

INDUSTRIAL DISPUTES TRIBUNAL

Dispute No.: IDT 17/2022

SETTLEMENT OF DISPUTE

BETWEEN

JAMAICA CIVIL AVIATION AUTHORITY

AND

JAMAICA AIR TRAFFIC CONTROLLERS ASSOCIATION

AWARD

I.D.T. DIVISION

MR. ERROL MILLER, JP. - CHAIRMAN

MR. LESLIE HALL, JP. - MEMBER

MR. CLINTON LEWIS - MEMBER

AUGUST 17, 2022

INDUSTRIAL DISPUTES TRIBUNAL

AWARD

IN RESPECT OF

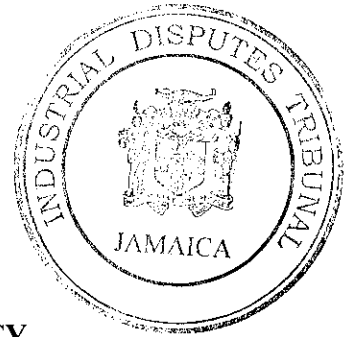
AN INDUSTRIAL DISPUTE

BETWEEN

**JAMAICA CIVIL AVIATION AUTHORITY
(THE AUTHORITY)**

AND

**JAMAICA AIR TRAFFIC CONTROLLERS ASSOCIATION
(THE ASSOCIATION)**



REFERENCE:

By letter dated April 11, 2022, the Honourable Minister of Labour and Social Security pursuant to Section 9 (3)(a) of the Labour Relations and Industrial Disputes Act of 1975 (hereinafter called "the Act"), referred to the Industrial Disputes Tribunal for settlement in accordance with the following Terms of Reference, the industrial dispute described therein: -

The Terms of Reference were as follows:

"To determine and settle the dispute between Jamaica Civil Aviation Authority on the one hand and Jamaica Air Traffic Controllers Association on the other hand over the Union's Claim for Increased Wages and other Improved Benefits for the period April 2021 to March 2023."

At the First Emergency Sitting held in the matter, the parties disagreed with the Terms of Reference and by letter dated April 21, 2022, the Tribunal informed the Ministry for consideration to be given to amending the Terms of Reference. By letter dated April 26, 2022, the Honourable Minister returned the Terms of Reference to the Tribunal, unchanged.

DIVISION:

The division of the Tribunal which was selected in accordance with Section 8(2) (c) of the Act and which dealt with the matter comprised:

- | | | |
|----------------------|---|--------------------------------|
| Mr. Errol Miller, JP | - | Chairman |
| Mr. Leslie Hall, JP. | - | Member, Section 8(2) (c) (ii) |
| Mr. Clinton Lewis | - | Member, Section 8(2) (c) (iii) |

REPRESENTATIVES OF PARTIES:

The **Authority** was represented by:

- | | | |
|---------------------|---|-----------------|
| Mr. Emile Leiba | - | Attorney-at-Law |
| Ms. Chantal Bennett | - | Attorney-at-Law |

In attendance were:

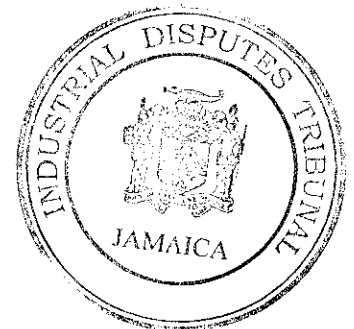
- | | | |
|-------------------------------|---|---|
| Mr. Howard Greaves | - | Deputy Director General-Air Navigation Services |
| Dr. Carvell McLeary | - | Director of Human Resources |
| Mrs. Antoinette Rockhead Reid | - | Human Resources Manager |
| Ms. Shernette Williams | - | Employee Relations Manager |

The **Association** was represented by:

- | | | |
|------------------|---|----------------|
| Mr. Kurt Solomon | - | President |
| Mr. Sean Blair | - | Vice President |

In attendance were:

- | | | |
|-------------------|---|--|
| Mr. Odane Steele | - | Acting General Secretary |
| Mr. Maurice Smith | - | Treasurer |
| Mr. Milton Walker | - | Unit Representative (Sangster's International Airport) |
| Mr. Kyle Soares | - | Representative of Air Nautical Bargaining Unit |



