

EIGHTY- FIFTH REPORT

OF THE

SALARIES REVIEW COMMISSION

OF THE

REPUBLIC OF TRINIDAD AND TOBAGO

December 3 , 2007

EIGHTY-FIFTH REPORT OF THE SALARIES REVIEW COMMISSION

Determination of the salary and other conditions of service of the office of Chief Election Officer

By letter dated July 31, 2007, the President of the Republic of Trinidad and Tobago conveyed his approval for the Salaries Review Commission (SRC) to determine the salary and other conditions of service of the office of Chief Election Officer, Elections and Boundaries Commission (EBC). This office was placed within the purview of the SRC by virtue of Legal Notice No. 18 dated January 29, 2007.

2. The EBC was established under section 71 of the Constitution of Trinidad and Tobago to direct and supervise the registration of voters and the conduct of elections. In the discharge of its functions, the Commission exercises general direction and supervision over the administrative conduct of elections and enforces on the part of all election officers fairness, impartiality and compliance with the Representation of the People Act, Chap. 2:01.

3. We have been advised that following the findings of the Commission of Enquiry into the functioning of the EBC in 2002, steps are being taken to strengthen the management structure of the EBC Department with significant attention being placed on increasing Human Resource Management and Information Systems capabilities within the organisation. In this regard, there has been an expansion of the Data Processing Unit with the employment, on contract, of persons in a number of critical positions such as Information Technology (IT) Manager, IT Security Officer, IT Auditor, Network Administrator and Database Administrator. Also, we are advised that a Human Resource Unit is to be established and that, as an interim measure, a Human Resource Specialist has been employed on contract.

Role and Function of the Chief Election Officer

4. The office of Chief Election Officer, which is the top public service position in the EBC Department, was established under Part I, section 3(2) of the Representation of the People Act and the office holder performs such functions and duties and exercises such powers of the EBC in the manner that it may, from time to time, direct.

5. In addition to his statutory responsibilities, there is now greater recognition of the role which the office holder must play as the top executive in an organization which is critical to supporting a democratic society. In this regard, we are advised that emphasis is being placed on the office holder's strategic responsibilities for planning, organizing and directing the activities of the

Department and the need for an incumbent to be knowledgeable about Human Resource Management as well as Information Systems.

Duties and Responsibilities

6. The duties of the office of Chief Election Officer as outlined in the Representation of the People Act include the following:-

- (a) to make such arrangements and do such things as are necessary for the initiation and maintenance of the unit and central registers (of voters) in accordance with the Act, and for that purpose to make arrangements for the preparation and issue of the necessary forms and instruments and for the collection and keeping of such records as may be necessary;
- (b) to issue to election officers such instructions as he may, from time to time, deem necessary to ensure the effective execution of the provisions of the Act; and
- (c) to execute and perform all other powers and duties that are conferred or imposed on him by the Act or by the EBC.

7. The major responsibilities of the office are as follows:-

- Planning, organizing and directing the technical and administrative services of the EBC Department.
- Developing the strategic plans of the organization, conducting periodic reviews and submitting recommendations for changes and modifications thereof.
- Formulating and reviewing policies and monitoring their implementation.
- Providing policy and technical advice and decision-making support to the EBC.
- Serving as the Accounting Officer and procurement officer of the EBC.
- Monitoring and evaluating Parliamentary elections and elections of the Municipal Corporations and Tobago House of Assembly to ensure compliance with relevant legislation.
- Developing policy for the evaluation and selection of contracted services, negotiating terms and conditions, monitoring the delivery of

the services contracted and evaluating ongoing and completed contracts.

Educational Qualifications and Training

8. The incumbent is required to have training as evidenced by a degree from a recognized university including courses in Human Resource Management and Information Systems; or any equivalent combination of experience and training. Additionally, the position calls for extensive experience in the management of electoral affairs as well as considerable experience in an administrative capacity.

