LABOUR AND COLLECTIVE BARGAINING IN THE SUGAR INDUSTRY

Pilot Study for the Caribbean

Countries covered:

English-speaking: Barbados, Belize, Guyana, Jamaica, St.Kitts, Trinidad

Spanish-speaking: Cuba, Dominican Republic.

ICCSASW-CCSTAM
2084 Danforth Ave., Suite 2
Toronto M4C 1J9
Canada
Tel. (416) 467-8621, Fax (416) 467-9143
E-Mail: icesasw@web.net
Web Site: www.web.net/sugarworker/

December 1997
Table of Contents

Introduction p. 3
Method p. 4

English-speaking
Barbados p. 5
Belize p. 8
Guyana p. 11
Jamaica p. 15
St. Kitts - Nevis p. 20
Trinidad p. 23

Spanish-speaking
Cuba p. 26
Dominican Republic p. 30

Conclusion p. 36

Principal Sources p. 37
Introduction

The following eight country profiles were done as a desk study, in the context of action-oriented research commissioned by the ILO with the IUF as external collaborator. In compiling this study at the IUF’s request, ICCSASW has relied upon materials previously gathered in the course of its work in the Caribbean over the past few years. The short time-frame within which the study had to be done did not allow further consultation of the unions or relevant authorities in the countries in question to update the information at hand. The fact that no information is given on certain rights or benefits in a particular country does not mean that they do not exist, but rather that documentation on them was not readily available from ICCSASW’s files. It is our intention over the longer term to compile the missing information, and to update the existing data as new agreements are signed or new legislation enacted. Hopefully a much more complete picture may emerge from such a longer-term study.

In spite of the incompleteness of the information, we believe that the data contained in the present study will be an important contribution towards a synthesized overview of workers’ wages and working conditions in the Caribbean. As such it can provide a basis for comparison with other countries and regions.

ICCSASW wishes to acknowledge the collaboration of the unions in the eight countries covered by this study, who over the years have contributed copies of collective agreements, labour legislation and various studies on their local industries to the ICCSASW Documentation centre.
Method

1) **Sugar Industry Overview** - Provides a general picture. Gives a brief historical profile, followed by current production statistics, and information regarding current ownership, management, and importance to the national economy. Special conditions affecting the industries of certain countries are also mentioned.

2) **National Labour Code and Sugar Workers** - Lists available labour legislation and codes, outlining their contents. Attention is called to sections of particular relevance to sugar (and other) workers. A more detailed examination of this important area was not possible within the terms of this study.

**ILO Conventions:**
- Six were identified as of particular relevance to sugar workers:
  - C.87 - Freedom of Association and Protection of Rights to Organize (1948)
  - C.98 - On Collective Bargaining (1949)
  - C.110 - On Plantations (1958)
  - C.141 - On Rural Workers’s Organisations (1975)
  - C.155 - On Occupational Safety and Health (1981)
National ratifications of these Conventions are noted.

**ILO Recommendations:**
- Four were identified as of particular relevance to sugar workers:
  - R.91 - Collective Agreements (1951)
  - R.110 - Plantations (1958)
  - R.149 - Rural Workers. Organisations (1975)
Recommendations are non-binding, and therefore not subject to individual country ratification.

3) **Trade Union Organisations in Agriculture and Sugar-Processing**. A listing and general description of the principal unions in the sugar sector, together with their main national and international affiliations.

4) **Overview of Collective Bargaining in the National Sugar Industry**. Gives the frequency of negotiations, and some general characteristics of the bargaining process, where applicable.

5) **Contents of Collective Bargaining Agreements**. Gives general description of the most current collective agreements, focusing on salaries and categories of workers, working conditions and health & safety, social and related benefits, and rights of women workers. A clause-by-clause analysis of the agreements is unfortunately beyond the scope of this study. Similarly a detailed description of the agricultural tasks, with their corresponding rates, while fascinating in itself and useful in collective bargaining, was not possible in a study of this length.

6) **Evaluation of Level of Compliance with Collective Bargaining Agreements**. Gives a general picture of the industrial relations climate, with particular reference to the collective bargaining agreement.
BARBADOS

I. Sugar Industry Overview

A. Brief History.
Sugar was introduced to Barbados in 1640. Contrary to the situation in most other ex-colonies, the industry has practically always been owned by descendants of the early settlers, rather than by European-based commercial interests. The highest production of 212,000 tonnes was achieved in 1967.

B. Current Situation
In 1997 production amounted to 65,000 tonnes, all of which was exported to premium markets in EU and US. Domestic consumption of 15,000 tonnes was provided by imports. There are currently 11,500 hectares planted to cane, with an approximate average yield of 59 tonnes per hectare.

There are 3 sugar mills:
- Andrews - 2,600 tdc
- Bulkeley - 2,500 tdc
- Portvale - 2,800 tdc

The Andrews and Bulkeley mills are old. The Portvale mill was built in 1982, and is the newest in the Caribbean.

C. Ownership and Management
The industry is privately owned, but under government management due to extreme indebtedness. There are 100 plantations ranging in size from 100 to 300 acres, plus 2,200 small farmers. The plantations jointly own the three mills.

The government has hired the British firm Booker Tate on a long-term renewable contract to manage the Barbados Agricultural Management Company (BAMC). The BAMC administers the three mills and the 40 most indebted plantations, and regulates agricultural operations of the rest of the cane-growing sector.

D. Importance to National Economy
Sugar accounted for 2% of total GDP and 46% of agricultural GDP in 1993-94. It employs a total of 4,000 persons, and there are 2,200 small farmers. The total population of the island is 264,000.

II. National Labour Codes and Sugar Workers

A. National Labour Code
(Not available to hand)

B. ILO Convention ratifications of particular reference to sugar workers
   C.87 - Freedom of Association and Protection of Rights to Organize
   C.98 - Right to Organize and Collective Bargaining

III. Trade Union Organisations in Agriculture and Sugar-Processing
The Barbados Workers Union is the largest union on the island, with 25,000 members, of whom 2,000 are in sugar. It is affiliated to the regional Caribbean Congress of Labour (CCL) and to the International Confederation of Free Trade Unions (ICFTU). Its members in sugar and other food-related industries are affiliated to the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF).

IV. Overview of Collective Bargaining in the National Sugar Industry

Wages and amendments to the collective agreement are renegotiated every two years. The current wage agreement expires at the end of 1997.

V. Contents of Collective Bargaining Agreements

A. Collective Agreement

The agreement was signed between the Barbados Workers Union and the Sugar Producers Federation of Barbados for an initial period of 3 years, from January 1, 1989 to December 31, 1991. It remains in effect thereafter, except for such amendments and additions as may be agreed to in subsequent negotiations. The agreement is divided into 5 parts containing a total of 26 clauses (7pp), plus three Appendices (10 pp) including wage rates.