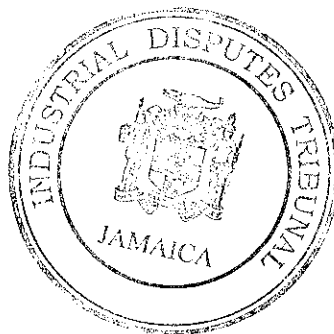
SUBMISSIONS AND SITTINGS:

Brief was submitted by the Authority only. Three (3) Emergency Sittings were held and an Order to Refrain from Industrial Action was issued on April 14, 2022, at the 1st Emergency Sitting as well as an Order to Cease Industrial Action was issued on April 22, 2022, at the 2nd Emergency Sitting. The 3rd Emergency Sitting was held on May 6, 2022. Two (2) Sittings were held on June 14, 2022 and July 27, 2022.

REPORT TO THE TRIBUNAL:

At the 2nd Sitting of the Tribunal on July 27, 2022, the parties informed the Tribunal that the matter has been settled at the local level by way of a Heads of Agreement between the parties on June 27, 2022 and that a joint letter signed by the parties will be sent to the Tribunal.

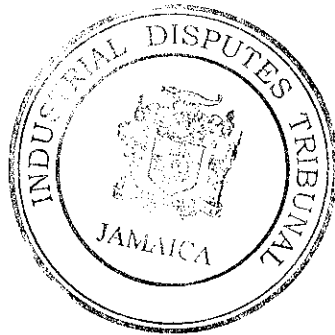
On August 2, 2022, the Tribunal received a letter dated July 29, 2022, from DunnCox, Attorneys-at-Law, representing the Company, enclosing a joint letter signed by the parties dated July 27, 2022 (copies attached) which confirmed that the matter has been settled at the local level.



AWARD:

The parties arrived at a settlement as communicated in the Heads of Agreement dated June 27, 2022 and it is that agreement, which was not submitted by the parties, that constitutes the Award.

DATED THIS 17th DAY OF AUGUST, 2022.



Mr. Errol Miller, JP
Chairman

Mr. Leslie Hall, JP
Member

Mr. Clinton Lewis
Member

Witness:

Nicola Smith Marriott (Mrs.)
Secretary to the Division



PARTNERS

JEROME I. LEE, B.Sc. (GOVT.), LL.B.
JANICE A. CAUSWELL
MARGARET A. MOODIE-JERVIS, LL.B.
PAULINE A. FINDLAY, LL.B.
HELEN E. EVELYN, LL.B.
JOANNE E. WOOD RATTRAY, LL.B.
JULIANNE E. MAIS COX, B.A., LL.B.
COURTNEY A. BAILEY, LL.B.
EMILE G. R. LEIBA, LL.B.
TOPAZ L. M. JOHNSON, B.Sc., LL.B. (LON), M.Sc., LL.M.
TRUDY-ANN DIXON-FRITH, LL.B.
ROXANNE A. MILLER, LL.B. (JMU)
JONATHAN D. K. MORGAN, LL.B.
PAULETTE R. E. NEIL, LL.B.

CHRISTINA M. BROWN, LL.B.
KELLY A. AKIN, B.Sc., LL.B., LL.M.

ASSOCIATES

CHANTAL S. BENNETT, B.Sc., LL.B.
JANA R. GRIFFITHS, LL.B., LL.M.
SAMANTHA A. GRANT, LL.B.

CONSULTANTS

C. D. R. BOVELL, C.D., M.A., LL.M. (CANTAB)
LINCOLN A. C. EATMON
JOHN G. LEIBA
W. JOHN VASSELL, Q.C., LL.B.
O. A. CAROL AINA, B.A. (SUSSEX), M.A.
HYACINTH F. LIGHTBOURNE, BBA., J.D. (MIAMI)

☒ **KINGSTON**

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OUR REF

WRITER'S EXTENSION NUMBER:

☐ **MONTEGO BAY**

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U.S.A.: (303) 744-3501
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YOUR REF

2049

July 29, 2022.

