Union | <u>Sgd J. Langry</u>
President | <u>Sgd F. W Facey</u>
General Secretary |
| III. National Union of Public
Service Employees | <u>Sgd E Bolton</u>
President | <u>Sgd J. kanden</u>
General Secretary |
| IV. Government Employees
Union | <u>Sgd A Waddy</u>
President | <u>Sgd S lashley</u>
General Secretary |
| V. Union of Agricultural and
Allied Workers | <u>Sgd t Rudder</u>
President | <u>Sgd S Baichan</u>
General Secretary |
| Countersigned | <u>Sgd f.A Eytle</u>
Chief Labour Officer (ag) | |

Dated 29th July, 1976

APPENDIX A

PUBLIC SERVICE MINISTRY
CIRCULAR NO. 7/176
(MP.PS:22/0/3 II)

FROM: Permanent Secretary, Public Service Ministry.

TO: All Permanent Secretaries and heads of Departments.

DATED: 27th February, 1976

SUBJECT

Introduction of Agency shop in
the Public Service.

Cabinet has agreed to accord Agency Shop facilities to the Guyana Public Service union and to affiliates of the federation of unions of Government Employees.

In order to give effect to this decision you are asked to include as a condition of their employment and continuing employment in the Public Service the Payment of Agency fees by the check-off system, in the terms and condition of their employment and continuing employment in the Public Service the payment of Agency Fees by the check-off system, in the term and conditions of employment of new entrants into the Public Service as from the 1st March, 1976 unless he/she chooses to become a member of the Union. The agency fees to be deducted from salaries/wages will be equivalent to the dues charged by the appropriate Union. The Agency fees to be deducted from salaries/ wages will be equivalent to the dues charged by the appropriate Union.

It is intended that the Agency Shop facilities should apply only in respect of the occupations and/or classifications traditionally represented by individual Unions. Attached hereto are details in this regard.

This ministry will be holding meetings with the Guyana Public Service Union and the Federation of unions of Government Employees with the view to arriving at formal agreements on the further application of agency shop Facilities including the determination of the use to which such fees should be applied and the extent of service to be rendered or made available to an employee paying agency fees. However, it should be made clear that the introduction of agency shop facilities is without prejudice to any future legislation on the subject.

Sgd. C.E DOUGLAS
C.E. DOUGLAS
Permanent Secretary

Representational Units in the Public Service
By Union

SCHEDULE

<u>UNION</u>	<u>TRADITIONAL UNITS</u>
Guyana Public Service Union	Permanent Establishment Pensionable and Non- Pensionable with the exception particularized below
	Medical Employees

SCHEDULE 11

Affiliates of the Federation of Unions of Government Employees

<u>Union</u>	<u>Traditional Units</u>
1. Postal and Telecommunications Workers Union 2. Transport and general Workers' Union 3. National Union of Public Service Employees	Post Office Employees i. Transport and Harbors Department Employees ii. Open Vote Employees- Ministry of Works and Housing A. Open Vote Employees i. Ministry of Agriculture – Hydraulics, Land Development, Survey Division and Projects. ii. Ministry of Works and Housing – Roads, Buildings, Mechanical Division, Survey, Stores, Quarries, Clay Brick factory, Upper Mazaruni Road project, Projects and Watchmen iii. Ministry of Information and Culture – Museum and Zoo iv. Ministry of Energy and Natural Resources – Geological Division: Survey, Forestry, Mines and Projects

	<ul style="list-style-type: none">B. CleanersC. Permanent Establishment – Non – Pensionable Artisan Group
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“HEALTH AND EDUCATION YEAR”

PUBLIC SERVICE MINISTRY CIRCULAR NO.51/1976 REF.NO.PS:22/0/3II

FROM: Permanent Secretary,
 Public Service Ministry.

TO: All Permanent Secretaries
 And Heads of Departments.

DATED: 27th October, 1976.

SUBJECT

Amendment to Public Service Ministry
circular No. 7/1976 dated 27th February
1976.

Public Service Ministry Circular No. 7/1976 dated 27th February, 1976 (Appendix A to the agency fees Agreement) is hereby amended by the inclusion under schedule II of the attachment thereto, of the following:-

Union

Union of Agricultural and Allied workers

Traditional units

Ministry of Agriculture- all open Vote Employees and Employees holding posts elevated from the open vote Establishment to the Permanent Establishment – non- Pensionable through the Job Evaluation exercise who are attached to the Agricultural Division of the Ministry, with the exception of supervising staff e.g. foremen.

Sgd .C.E. Douglas

C.E. Douglas
Permanent Secretary

