



The Government of the Republic of Trinidad & Tobago

## **PERSONNEL DEPARTMENT**

(Office of the Chief Personnel Officer)

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For Immediate Release

# **MEDIA RELEASE**

## **CPO Receives Favourable Judgement in Special Tribunal Matter on Payment of Overtime for Customs Officers**

**May 19, 2023** – A matter filed in the **Special Tribunal** by the **Public Service Association (PSA)** on payment of overtime to **Customs Officers** was adjudicated on **Wednesday 17<sup>th</sup> May, 2023** with a successful judgement in favour of the **Chief Personnel Officer, Commander Dr. Daryl Dindial**.

The CPO expressed that the **Special Tribunal** matter arose from the application of **Circular No. 3 of 2008** dated **11/12/2008** on the Subject “ *Revised principles governing the treatment of excess hours worked by monthly paid Officers in the Civil Service, the Tobago House of Assembly and the Statutory Authorities subject to the Statutory Authorities Act, Chapter 24:01*”. The CPO explained that **PSA** reported the dispute to the **Special Tribunal** as they complained that their overtime rates were not computed in keeping with **Circular No. 3 of 2008**, dated **11/12/2008** on subject. **Commander Dindial** expressed that his position was that **Circular No. 3 of 2008** was not applicable to Officers of the **Customs and Excise Division**, since the parties had agreed in negotiations that the special arrangements for calculating their overtime would be maintained.

**The CPO** confirmed that the **Trial** began on this matter on **May 15, 2023** and continued over a **three-day** period ending **May 17, 2023**. The **Association’s** sole witness, former **First Vice President, Mr. Stephen Thomas** provided evidence and admitted under cross-examination that the **PSA**, in negotiating and signing off on the **Memorandum of Agreement** did not intend to disturb the existing special arrangements for overtime payment to **Customs Officers**.

**The CPO** noted, that **Mr. Thomas’** admissions allowed for a no-case submission to be made and that it was not in the interest of justice for the matter to continue as the case of the **PSA** had been considerably weakened since they had asserted in their **evidence and arguments** that the **Memorandum of Agreement** changed the special arrangements for the calculation of overtime for **Customs Officers**, while their witness indicated that it did not.

The judgement saved the State from incurring potentially **750 million to 1 billion dollars** in additional overtime payments.

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