B. Wages

The 1997 wage rates for the different categories of workers are as follows:

(Exchange rate B$2.00 = US$ 1.00)

1) Agricultural:

Most agricultural operations are on a task-rated basis. There are a total of 34 different rates. The rates for hourly paid agricultural work are as follows (in local currency):

<table>
<thead>
<tr>
<th>Category</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Workers Category 1</td>
<td>3.79</td>
</tr>
<tr>
<td>General Workers Category 2</td>
<td>4.06</td>
</tr>
<tr>
<td>General Workers Category 3</td>
<td>4.73</td>
</tr>
<tr>
<td>General Workers Category 4</td>
<td>4.88</td>
</tr>
<tr>
<td>Tractor Operators/Loader Operators</td>
<td>5.61</td>
</tr>
</tbody>
</table>

2) Industrial:

There are eight categories of industrial workers with corresponding rates as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Workers “A”</td>
<td>4.88</td>
</tr>
<tr>
<td>General Workers “B”</td>
<td>4.06</td>
</tr>
<tr>
<td>Artisans “A” (carpenters, masons, welders, etc.)</td>
<td>7.85</td>
</tr>
<tr>
<td>Artisans “B”</td>
<td>7.15</td>
</tr>
<tr>
<td>Mechanics “A”</td>
<td>7.85</td>
</tr>
<tr>
<td>Mechanics “B”</td>
<td>7.15</td>
</tr>
<tr>
<td>Mechanics “C”</td>
<td>5.80</td>
</tr>
<tr>
<td>Truck/Tractor Drivers</td>
<td>6.61</td>
</tr>
</tbody>
</table>

3) Cane-Cutting:
The rate for manual cane cutters is B$11.12 per tonne for burnt cane, and B$11.12 per tonne for green cane. Some cane is also cut by mechanical harvesters.

C. Working Conditions, Health & Safety
Over the past several years, the Barbados Workers Union has been focussing on health and safety issues in the industry. Poor ventilation and housekeeping were noted in an ILO-assisted audit of Andrew's factory in 1994. There was particularly poor ventilation in the boiler room.

Gloves, shoes, respirators and goggles are provided for spraying. All other workers are to be provided with gloves as necessary. Chemical toilets are provided in the fields. Changing room facilities are provided. Safe scaffolding and other appropriate equipment is to be provided when workers are required to work at heights.

An improvement in working standards and conditions has taken place since the arrival of Booker Tate in 1992. There are monthly meetings between management and the union.

D. Social and related benefits
1) Holidays: For 1-4 yrs. service, 3 weeks paid vacation is provided. For those with 5 years and above, the vacation is 4 weeks.

2) Pensions: Workers are covered by the National Insurance Scheme

3) Retirement benefits: Retirement is optional at 65 at discretion of employer. A legal anomaly has made workers over 65 ineligible for retirement benefits, which is complicating efforts to reduce the excessive workforce by attrition.

4) Severance - From 2.5 to 3.5 weeks is paid per year of service from 1 to 33 years.

E. Rights of women workers
The collective agreement states that men and women doing equal work shall be paid at the same rate.

VI. Evaluation of Level of Compliance with Collective Bargaining Agreements

The present state of compliance with labour agreements is good. This appears due to the existence of a strong union, and the government as employer, represented by professional management. There have been no recent strikes or major disputes.
BELIZE

I. Sugar Industry Overview

A. Brief History
Sugar began to be grown commercially in Belize in 1860. In 1963 Tate & Lyle took over the industry, which at that time consisted of two mills. In 1984 Tate & Lyle began a process of divestiture extending over a 10-year period, resulting in an employees' trust assuming 81% of the ownership in 1994. This ownership of a controlling interest by an employees' trust is unique in the region. The peak production of 131,000 tonnes was achieved in 1997.

B. Current Situation
Of the 1997 production of 131,000 tonnes, about half was exported to premium markets in EU and US. Domestic consumption was 14,000 tonnes, with the remaining 50,000 tonnes being exported either to the world market, or to the preferential Caricom market. There are 22,000 hectares under cane, with an average yield of 47 tonnes cane per ha.

The sole sugar-producing mill is the Tower Hill factory, located at Orange Walk. It was built in 1965, and is the second newest mill within the English-speaking Caribbean. Its daily capacity is 6,700 tonnes cane per day. An older and smaller factory at Corozal ceased sugar production in 1985, and is used today to produce high-test molasses.

C. Ownership and Management
Belize Sugar Industries, which owns the Tower Hill mill, is owned 81.3% by the employees, and 10% by Tate & Lyle. The Government of Belize has the remaining shares. The Corozal mill is owned by Petrojam of Jamaica. Booker Tate has a long-term renewable management contract with Belize Sugar Industries.

D. Importance to National Economy
In 1993-94 sugar accounted for 10.9% of total GDP and 77.3% of agricultural GDP. It employs a total of 400 persons at the manufacturing level. All the cane is grown by 8,000 small farmers and is cut by hand. They employ small numbers of non-unionized migrant labourers, mostly from Mexico and Honduras.

II. National Labour Codes and Sugar Workers

A. National Labour Code
(Not available to hand)

B. ILO Convention ratifications of particular reference to sugar workers
   C.87 - Freedom of Association and Protection of Rights to Organize
   C.98 - Right to Organize and Collective Bargaining

III. Trade Union Organisations in Agriculture and Sugar-Processing
The Belize Workers Union has about 345 members at the Tower Hill factory, and about 90 (seasonal workers) at Corozal. Another 90 members are involved in transport and shipping of sugar. They have about 1,200 members altogether, with the remainder being mainly in citrus and banana plantations. The Belize Workers Union is affiliated to the Belize Trade Union Congress.

IV. Overview of Collective Bargaining in the National Sugar Industry

Wages and amendments to the collective agreement are renegotiated every two years. The current wage agreement expires at the end of 1997.

V. Contents of Collective Bargaining Agreements

A. Collective Agreement
The agreement signed between the Belize Workers Union and Belize Sugar Industries (BSI) Ltd. is valid from Jan. 1/95 to Dec. 31/97, and thereafter annually unless re-negotiated. It is 57 pages long, and consists of 33 clauses and two appendices.

B. Wages
Factory wages range from B$5.50 to 7.50 per hour.
(Exchange rate B$2.0 = US$ 1.00)

C. Working Conditions, Health & Safety
First Aid Kits are to be provided at convenient work sites, with selected employees trained in their use. Vitamin tablets are made available to workers on night shift. Within the same shift an employee will not be transferred from one place to another where a substantial shift in temperature prevails.

All permanent employees are provided with safety boots and helmets, the use of which is mandatory.

Workers involved in handling hazardous materials are provided with protective clothing and equipment, as well as with instruction on the safe handling of such materials. There is a joint union management committee on health and safety.

D. Social and Related Benefits
1) Holidays: Employees with less than 10 years service receive 3 weeks paid vacation. Those with 10 years and up receive 5 weeks.

2) Pensions: An employee pension plan is under negotiation.

