

# INDUSTRIAL DISPUTES TRIBUNAL

Dispute No: IDT 43/2019

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SETTLEMENT OF DISPUTE

BETWEEN

JAMAICA CIVIL AVIATION AUTHORITY

AND

JAMAICA AIR TRAFFIC CONTROLLERS ASSOCIATION

AND THE

***AWARD***

I.D.T. DIVISION

HON. MRS. JUSTICE MARJORIE COLE-SMITH - CHAIRMAN  
(Retd.)

MR. ERROL BECKFORD - MEMBER

MR. FREDRICK EVANS - MEMBER



SEPTEMBER 8, 2020

**INDUSTRIAL DISPUTES TRIBUNAL**

**AWARD**

**IN RESPECT OF**

**AN INDUSTRIAL DISPUTE**

**BETWEEN**

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

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

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**REFERENCE:**

By letter dated October 22, 2019 the Honourable Minister of Labour and Social Security in accordance with Section 11(1) of the Labour Relations and Industrial Disputes Act (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 was as follows:

*"To determine and settle the dispute between Jamaica Civil Aviation Authority and Jamaica Air Traffic Controllers Association over the union's claim for improved wages and increased Fringe Benefits for the period 2017 to 2019."*



**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:

- Hon. Mrs. Justice Marjorie Cole-Smith (Retd.) - Chairman
- Mr. Errol Beckford - Member, Section 8(2) (c) (ii)
- Mr. Fredrick Evans - Member, Section 8(2) (c) (iii)

**REPRESENTATIVES OF THE PARTIES:**

The Company was represented by:

- Ms. Kelley Wong - Attorney-at-Law
- Mr. Mikhail Jackson - Attorney-at-Law
- Mr. Alexander Currie - Attorney-at-Law
- Mr. Nari Willaims-Singh, J.P. - Director General
- Mrs. Nicole Morgan - Deputy Director General Corporate Services
- Miss Shernette Williams - Employee Relations Manager



The Association was represented by:

- Professor Trevor Munroe - Labour Relations Consultant
- Mr. Kurt O. Solomon - President
- Mr. Lenroy Morrison - General Secretary
- Mr. Maurice Smith - Treasurer
- Mr. Sean Blair - Vice President

Mr. Charles Jones, Chairman who started hearing the dispute was on June 15, 2020 replaced by Hon. Justice Mrs. Marjorie Cole-Smith, Chairman. This was done in accordance with the Section 8(4) of the Labour Relations and Industrial Disputes Act

**SUBMISSIONS AND SITTINGS:**

Briefs were submitted by both parties and one sitting held on the January 16, 2020. Dates were scheduled in March 2020 for hearing to continue but had to be cancelled due to Covid 19 pandemic.

**REPORT TO THE TRIBUNAL:**

By letter dated May 5, 2020 the Association wrote to the Tribunal requesting to go back to the local level. The Company by letter dated May 22, 2020 informed the Tribunal of their desire to conclude the matter and offered no objection to having the discussions return to the local level. The request was granted and the parties were informed by letter dated May 29, 2020 to communicate the status of the dispute to the Tribunal on or before June 12, 2020, and in the event an agreement is not reached, dates may be agreed for hearing to be resumed.

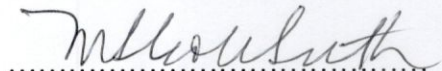
By letters dated June 26, 2020 and July 1, 2020 from the Association and the Company respectively the Tribunal was informed that the parties have arrived at a settlement but required additional time to complete the local level process. A further extension was granted and by letters dated July 28, 2020 and August 5, 2020 the parties informed the Tribunal that an agreement was reached and signed on July 27, 2020 by the Company and the Association for the period 2017 to 2021.

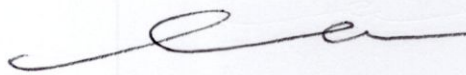
**AWARD:**


The parties having settled the dispute at the local level without the assistance of the Tribunal by way of a Heads of Agreement signed on July 27, 2020, it is that Agreement which constitutes the Award.

