

FIFTH REPORT OF THE SALARIES REVIEW COMMISSION

THE PUBLIC SERVICE APPEAL BOARD

This Report is concerned exclusively with the remuneration of the Chairman of the Public Service Appeal Board.

2. The Public Service Appeal Board is a body of persons established under Section 130 of the Constitution of the Republic of Trinidad and Tobago to hear appeals from public officers against decisions taken against them in disciplinary cases by the respective Service Commissions. The Public Service Appeal Board has replaced the Review Board for which provision was made in Section 102 (2) of the 1962 Constitution of Trinidad and Tobago.

3. The establishment of the Public Service Appeal Board under the present Constitution of the Republic of Trinidad and Tobago was aimed at completing the structure of the judicial process pertaining to public officers falling under the purview of the Service Commission in a way which would remove the constitutional anomaly of the former Review Board procedures which left the Commissions with the power of finally determining appeals against decisions taken by them in disciplinary cases. Under the old procedures the Commissions were ultimately judges in their own cause in appeals in disciplinary cases.

4. The establishment of the Public Service Appeal Board was also intended to compensate for the ouster of the High Court's jurisdiction of matters concerning public officers which fall under jurisdiction of the Service Commissions. In this respect it is significant that the Constitution now provides for the Board to be headed by a Judge or retired Judge of the High Court.

5. In this context Service Commission means the Judicial and Legal Service Commission, the Public Service Commission, the Teaching Service Commission and the Police Service Commission. The workload of the Board is expected to increase with the addition of officers of the Statutory Authorities Service Commission.

6. In May, 1981, we had recommended certain salaries and allowances for the Chairman and Members of the Board which we considered appropriate. At that time, the Chairman was a Justice of Appeal. Subsequent developments have made it necessary to take a fresh look at the pay structure and to adjust it where necessary.

7. We find it both logical and appropriate to give precedence to the establishment of what does not now exist, viz, the salary and terms and conditions of service of a Chairman who is an Ex-Judge.

8. We have had the advantage of the assistance of the Director of Personnel Administration who made written and oral submissions regarding the workload and responsibilities of the office of Chairman of the Board. The Commission also interviewed the present Chairman of the Board on the question of judicial and administrative aspects of the work of the Board and the full weight of the responsibilities of this appointment. We are satisfied that the workload and jurisdiction have expanded significantly since our last review.

9. We have given careful consideration to all the relevant factors. We have concluded that this appointment should be full-time and that the salary and terms and conditions of service ought to be equated with those of a Justice of Appeal.

10. In the light of these considerations, we recommend as follows:-

Salary	-	\$7,500.00 per month
Housing	-	Free, furnished super-grade quarters or an allowance of \$750.00 per month in lieu thereof.
Transport	-	<ul style="list-style-type: none"> (i) A maximum loan of \$25,000.00 to facilitate the purchase of a motor car with full exemption from Motor Vehicles Tax; (ii) A loan to cover the cost of Motor Vehicle Insurance premium; (iii) A Chauffeur Allowance equivalent to the minimum salary of a Chauffeur II in the Public Service; (iv) A Commuted Travelling Allowance of \$450.00 per month.
Subsistence		When travelling on official business beyond a radius of ten miles from official headquarters, he should be paid a Subsistence Allowance of \$40.00 per day.
Overseas Travel Facilities		<ul style="list-style-type: none"> (i) In every alternate year, a passage allowance to be provided for the Chairman, his wife and dependant children under the age of eighteen; (ii) The passage allowance not to exceed the cost of three adult, return air fares by the most direct route to Kingston, Jamaica; (iii) For every alternate occasion, the Passage Allowance not to exceed the cost of three adult, first class, return air fares to the United Kingdom.
Gratuity		A gratuity of twenty (20) percent of basic salary to be provided at the end of his term of office.

Entertainment	An Entertainment Allowance of \$250.00 per month.
Medical Benefits	The Chairman to be entitled to operative treatment, X-Ray, bacterial, topical and pathological examination and physiological treatment and to all incidental hospitalization services at any hospital or State Institution established and maintained by the State under the Hospitals Ordinance; or where these services are not available at such hospital, to be paid the cost of such treatment and services at any other hospital, institution or nursing home in Trinidad and Tobago.

11. The date from which all payments should take effect ought to be 28th August, 1981.

Mitra G. Sinanan
Sgd. -----
Mitra G. Sinanan (Chairman)

Louis G. Rostant
Sgd. -----
Louis G. Rostant

Rodney St. Rose
Sgd. -----
Rodney St. Rose

Leonard Williams
Sgd. -----
Leonard Williams

Dated this 20th day of May, 1982