3) Retirement: Retirement is optional at 60, compulsory at 65.

4) Severance: One week’s wages is paid for each year of service after June 1, 1981.

E. Rights of women workers
VI. Evaluation of Level of Compliance with Collective Bargaining Agreements

The present state of compliance with labour agreements is good. This appears due to the existence of a strong union, and the fact that the workers are also the ultimate owners of the plant. However, the board or BSI Employees Trust is weighted in favor of management employees. Expatriate management firm Booker Tate provides the senior managers. There have been no recent strikes or major disputes.
GUYANA

I. Sugar Industry Overview

A. Brief History
The sugar industry in Guyana was founded in 1658 by the Dutch. Booker Brothers established a plantation in 1817, after the colony had been taken over by the English. Eventually Booker McConnell came to control all but one of the sugar mills prior to independence, as well as many other sectors of the economy. The industry was nationalized in 1976. Peak production of 395,000 tonnes was achieved in 1971.

B. Current Situation
During 1997 production amounted to 283,000 tonnes, over three-quarters of which was exported to premium markets in EU and US. Domestic consumption accounts for 24,700 tonnes, with the remainder being exported usually to the preferential Caricom market. The present area under cane cultivation is 42,000 hectares, with an average yield of 71 tonnes cane per ha.

There are eight sugar mills:
- Albion (4,320 tdc)
- Blairmont (2,400 tdc)
- Enmore (2,520 tdc)
- La Bonne Intention (LBI) 2,520 tdc
- Rose Hall (3,500 tdc)
- Skeldon (2,400 tdc)
- Uitvlugt (2,400 tdc)
- Wales (2,520 tdc)

C. Ownership and Management
All eight mills are owned by the Guyana Sugar Corporation (Guysuco), a state-owned company. The British management firm Booker-Tate has been hired to manage Guysuco under a long-term renewable contract.

D. Importance to National Economy
In 1993-94 sugar accounted for 30% of total GDP and 68% of agricultural GDP. It employs a total of 24,000 persons at the manufacturing and estate levels. Small farmers account for about one-tenth of the canes. Most of the personnel in the sugar industry are descendants of indentured labourers brought from India towards the end of the 19th and at the beginning of the 20th centuries.

II. National Labour Codes and Sugar Workers

A. National Labour Code
Two documents form the basis of labour legislation in Guyana. "The Report of the Labour Code Commission", including 5 Appendices, 1980(?), 109pp., was followed by the final draft of "The Labour Code of the Co-operative Republic of Guyana", plus 7 schedules, 1980(?), 134pp. This labour code was never formally approved, but has been accepted in practice. A process is now underway to draw up and formally adopt a new labour code for Guyana.
The organisation of material in the 1980 labour code is as follows:

- Part I - Labour Administration
- Part II - Contracts of Employment
- Part III - Wages
- Part IV - Hours of Work
- Part V - Holidays with Pay
- Part VI - Paid Educational Leave
- Part VII - Severance Pay
- Part VIII - Health, Safety and Welfare
- Part IX - Notification of Accidents and Occupational Diseases
- Part X - Placement and Recruitment of Workers
- Part XI - Women, Young Persons and Children
- Part XII - Worker Injuries
- Part XIII - Labour Discipline and Industrial Relations
- Part XIV - Trade Unions
- Part XV - Miscellaneous

The following sections are of particular relevance to sugar workers:

- Part XIII on Industrial Relations, including collective bargaining.
- Part XIV on Trade Unions

**B. ILO Convention ratifications** of particular relevance to sugar workers

- C.87 - Freedom of Association and Protection of Rights to Organize
- C.98 - Right to Organize and Collective Bargaining
- C.141 - Rural Workers' Organisations

**III. Trade Union Organisations in Agriculture and Sugar-Processing**

The Guyana Agricultural and General Workers Trade Union (GAWU) is the major union in the sugar industry, representing nearly 20,000 agricultural and factory workers, of whom about 6,000 are women. GAWU is also the largest union in the country. GAWU is affiliated to the Guyana Trade Union Congress (TUC), as well as to the World Federation of Trade Unions (WFTU) at the international level.

The National Association of Agricultural, Commercial and Technical Employees (NAACIE) represents 1,300 supervisory and technical personnel, including clerical staff, sugar boilers, lab technicians, nursing staff and dispensers/medics. NAACIE has about 400 members, two-thirds of whom are women. It is affiliated nationally to the Guyana TUC, and internationally to the IUF and FIET trade secretariats.

**IV. Overview of Collective Bargaining in the National Sugar Industry**

Wages and amendments to the collective agreement are presently renegotiated every two years. The current wage agreement expires at the end of 1997. GAWU signed the current agreement in September 1996, but NAACIE has not signed it, even though the company has unilaterally implemented the rates. NAACIE has requested arbitration, which the company refuses to agree
Collective Bargaining in the Caribbean Sugar Industry

to, although in NAACIE's view the collective agreement obliges the other party to accept arbitration, once one party has requested it.

V. Contents of Collective Bargaining Agreements

A. Collective Agreement
The collective agreement between GAWU and Guysuco was signed Jan.24/80, even though technically it was due to expire on Dec. 31/79. It is renewed annually unless renegotiated. It consists of 13 pages, containing 23 clauses, plus one Appendix of 7 pages, containing five clauses.

B. Wages and Categories of Workers
(Exchange rate G$143 = US$ 1.00)

1) Agricultural: The rates range from G$62 to G$122 per hour. However, most field operations are on a task-rated basis. There are about 50 different rates for the various agricultural operations such as tilling, planting, weeding, fertilizing, spraying, etc.

2) Industrial: The rates range from G$72 to G$142 per hour

3) Cane-cutting: The basic rate is G$338 per tonne, which includes loading into a punt. There are incentives paid for higher tonnages, as well as for distances the cane is carried to the loading point at the canal. At present all cane is cut and loaded manually, due to the nature of the terrain, which is mostly below sea-level and drained by many small canals.

There are 7 categories of monthly rated employees, 5 categories of weekly rated and 5 categories of hourly rated employees.

Technical and other personnel represented by NAACIE are paid at monthly (ranging from G$13,800 to G$36,500) or weekly (ranging from G$2,845 to G$ 5,560) rates.

C. Working Conditions, Health & Safety
First Aid Kits are to be provided at work locations. Transportation is to be provided for injured workers. Permanent workers and their dependents are entitled to free medical facilities at estate dispensaries. Non-permanent workers (but not their dependents) are entitled to the same services. Workers are entitled to periodic medical examinations.

An Agro-chemical safety committee was established in 1992. Guysuco gives courses to the workers on agro-chemical safety and handling, and trains workers to train others.

D. Social and related benefits

1) Holidays: Workers with less than 10 years service are entitled to two weeks paid (at basic rate) holidays. Those with ten years or more are entitled to three weeks.