DATED THIS <sup>28</sup> DAY OF SEPTEMBER 2020.




  
.....  
Justice Marjorie Cole-Smith (Retd.)  
Chairman

  
.....  
Errol Beckford  
Member

  
.....  
Fredrick Evans  
Member

Witness:

  
.....  
Royette Creary (Miss)  
Secretary to the Division

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 8998  
C.S.O.

Ref: IDT 43/2019

July 28, 2020

Industrial Disputes Tribunal  
4 Ellesmere Road  
Kingston 10

**Attention: Ms. Royette Creary**

Dear Sirs:



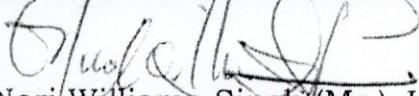
**Re: Dispute between the Jamaica Civil Aviation Authority (JCAA) and the Jamaica Air Traffic Controllers Association (JATCA) over the union's claim for improved wages and increased Fringe Benefits for the period 2017 to 2019**

Reference is made to previous correspondence in relation to the captioned matter, ending with your letter dated July 6, 2020 granting an extension for the completion of local level discussions in the matter.

I am now pleased to inform you that local level discussions have been completed and an Agreement reached by the JCAA and the JATCA for the period 2017-2021.

Consequently, the Heads of Agreement was signed by both parties on Monday, July 27, 2020.

Yours truly  
**JAMAICA CIVIL AVIATION AUTHORITY**

  
Nari Williams-Singh (Mr.) J.P.  
**DIRECTOR GENERAL**



c: Ms. Kelley C. Wong, Attorney-at-Law

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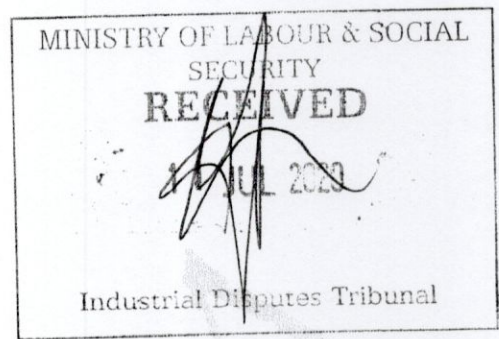


# JAMAICA AIR TRAFFIC CONTROLLERS ASSOCIATION

HALF WAY TREE, P.O. 43, KINGSTON 10  
TELEPHONE: (876) 631-0928, FAX: (876) 631-0928  
EMAIL: jatcanews@gmail.com

August 5, 2020

Ms. Royette Creary  
Secretary  
Industrial Disputes Tribunal  
4 Ellesmere Road  
Kingston 10



Dear Ms.Creary:

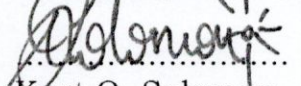
**Re: IDT 43/2019**  
**Dispute between the Jamaica Civil Aviation Authority and the Jamaica Air Traffic Controllers Association over the claim made by the Association for improved wages and conditions of employment.**

The Jamaica Air Traffic Controllers' Association (JATCA) utilizes this opportunity to advise the Industrial Disputes Tribunal (IDT) that we have arrived at an agreement with the Jamaica Civil Aviation Authority in relation to the matter at even caption.

Both parties have now signed a Memorandum of Agreement (MOA) in relation to the JATCA's wage claim. The MOA between the JATCA and the JCAA was signed on 27<sup>th</sup> July, 2020 with effective date April 1, 2017 until March 31, 2021.

We wish to thank the Tribunal for its assistance throughout this process and we also continue to wish the very best for you all throughout these difficult times.

Yours respectfully

  
.....  
Kurt O. Solomon  
President JATCA



- C: Mr. Nari Williams-Singh – Director General JCAA
- Professor Trevor Munroe – Labour Relations Consultant
- Mrs. Maureen Kennedy – Secretary Industrial Disputes Tribunal

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