

Labour Relations Section

MINISTRY OF HOME AFFAIRS– GABRIELLE CANN, MANAGER



GOVERNMENT OF BERMUDA
Ministry of Home Affairs

OUR STAFF

Labour Relations Manager – Gabrielle Cann

Labour Relations Officer – Lauren Smith

Labour Relations Officer – Marcelle Beach

Administrative Assistant – Shawne Stephens



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RESPONSIBILITY

To educate employers and employees on Bermuda's labour laws;
Investigate and mediate labour complaints while remaining neutral;
Make appropriate referrals of unsettled complaints to the appropriate body for determination; and
Facilitate the process of union certification and decertification.



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LEGISLATION

Employment Act 2000

Labour Relations Act 1975

Labour Disputes Act 1992

Trade Union Act 1965



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EMPLOYMENT ACT 2000

- Sets out the minimum standards for the terms and conditions of employment for persons working full time in Bermuda.
- Comprise the majority of the work managed by the Labour Relations Section.

Labour Relations Officer:

- ascertain whether the complaint is valid and conduct an investigation into the complaint;
- mediate the parties to a resolution;
- if a resolution cannot be reached, refer the complaint to the Employment Tribunal for determination.



LABOUR RELATIONS ACT 1975

- Settlement of labour disputes via mediation or arbitration
- Establishes and governs the procedures for the settlement of labour disputes within essential industries and essential services.
- If a resolution cannot be reached, referred to the Minister of Home Affairs for consideration and referral to the appropriate board or arbitration panel:
 - Permanent Arbitration Tribunal
 - Essential Industries Disputes Settlement Board
 - Mediator
 - Sole Arbitrator, Arbitrator and assessors



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LABOUR DISPUTES ACT 1992

- Establishes a Labour Disputes Tribunal where it is expedient for the settlement of certain labour disputes within a non essential service/industry
- If resolution cannot be reached and both parties do not consent to the referral of the dispute under the Labour Relations Act 1975, dispute referred to the Minister of Home Affairs for consideration and referral to the Labour Disputes Tribunal.



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TRADE UNION ACT 1965

- Governs certification and decertification of Unions in the private and public sectors.
- Labour Relations Officer reviews the certification application, assists the parties in determining the bargaining unit and conducts a secret ballot of the Employees to declare whether or not the Union will act as their sole bargaining agent.
- Parties have a right to appeal the Order granting or refusing certification.
- Labour Relations Officer, upon receipt of an application for decertification from the Employer or a group of Employees, inquires into the reasons for the application and conducts a secret ballot of the Employees to determine whether or not the Union will be removed as the sole bargaining agent.



CORE LABOUR RELATIONS SERVICES

Consultations

Investigation of Complaints

Referrals to Employment Tribunal

Union Decertification

Mediation

Union Certification

Conciliation

Referrals to the Ministry of Home
Affairs



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