2) Pensions: There is a voluntary contribution pension scheme, or an ex gratia pension paid by the company.
3) Retirement:

4) Severance: For each complete year of adult service (over 18 years) up to 15 years, two weeks wages are paid. For each complete year of adult service over 15 years and up to 25 years, 2 1/2 weeks wages are paid. For each complete year of adult service over 25 years, 3 weeks wages are paid. A worker who is retrenched shall be given four weeks notice. For the purpose of these calculations, one week's pay shall be considered as the total wages paid over the previous twelve months divided by the number of weeks in which the individual worked during those twelve months. Wages for this purpose will include basic wages, holidays-with-pay, Special Incentive, Annual Production Incentives, Overtime and Premium Time payments.

5) Rights of women workers:
There is to be no discrimination in employment. A woman may conclude any type of contract of employment, and no collective labour agreement or regulations shall provide for any form of discrimination in relation to her employment, whether based on sex or marital status. Every collective agreement or wage scale shall guarantee that the principle of equal pay for work of equal value is fully observed.

Special provisions apply to pregnancy. A worker who has notified her employer of her pregnancy by production of a medical certificate shall be granted time off with full pay for medical examination during pregnancy. A worker may without loss of wage, be transferred to less arduous work after seven month's pregnancy or earlier where a medical practitioner certifies this to be necessary, provided that such work is available in the undertaking.

Every woman shall be guaranteed retention of employment after maternity leave under the national Insurance Scheme or any further period of leave because of illness that is medically certified to have arisen out of her pregnancy or confinement, and which prevents her from resuming work on the expiry of the normal period of maternity leave.

In the Collective Agreement, Article XIII provides for Maternity Leave of three months, paid after one year of service. The pay is calculated on the basis of normal basic pay less benefits payable from the national Insurance Scheme. Further leave without pay may be granted at Management's discretion. No worker shall be called upon to resign as a result of pregnancy.

VI. Evaluation of Level of Compliance with Collective Bargaining Agreements

The labour relations climate in general is better than it was before Booker-Tate came in, but there is much room for improvement. One of the major problems is wildcat strikes. So many decisions regarding piece-work rates are in the hands of local supervisors, and disputes often arise. Whenever these are referred to the grievance-settling mechanism in the collective agreement, there is often a long delay, with a dubious result at the end. So local work gangs tend to take matters into their own hands by refusing to work until the matter is settled. This has a negative effect on production, and both the union and the company are anxious to improve the situation. However, it seems that the solution lies in a better attitude of the company towards the union in the matter of industrial relations.

Another problem is that the state-owned company is trying to raise money from operating profit to rehabilitate its aging factories. For this reason they adopt a hard line in wage negotiations,
even though wages are low by regional standards, and returns from the premium markets are
high. This causes an ongoing problem for the unions.

JAMAICA

I. Sugar Industry Overview

A. Brief History
Sugar was introduced to the island around 1500 by the Spanish. The industry expanded rapidly
during the 17th century under the English. In the early years of the present century the United
Fruit Company (USA) established a presence in the Jamaican sugar industry. Tate & Lyle (UK)
entered Jamaica in 1937 and became the dominant force in the industry, which was nationalized
in the early ‘70s. The peak production of 508,000 tonnes was achieved in 1966.

B. Current Situation
Production in 1997 amounted to 237,000 tonnes, of which about 165,000 tonnes was exported to
premium markets in the EU and US. Domestic consumption amount to about 125,000 tonnes, of
which about 50,000 tonnes has to be imported. The current area under cane cultivation is 44,000
hectares, with an average yield of 65 tonnes cane per ha.

There are 8 mills in operation:

<table>
<thead>
<tr>
<th>Mill Name</th>
<th>Location</th>
<th>Procession</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sugar Company of Jamaica</td>
<td>Frome</td>
<td>6,500 tdc</td>
</tr>
<tr>
<td>Sugar Company of Jamaica</td>
<td>Monymusk</td>
<td>5,000 tdc</td>
</tr>
<tr>
<td>Sugar Company of Jamaica</td>
<td>Bernard Lodge</td>
<td>4,000 tdc</td>
</tr>
<tr>
<td>Wray &amp; Nephew</td>
<td>Appleton</td>
<td>1,680 tdc</td>
</tr>
<tr>
<td>Tropicana</td>
<td>Duckenfield</td>
<td>1,200 tdc</td>
</tr>
<tr>
<td>(Farquharson’s)</td>
<td>Hampden</td>
<td>1,500 tdc</td>
</tr>
<tr>
<td>(McConnell’s)</td>
<td>Worthy Park</td>
<td>1,200 tdc</td>
</tr>
<tr>
<td>(Local investors)</td>
<td>Long Pond</td>
<td>1,680 tdc</td>
</tr>
</tbody>
</table>

The Monymusk mill has a 75,000 tonne per year refinery attached.

C. Ownership and Management
In 1993 four nationalized estates (mills with cane lands), accounting for about 75% of capacity,
were privatized. The Sugar Company of Jamaica (SCJ) acquired the three largest estates. SCJ is a
three-way partnership among Tate & Lyle (former owner of the two largest estates), Wray &
Nephew (owner of Appleton), and the Merchant Bank of Jamaica, with the Government of
Jamaica holding a minority share. The fourth estate, Long Pond, was acquired by a group of local
investors.

Tropicana Holdings (U.S.-based) leases the Duckenfield estate from the government. The other
three estates (Appleton, Hampden, and Worthy Park) are owned by local businessmen. The
majority of cane lands presently belong to the eight estates, with the remainder in the hands of
about 20,000 (mostly small) farmers.
The Sugar Company of Jamaica has hired the British firm Booker Tate on a long-term renewable contract to manage its three mills.

D. Importance to national economy

In 1993-94, sugar accounted for 3.4% of the total GDP of Jamaica, and 43.2% of agricultural GDP.

The estates (mills with cane-lands) employ a total of 9,000 permanent persons. Another 20,000 are employed part-time by private farmers.

II. National Labour Codes and Sugar Workers

A. National Labour Code

The Labour Relations and Industrial Disputes Act (1975) forms the basis of the labour legislation. It was amended and reprinted in 1987 (35 pp). Its contents are outlined as follows:

- Part I - Preliminary (Sections 1 and 2)
- Part II - Labour Relations (Sections 3 through 6)
- Part III - Establishment and functions of the Industrial Disputes Tribunal (Sections 7 through 13)
- Part IV - Boards of Enquiry (Sections 14 and 15)
- Part V - General provisions in respect of the Tribunal and Boards of Enquiry (Sections 16 through 21)
- Part VI - Miscellaneous (Sections 22 through 32)

The Labour Relations Code (1976) was established under the Labour Relations and Industrial Disputes Act (1975), Section 3, and contains 24 pages. Its purpose is to set out guidelines which in the opinion of the Minister of Labour will be helpful for the promoting of good labour relations. Industrial relations should be carried out within the spirit and intent of the code. Its guidelines are intended to complement the Labour Relations and Industrial Disputes Act. An infringement of the code does not render anyone liable to legal proceedings, however its provisions may be relevant in deciding any question before a tribunal or board. Its contents are outlined as follows:

- Part I - Preliminary (paragraphs 1 through 4)
- Part II - Responsibilities (paragraphs 5 through 8)
- Part III - Personnel Management Practices (paragraphs 9 through 13)
- Part IV - Workers' Representation and the Collective Bargaining Process (paragraphs 14 through 18)
- Part V - Communication and Consultation (paragraph 19)
- Part VI - Grievance Disputes and Disciplinary Procedures (paragraphs 20 through 22)

Sections of particular relevance to sugar workers:

Part II of the Labour Relations and Industrial Disputes Act deals specifically with Labour Relations. In particular, Sections 4 (Rights of Workers in Respect of Trade Union Membership) and 6 (Collective Agreements) are of special interest to sugar workers, as indeed to all unionized workers.