Industrial Disputes Tribunal
4 Ellesmere Road
Kingston 10.

Attention: Mrs. Maureen Kennedy

Dear Sirs:

Re: Dispute between Jamaica Civil Aviation Authority and Jamaica Air Traffic Controllers Association over the Union's Claim for Increased Wages and other Improved Benefits for the period April 2021 to March 2023

We refer to the captioned matter. Please see enclosed letter dated July 27, 2022, signed by the parties and which confirms that the matter has been settled at the local level.

Kindly confirm receipt of this letter.

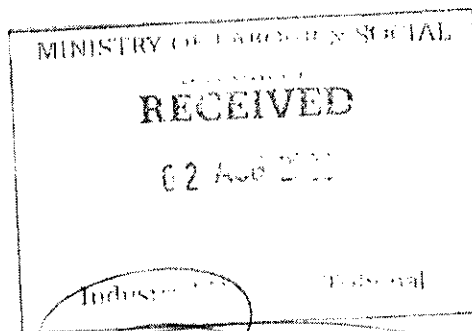
Yours faithfully,

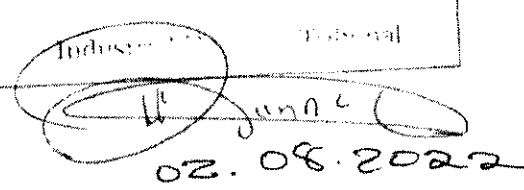
DunnCox

Per: 

CHANTAL S. BENNETT (Miss)

Encl.





JAMAICA CIVIL AVIATION AUTHORITY



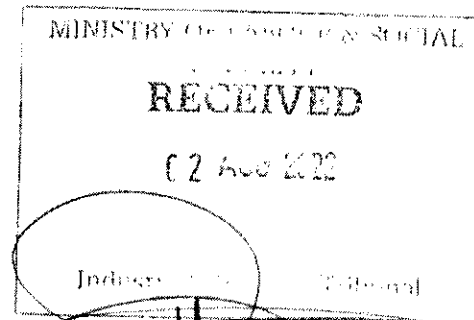
ANY REPLY OR SUBSEQUENT REFERENCE TO THIS
COMMUNICATION SHOULD BE ADDRESSED TO THE
DIRECTOR GENERAL OF THE CIVIL AVIATION AND TO
ANY OFFICER BY NAME AND THE FOLLOWING REFERENCE
QUOTED

4 WINCHESTER ROAD
KINGSTON 10
MAILING ADDRESS
P.O. BOX 6968
K.S.O. KINGSTON

July 27, 2022

Mr. Errol Miller
Chairman
Industrial Disputes Tribunal
4 Ellesmere Road
Kingston 10

Dear Mr. Miller:



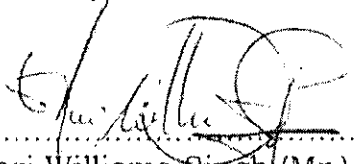
Re: Dispute No 17 of 22 between the Jamaica Civil Aviation Authority (JCAA) and the Jamaica Air Traffic Controllers Association (JATCA) over the Union's Claim for Increased Wages and other Improved Benefits for the period April 2021 to March 2023

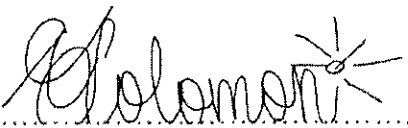
We refer to the captioned matter and to the June 14, 2022 Order of the Tribunal, directing that this dispute be settled at the local level.

In furtherance of same and today's hearing at which we provided an update, we now formally confirm that the JCAA and the JATCA have concluded discussions, and that we are now agreed on the terms that are to govern wages and other improved benefits for the period April 2021 to March 2023. As such, the agreed terms have been incorporated in Heads of Agreement, duly signed by both parties on Monday June 27, 2022.

We therefore thank you for your support in this matter and hope to continue our collaborative effort in treating with disputes.

Sincerely


.....
Nari Williams-Singh (Mr.) JP
DIRECTOR GENERAL
Jamaica Civil Aviation Authority


.....
Kurt Solomon
PRESIDENT
Jamaica Air Traffic Controllers
Association