

Registration Recognition and Certification Board Guide to Worker Concerning Agency Shop Orders

(Sections 71 to 76 of the Industrial Relations Act)

Your Employer is requested to post this notice 60 that the Registration Recognition and Certification Board could inform you of what is meant by an Agency Shop Order and what your basic rights are regarding such an Order.

PRELIMINARY

You have the right under the law to be or not to be a member of a trade union; and if you are a member of a trade union, to take part in the activities of such trade union. An "Agency Shop Order" means an order made by the Board which is binding on your Employer and the recognised Majority Union.

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Agency Shop Order In this case the Trinidad and Tobago Unified Teachers' Association and all the workers in the bargaining unit for which the Union is certified, whereby it will be directed that the terms and conditions of employment of such workers shall include a condition that every worker (whether a member the union or not) must pay a sum of money equivalent to the Union's authorised contribution.

Payment of Contribution The amount of contribution which must be paid is 1% of the minimum salary of a Teacher¹ in the last year of the collective agreement, rounded upwards to the nearest five (\$5) dollars per month and your Employer is required by law to deduct these contributions and to pay over to the Union 50 per cent of the amount.

You Choose to Whom Half of The Contribution is Paid. Either the Union, Labour College, or Industrial Relations Charitable Fund The remaining 50 per cent of the contribution can only be paid to the Union if you authorize the employer to do so. If you do not give this authorization the remainder of the contribution will be paid (automatically) to the CIPRIANI LABOUR COLLEGE unless you stipulate in writing that you want the money to be paid into the Industrial Relations Charitable Fund for the use of institutions or organizations for the physically and mentally handicapped.

REQUIREMENTS BEFORE AN AGENCY SHOP ORDER IS MADE

The Board must be satisfied that the Union is certified for the bargaining unit; that it functions under proper rules and regulations; that its officers are elected and are removable by simple majority in a democratic manner; and that any power to waive the payment of dues is limited to cases of genuine hardship and in accordance with good industrial relations practice.

Provisional Order When the Board is satisfied with the requirements, it will make a PROVISIONAL ORDER setting out:

- a) The name and address of the Union and the Employer.
- b) The total contribution deductible.
- c) The amount to be paid to the Union.
- d) The amount payable to the Cipriani Labour College or the Industrial Relations Charitable Fund as authorized in writing by the worker.

You Vote by Secret Ballot For or Against The Order Where the Board makes a provisional order, it shall, within twenty-eight (28) days of the making thereof, proceed to take a secret ballot so that the workers in the bargaining unit may have an opportunity to exercise their choice in the matter.

Two Thirds Majority Required

FINAL ORDER

Your Right to Representation by the Union The Board will only make a FINAL AGENCY SHOP ORDER if two-thirds or more of the workers comprised in the bargaining unit for which the Union is certified vote in favour of the making of the final order.

Secret Ballot Required for Increased Contributions Where an agency shop order is in force the recognized majority union shall represent every worker comprised in the bargaining unit for which it is certified in any dispute in which the worker is concerned, and the recognized majority union may not refuse so to represent a worker by reason only of the fact that such worker is not a member of the union; and if a recognized majority union fails so to represent workers comprised in the bargaining unit for which it is certified the Board may rescind the Agency Shop Order on the application of any worker thereby aggrieved.

Applications in Restraint of Order Two years after the Order is in force the Union may apply to the Board for an increase in the contribution. This increase will only be granted if two-thirds of the workers in the bargaining unit vote in favour of such an increase.

Secret Ballot Required Two years after the Order is in force, twenty per cent of the workers in the bargaining unit may apply to the Board to have the Order terminated. However, where a (simple) majority of the workers comprised in the bargaining unit do not vote in favour, the Board shall not terminate the Agency Shop Order.

This Is An Official Notice of The Registration Recognition and Certification Board Established Under The Industrial Relations Act and Must Not Be Defaced By Anyone.