The entire Labour Relations Code is relevant to sugar workers. However, Part IV
Collective Bargaining in the Caribbean Sugar Industry

(Workers' Representation and the Collective Bargaining Process) dealing with Trade Union Recognition (paragraph 14) and Collective Bargaining (Paragraph 16), is basic.

B) ILO Convention ratifications of particular reference to sugar workers
   C.87 - Freedom of Association and Protection of Rights to Organize
   C.98 - Right to Organize and Collective Bargaining

III. Trade Union Organisations in Agriculture and Sugar-Processing
There are three general workers' unions, with membership in many different sectors besides sugar. Union membership in the sugar sector is divided fairly evenly among the three, and they engage in joint bargaining with the Sugar Producers' Federation of Jamaica.

The Bustamante Industrial Trade Union (BITU) was formed in 1938. It has historic links with the Jamaican Labour Party (JLP).

The National Workers' Union (NWU) was founded in 1951. It has historic links with the People's National Party (PNP).

The University and Allied Workers' Union (UAWU) was formed in 1971. For nearly 20 years it had close ties with the Workers' Party of Jamaica (WPJ), until the latter's dissolution towards the end of the 1980's.

IV. Overview of Collective Bargaining in the National Sugar Industry

Wages and amendments to the collective agreement are renegotiated every two years. The current wage agreement expires at the end of 1997.

Historically, wage agreements were rarely concluded in time for the start of the crop at the beginning of the year. This gave the workers more leverage by going out on strike at the height of the crop, with disastrous effect on production. The 1996-97 agreement was an exception to the pattern, as agreement was reached in December 1995, and the ensuing crop was strike-free, achieving a good level of production.

V. Contents of Collective Bargaining Agreements

A. Collective Agreement
The Labour Relations Agreement between the Sugar Producers' Federation of Jamaica and the Bustamante Industrial Trade Union, the National Workers Union of Jamaica and the University and Allied Workers Union is contained in a 38-page booklet. It was signed on May 10th, 1994, for an initial period of two years. It is to continue thereafter from year to year unless amended by agreement or terminated by notice given one month before the expiration date. Its contents may be summarised as follows:

Section I - General has 15 articles covering such items as Union Recognition, Rights of Management, Conciliation Procedure and Wages.
Section II - General terms and Conditions of Employment has 29 articles covering such items as Hours of Work, Sunday and Holiday Rates, Leave, Guaranteed Employment, Redundancies, Contractors, Health & Safety, Medical and Field Facilities, etc.

**B) Wages and Categories of Workers**  
(Exchange rate J$34.00 = US$ 1.00)

1) **Agricultural**: Hourly rates range from J$26.01 to 59.83.

2) **Industrial**: Hourly rates range from J$31.21 to 71.26.

3) **Cane-cutters**: The rate for burnt cane is J$65.21 per tonne, while that for green cane is J$82.37 per tonne. There is an increasing use of mechanical harvesters.

For 1997 the production incentive bonus is 5%, while there is a J$1.56 per hour premium for the night shift.

There are minor variations in job classifications and rates among the eight estates (mill and agricultural complexes), based upon local conditions and historic practice. For example, at SCJ's Monymusk estate, there are a total of 548 different classifications of work covering every conceivable phase of industrial and agricultural operations, paid either hourly or by the task.

About 50% of sugar workers are reportedly living below the poverty-line, which in 1995 was J$1,405 (US$35) per week. They are guaranteed three days work per week outside the harvest season.

**C. Working Conditions, Health & Safety**

There is an ongoing policy of down-sizing the labour force, leading to periodic declarations of redundancies, which undermines the morale of the workers. In some cases unionized workers have been declared redundant, and re-hired as contracted non-union labour without benefits.

Many health & safety requirements of the Factory Act are ignored in practice. In 1995 only one estate provided free safety boots, while in other estates the workers had the option to buy them.

The appropriate safety gear for handling chemicals is often not issued. Adequate drinking water and shelter is sometimes unavailable to field workers. Worker housing and transportation is also a problem.

**D. Social and related benefits**

1) **Holidays**: There is one paid holiday for each 20 days worked, up to a maximum of 18.

2) **Pensions**: There is no pension scheme based on employee/employer contributions at this time, however negotiations are presently in progress on this subject.

3) **Retirement Benefits**: There is a Sugar Workers' Retirement Scheme for those who have worked continuously for 30 years in the industry, and who are unable to work due to ill health. The retirement age for female workers is 60, and for males 65.
4) Severance: - Employees become eligible after two years' continuous service. Fourteen weeks notice is required. The amount is three weeks wages per year for the first ten years, four weeks thereafter.

E. Rights of women workers
Article 28 of the collective agreement deals with maternity leave. The entitlement is for 12 weeks at full pay less statutory deductions, provided that the worker has 6 months service and gives at least 3 weeks notice. The right of return to work is guaranteed for up to 29 weeks. She has the right to return to her former job on the same terms as before, and to maintain her seniority.

Reportedly, on the cultivation side, female workers outnumber male workers on some estates.

VI. Evaluation of Level of Compliance with Collective Bargaining Agreements

The collective agreement is negotiated by the three unions with the Sugar Producers' Federation of Jamaica, speaking on behalf of the eight estates. However, the individual estates may disregard provisions of the collective agreement, giving as excuse their particular financial problems. In fact this is one of the limitations of bargaining with all eight estates together, since their financial capabilities vary. Thus in the name of presenting a united front, a balance has to be struck between raising the level of wages in weak estates and holding back raises which stronger estates may be able to afford.
I. Sugar Industry Overview

A. Brief History
Sugar cane was introduced to the island by the British around 1639. The industry consolidated rapidly near the beginning of the present century. Today cane is grown only on St.Kitts (St.Christopher), the larger island of the two-island state. Peak production of 52,000 tonnes was achieved in 1953.