Recommendations

9. In reviewing the terms and conditions of the office of Chief Election Officer, we have taken cognisance of the fact that the office holder undertakes significant functions which are set out in legislation. This imposes certain obligations on the incumbent. Additionally, those responsibilities are national in scope and are essential to ensuring the protection of one of the fundamental rights of persons in a democratic society, that is, the right to vote for a representative of their choice. In this regard, we note that the Chief Election Officer is required to perform with a high level of independent judgment based on existing policies and legislation and we recognize that because of the level of responsibility entrusted to the holder of the office, decisions made by the office holder can impact on the constitutional rights of citizens. We note also that the Chief Election Officer is the Accounting Officer of the Department, responsible under the Exchequer and Audit Act, Chap. 69:01 for the management of the finances of the EBC Department.

10. Given the scope of the functions of the office as well as its duties and responsibilities, we are of the view that the office of Chief Election Officer should be placed in Group 2B of the Top Managers in the Public Service grouping with the following remuneration arrangements:-

Salary

\$24,400 per month.

Transport Facilities

- (i) A maximum loan of \$175,000 at a rate of interest of 6% per annum repayable over a period of six (6) years to facilitate the purchase of either:-
 - (a) a new motor vehicle with exemption from Motor Vehicle Tax limited to the amount payable on a vehicle with an engine

capacity of 1999cc and exemption from Value Added Tax to a maximum of \$30,000; or

- (b) a used motor vehicle with exemption from Special Motor Vehicles Tax limited to the maximum amount payable in respect of Motor Vehicle Tax on a vehicle at (a) above and exemption from Value Added Tax to a maximum of \$30,000.
- (ii) A loan to cover the cost of Motor Vehicle Insurance premium at a rate of interest of 6% per annum.
- (iii) A maximum loan of \$20,000 at a rate of interest of 6% per annum to effect repairs to a motor vehicle.
- (iv) A Transportation Allowance of \$2,750 per month.

Service Allowance

\$3,500 per month.

Subsistence Allowance

- (i) \$100 per day when travelling on official business beyond a radius of sixteen (16) kilometres from official headquarters.
- (ii) When on duty in Tobago, the office holder to be eligible for hotel accommodation and meals, as necessary. In the absence of the provision of any meal(s), to be paid \$100 per day.
- (iii) For travel abroad on official business, US\$70 per day, once not in receipt of other allowances for overseas travel, such as those payable under Minister of Finance Circular No. 2 dated April 7, 2006.

Housing Allowance

\$5,750 per month.

Entertainment

Actual expenses incurred for official entertainment to be met from an official Entertainment Vote under the control of the Ministry/Department to which the office holder belongs.

Vacation Leave

Thirty (30) calendar days per annum.

Telephone Facilities

An allowance of \$500 per month.

Medical Benefits

Membership in and entitlement to medical benefits as provided under the UNIMED Group Health Plan.

Pension/Gratuity

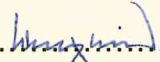
Entitlement to superannuation benefits in accordance with the provisions of the Pensions Act, Chap. 23:52.

11. While certain office holders in Group 2B are eligible for a Duty Allowance, it does not appear that, outside an election period, there is a requirement for the Chief Election Officer to be available continuously on a twenty-four hour basis as is required of those office holders who are eligible for the allowance. Consequently, we do not recommend the provision of a Duty Allowance to the office.

Effective Date

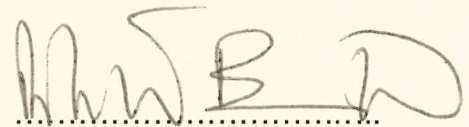
12. We recommend that the remuneration arrangements for the office of Chief Election Officer take effect from February 1, 2007, the office having been placed within our purview on January 29, 2007.

Dated this 3rd day of December, 2007.



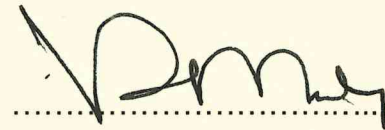
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Edward Collier
(Chairman)



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Ashton Breeton



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Varun Maharaj



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Haseena Ali



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Dr. Marjorie Thorpe