B. Current Situation:
In 1997 production reached 31,000 tonnes, the highest amount in recent years. About 27,000 tonnes was exported to premium markets in the EU and US. Domestic consumption amounts to about 2,000 tonnes. In recent years sugar has been imported for domestic consumption, to allow the premium markets to be serviced by St. Kitts sugar. There are 4,000 hectares under cane, with an average yield of 60 tonnes cane per ha.

The only sugar mill is located in Basseterre, with a 3,000-tonne daily capacity.

C. Ownership and Management
In 1976 the Government of St. Kitts took over ownership of the entire sugar industry (factory and fields), which it now runs as the St. Kitts Sugar Manufacturing Company. Pressure from the World Bank to privatize the industry has not yet succeeded, mainly due to the dominant position of the industry in the national economy.

For several years Booker Tate had the management contract, but since 1996 the government has assumed responsibility for the day-to-day management of the industry. However, a technical assistance contract is maintained with Booker Tate.

D. Importance to National Economy
In 1993-94 sugar accounted for 60% of total GDP, and 95% of agricultural GDP. A total of 2,600 persons are employed in the factory and field operations. This includes about 600 migrant cane-cutters from Guyana.

The small size of the twin-island state (262 km.) gives the sugar industry a preponderant role in the life and economy of the nation. It is the only industry in the region which relies exclusively on a dedicated railway system to transport the cane to the mill, which represents an advantage in transportation costs over road transport.

II. National Labour Codes and Sugar Workers

A. National Labour Code
Specific labour legislation is contained in The Protection of Employment Act of 1986, the outline of which is as follows:

Part I - Preliminary (Sections 1 through 4)
Part II - Termination of Employment (Sections 5 through 11)  
Part III - Severance Payment (Sections 12 through 34)  
Part IV - Maternity Leave (Sections 35 through 39)  
Part V - Miscellaneous (Sections 40 through 47)

However, the bulk of legislation affecting workers is not in a separate act of the legislature, but is contained in various pieces of more general legislation.

**B. ILO Convention ratifications** of particular reference to sugar workers  
St. Kitts is not listed among the member states of the ILO.

**III. Trade Union Organisations in Agriculture and Sugar-Processing**

The St. Kitts Nevis Trades & Labour Union (SKNTLU) is the largest union on the island. It is a general union, and represents 75% of the workers in the sugar industry. It also performs representation functions for the migrant workers in cases of dispute.

**IV. Overview of Collective Bargaining in the National Sugar Industry**

Wages and amendments to the collective agreement are renegotiated annually before the start of the crop, which begins in February and runs till June.

**V. Contents of Collective Bargaining Agreements**

**A. Collective Agreement**  
(not available to hand)

**B. Wages (1997 rates), Categories of Workers**  
(Exchange rate EC$2.70 = US$ 1.00)

1. **Agricultural:** Hourly rates range from EC$3.26 to 5.54.

2. **Industrial:** Hourly rates around EC$4.00.

3. **Cane-cutting:** The rate for burnt cane is EC$8.30 per tonne, while that for green cane is EC$12.17 per tonne. An increasing amount of cane is cut by mechanical harvesting, though the possibilities for this are limited by the mountainous terrain.

For 1997, there is a production incentive consisting of a 3% bonus upon achieving weekly targets, plus 2% if the target is surpassed by more than 10%. A further 1% will be paid at the end of the crop if the target of 26,800 tonnes sugar is achieved by June 15th.

Other bonuses for 1997 include End-of-crop 5%, Out-of-crop 4% and Christmas 8%.

There are 52 job classifications for field work, of which 39 are paid by task rate.
C. Working Conditions, Health & Safety
No specific information is available, but it is known that the factory and equipment are very old and under-capitalized.

D. Social and related benefits
1) Holidays: There is a minimum of 14 days annually, increased thereafter according to length of service.

2) Pensions: Employees contribute 5% of their wages to a Social Security plan, and a further 5% is contributed by the employer.

3) Retirement: Optional at age 62, retirement becomes compulsory at 65.

4) Severance: Two to four weeks wages are paid per year of service (depending on length), up to a maximum of 52 weeks.

E. Rights of women workers:
Part IV of the Employment Protection Act, 1986 deals exclusively with Maternity Leave (five sections).
   Section 35 - Maternity leave of 13 weeks, beginning at least two weeks before confinement, and extending at least 6 weeks after. Benefits to be paid in accordance with the Social Security Act, 1997. An additional three months is available if medically justified.
   Section 36 - The employee must have worked for her employer at least 150 days of the previous year in order to be eligible for maternity leave.
   Section 37 - Six weeks notice of an expected confinement should be given to the employer.
   Section 38 - An employee cannot be dismissed during maternity leave.
   Section 39 - An employee cannot be terminated for reasons arising from her pregnancy or confinement.

VI. Evaluation of Level of Compliance with Collective Bargaining Agreements
Relatively speaking, the industrial relations atmosphere in the sugar industry is harmonious and peaceful. There have been no recent major strikes. In 1990 there was a work stoppage by cane harvester operators, in a dispute over rates. There are also disputes from time to time involving the Guyanese cane-cutters, over rates applicable to a particular field, but the situation has improved over the last couple of years since the local union has been given the right to intervene in such cases.
TRINIDAD AND TOBAGO

I. Sugar Industry Overview

A. Brief History
The first definite record of the establishment of a sugar mill in Trinidad was in 1797; within 20 years 300 mule, water and wind-driven mills had gone into operation. Steam was introduced during the first half of the 19th century, giving rise to a process of centralisation and consolidation among the sugar mills. Tate & Lyle bought Caroni Ltd. in 1937, and became the dominant force in the industry till nationalization in the early ‘70s.

The smaller island of Tobago was one of the earliest producers of sugar in the Caribbean. However, commercial production ceased there around the beginning of the twentieth century. A peak production of 255,000 tonnes was achieved in 1965.

B. Current Situation
In 1997 production was 120,000 tonnes, of which about 65,000 tonnes was exported to premium markets in EU and US. Domestic consumption is 80,000 tonnes, part of which is met by imports. There is a 240 ton-per-day capacity white sugar refinery attached to the Ste. Madeleine raw sugar mill, for which raw supplies are sometimes imported, with some of the white sugar being exported to other Caricom countries. The area currently under cane is 25,000 hectares, yielding an average of 64 tonnes per ha.

There are two sugar mills:
- Brechin Castle  7,600 tdc
- Usine Ste.Madeleine  8,100 tdc
- Refinery  240 tonnes daily refining capacity

C. Ownership and management
Both mills, including the refinery, are owned by Caroni (1975) Limited, a state-owned company. There is a constant pressure to privatise due to the commercial unprofitability of the operations. There is no external management contract.

D. Importance to National Economy
In 1993-94 sugar accounted for 1.4% of total GDP, and 45% of agricultural GDP. The industry employs a total of 9,000 persons at the manufacturing and estate levels. Small farmers account for about one-third of the canes. Most of the personnel in the sugar industry are descendants of indentured labourers brought from India towards the end of the 19th and at the beginning of the 20th centuries.

The presence of an oil-based economy has resulted in higher wages than in most other Caribbean countries. As a result the industry has never really turned a profit under state ownership, and is kept in existence largely because of its social role.

II. National Labour Codes and Sugar Workers
A. National Labour Code
(not available to hand)

B. ILO Convention ratifications of particular reference to sugar workers
   C.87 - Freedom of Association and Protection of Rights to Organize
   C.98 - Right to Organize and Collective Bargaining

III. Trade Union Organisations in Agriculture and Sugar-Processing

The All Trinidad Sugar & General Workers Trade Union (ATSGWTU) was founded in 1937 and represents all the industrial and agricultural workers. It has a representative on the board of the state sugar company. It is affiliated nationally to the National Trade Union Congress (NATUC), and regionally to the Central Latino Americana de los Trabajadores (CLAT), which is a branch of the Brussels-based World Confederation of Labour (WCL).

The Sugar Industry Staff Association represents supervisors and clerical staff.

IV. Overview of Collective Bargaining in the National Sugar Industry

Wage rates and amendments to the collective agreement have been renegotiated at irregular intervals. The current wage agreement is for three years and expires at the end of 1998. Historically there has always been a big lag in the collective bargaining process, so that at times virtually the entire period covered by the collective agreement would have elapsed before the agreement was signed. As a result the agreement would be retroactive for several years, and a huge backpay bill would become due, which the cash-strapped company would have difficulty to pay. The union has generally been reluctant to use the strike weapon, taking into consideration the precarious nature of the industry as a whole.

V. Contents of Collective Bargaining Agreements

A. Collective Agreement
The agreement between the ATSGWTU and Caroni (1975) Ltd. was signed on Jan.21, 1997 and covers the period Jan.1/96 to Dec.31/98. It is to continue thereafter until amended or changed by mutual consent of both parties. It has 47 clauses in 29 pages in the main body, plus a 13-page appendix dealing with agricultural working conditions and task rates, and four schedules as follows:

   Schedule 1 - Wage Rates for Distillery
   Schedule 2 - Wage Rates for Cultivation, Transport and Field Engineering
   Schedule 3 - Wage Rates for Factory/Refinery
   Schedule 4 - Medical leave for various surgical procedures

B. Wages (1997 rates), categories of workers. (Exchange rate TT$6.20 = US$ 1.00)

1) Agricultural: The wages range from TT$10.76 to TT$16.01 per hour. There are about 120 job categories in 6 wage groups. However, most field operations are on a task-rate basis. There
are about 20 different rates for the various agricultural operations such as tilling, planting, weeding, fertilizing, spraying, etc.

2) **Industrial**: Wages range from TT$10.76 to TT$18.91 per hour. There are about 75 job categories in 9 different wage groups.

3) **Cane-cutting**: The rate is TT$43.95 per tonne of burnt cane (includes bundling). On tonnage over 2.03 tonnes per day Monday through Friday a premium of 50% is paid. A considerable amount of cane is harvested mechanically.

For every full point rise in the Cost of Living Index, a premium of 3.5 cts/hr is to be paid. (A corresponding reduction will apply in the case of a fall in the Index.)

**C. Working Conditions, Health & Safety**

The work week is 5 eight-hour days. There is union dues check-off.

There is a heat premium for work performed in temperatures in excess of 112F. There is a height premium for work performed at heights in excess of 30 ft.

Safety Committees with union representation are to be established in all work places. Safety devices are to be provided in accordance with the Factories Act or ILO Conventions ratified by the Government. Medical leave is granted in the case of sickness certified by a registered Medical Practitioner. In the case of work-related injury, leave is granted upon certification by the Company Doctor.

In 1997 a joint union-management training program in health and safety was carried out with the help of specialists from the University of Massachusetts.

**D. Social and related benefits**

1) **Holidays**: Three to five weeks holidays are granted, based on years of service.

2) **Pensions**: A pension of TT$500 minimum per month, based on Employee contributions of 5%.

3) **Retirement**: A voluntary early retirement scheme is in force to reduce the workforce. Males from age 60 and women from age 55 are eligible for an incentive payment ranging from 50% to 125% of their annual salary, in addition to other agreed pension benefits.

4) **Severance**: Three to five weeks wages per year is paid, depending on length of service.

**E. Rights of women workers**

Maternity Leave of six weeks before and six weeks after confinement plus one week with full pay less National Insurance Benefits.

**VI. Evaluation of Level of Compliance with Collective Bargaining Agreements**

There is a considerable degree on non-compliance on the part of the company. Some of the points are: late payment of back wages, failure to set up joint safety committees, failure to
promote temporary workers to permanent seasonal status, and failure to fulfill the pension requirements.

CUBA

I. Sugar Industry Overview

A. Brief History
Sugar was introduced to Cuba by the Spanish colonists in the 16th century. A revolt in Santo Domingo in 1791 forced Spain to abandon cane fields in Hispaniola, with the result that the Cuban industry then began an era of rapid expansion under the Spanish authorities. After attaining independence from Spain in 1898, Cuba fell under the political influence of the United States, a situation which continued until the 1959 Revolution.

During the period 1898-1959 the sugar industry grew and was consolidated under the influence and in several cases direct ownership of such giant U.S. companies as the United Fruit Company, the American Sugar Refining Company (Amstar) and Hershey’s. In the five years before the 1959 Revolution, Cuba's sugar production averaged 5.1 million tonnes, and accounted for more than 15% of world production. Its annual quota to the U.S. market amounted to nearly three million tonnes, about one-third of U.S. domestic consumption. After the Revolution, in the context of the U.S. economic embargo of Cuba, this quota was withdrawn and re-allocated among other countries.

The period 1961 to 1991 was marked by large exports of sugar to the U.S.S.R. and other members of the Eastern bloc of socialist countries. The trade was conducted on a barter basis for oil, machinery and other essential imports, with Cuba receiving a premium price for sugar that was usually several times the world market price. Peak production of 8.533 million tonnes raw value was achieved in 1969/70.

B. Current Situation
- Sugar is produced in all 13 Cuban provinces, but five provinces of Central Cuba (Matanzas, Villa Clara, Sancti Spiritus, Ciego de Avila and Camaguey) account for over half of production. In 1988/89 the total sugar cane harvested area was 1.35 million hectares, from a total planted area of 1.79 mln ha., up 25% and 27% respectively from the area harvested and planted five years before the revolution. The average yield has declined in recent years due to lack of agricultural inputs, from a high of 60 tonnes cane per hectare in 1989, and is now in the region of 45 tonnes/ha.

In 1997 production amounted to 4.3 mln metric tonnes raw value (mtrv), of which 3.7 mln tonnes were exported at world market prices averaging 12 cents/lb. Domestic consumption was about 600,000 tonnes.

Before the Revolution, Cuba had 161 raw sugar mills with a combined daily grinding capacity of 562,000 metric tonnes. There were also 14 refineries. There are now 155 raw mills (with a daily capacity of 659,000 tonnes), 14 refineries and seven bulk-loading terminals. In the current (1997/98) harvest 30-40 mills are not grinding due to lack of cane.
The distribution of mills by province is as follows (in order of percentage of overall production 1988/89):

Villa Clara 28
Camaguey 15
Matanzas 20
Ciego de Avila 9
Las Tunas 7
Holguin 10
La Habana 16
Granma 11
Cienfuegos 12
Sancti Spiritus 9
Santiago de Cuba 8
Pinar del Rio 5
Guantanamo 6

C. Ownership and Management
All the mills, refineries, loading terminals, and other facilities pertaining to the sugar industry are owned by the state, and managed by the Ministry of the Sugar Industry. The bulk of the cane lands (about 80%) have been leased on a long-term (indefinite) basis to cooperatives of workers (Unidades Básicas de Producción Cooperativa - UBPCs), with the rest being in the hands of private farmers, most of whom are organized into cooperatives.

D. Importance to National Economy
In the early ‘90s the sugar industry accounted for 10% of total GDP and 80% of export earnings. It employs a total of 500,000 persons, of whom 235,000 are agricultural, 140,000 industrial, and the rest in ancillary and support services.

The disappearance of the Soviet Union, and with it the preferential market for Cuban sugar, has put a severe economic strain on the Cuban sugar industry, causing production to fall by nearly one-half. The lack of foreign exchange to buy chemical and mechanical inputs has sharply reduced productivity.

The fact that Cuba is a socialist economy creates a particular situation as regards the relationship of the workers with their employer and the state. Thus it is not readily comparable to the other seven Caribbean countries included in this study.

II. National Labour Codes and Sugar Workers

A. National Labour Code
(not available to hand)

B. ILO Convention ratifications of particular reference to sugar workers
   C.87 - Freedom of Association and Protection of Rights to Organize
   C.98 - Right to Organize and Collective Bargaining
   C.141 - Rural Workers' Organisations (1975)
C.155 - Occupational Safety and Health (1981)

III. Trade Union Organisations in Agriculture and Sugar-Processing

The National Union of Sugar Workers (Sindicato Nacional de Trabajadores Azucareros - SNTA) represents about 490,000 of the 500,000 workers in the sugar sector. Affiliation is voluntary, with dues amounting to 1% of wages. SNTA is self-financed, and has over 300 permanent staff. Retired workers are also members.

The SNTA is affiliated nationally to the Cuban Workers' Confederation (Confederación de Trabajadores de Cuba - CTC), and internationally to the World Federation of Trade Unions (WFTU).

There are 40,000 engineers and 60,000 technicians employed in the sugar industry. The rest have completed at least grade IX. Age 17 is required to enter the workforce.

IV. Overview of Collective Bargaining in the National Sugar Industry

The collective agreement is signed annually on the 14th of December, and gives the general lines of labor relations throughout the whole sugar industry. It is not a static document, but is continually under revision. The national salary by sector and work category was fixed by legislation in 1980, and has not been increased since. However, there have been modifications in bonuses and incentives.

V. Contents of Collective Bargaining Agreements

A. Collective Agreement
   (not available to hand)

B. Wages (1997 rates) and Categories of Workers
   (Exchange rate: official - one peso to one U.S. dollar; parallel market - 20 pesos to the dollar.)

The average wage in the sugar industry is 227 pesos per month. The individual wage varies according to job category. There is also a 15% premium for seniority (over 25 years service), as well as a shift premium, and payment for overtime. The wage is said to be presently insufficient to cover the basic necessities of food, clothing and shelter.

**Cane-cutting:** There are about 60,000 manual cane-cutters, who are released from their regular jobs in other sectors during the harvest. However their regular employer guarantees them 30-40% of their usual salary, to compensate for the days when they can't cut cane due to weather, etc. The cutters are provided by the UBPCs (cane-growing cooperatives) with tools and protective clothing. A cutter averages about 3 tonnes green cane, or 3.5 tonnes burnt cane, and earns 10-12 pesos per day.
About 70% of the cane harvest is mechanized. One mechanical harvester replaces 25 cane cutters. However, the productivity increase per worker increases only by a coefficient of four, as a number of workers are required to support the operation of each mechanical harvester.

C. Working Conditions, Health & Safety
Health and safety is a major concern within the industry. Workers are provided with protective gear. Field support services are provided for harvesting crews.

D. Social and Related Benefits
There are no taxes, and the necessaries of life are sold at cost. Education and medical care are free. Housing cost is 10% of salary. All workers receive pensions.

- holidays -
- pensions -

- Retirement - The normal retirement age is 60. There is no compulsory retirement age as such. After 50 years service, 10% is added to the salary.

- severance -

E. Rights of women workers
Women enjoy full wage equality with men. Maternity leave is granted. Twenty percent (100,000) of workers in the sugar industry are women. They are present in every category of work, including 5-6 as managers of sugar production complexes. Thirty percent of trade union leaders are women, elected by secret ballot.

VI. Evaluation of Level of Compliance with Collective Bargaining Agreements
The union sees its role as protecting its members by ensuring that the Labor law is fulfilled regarding living and working conditions, housing, food, special provisions for women, etc. It seeks to increase production, reduce costs, and increase quality and efficiency, in order to improve the quality of life of the workers.

At the level of the UBPCs (cane production), the union seeks to ensure that the General Regulations governing the cooperatives are observed. Article 13 of the General Regulations gives the union the right to call a general assembly of the cooperative members when conditions warrant. The union also maintains shops for the workers, and negotiates the level of advance payment received from the mill for the cane.

The union sees the country as passing through a special period of crisis, during which many of its normal goals cannot be satisfactorily achieved.
DOMINICAN REPUBLIC

I. Sugar Industry Overview

A. Brief History
Sugar was introduced to the Dominican Republic by Christopher Colombus on his second voyage to the Americas in 1493. It has continued to be a major feature of the economy ever since. Under the dictatorship of Rafael Trujillo, from 1930 to 1961, ownership of most of the industry was concentrated in the hands of the dictator himself or the state. After his assassination in 1961, the twelve mills he controlled were expropriated by the new government, and were henceforth administered by the Consejo Estatal de Azucar (CEA - State Sugar Council). During the 1980's two of the mills were closed, and within the last couple of years another two have closed, at least temporarily.

The sugar economy of the Dominican Republic in modern times has been closely linked to exports to the U.S., where it holds the largest single portion (16.8%) among 40 countries with quotas to the preferential market. Peak production amounted to 1,287,000 tonnes in 1976 and 1,285,000 in 1982. A modern record low production of 482,000 tonnes was reached in 1995, the smallest harvest since the 1930's.

B. Current Situation
In 1997 production was estimated at 720,000 tonnes, of which about 350,000 tonnes was exported to the premium US quota market. Domestic consumption is estimated at 310,000 tonnes. There is a white sugar refinery attached to the privately-owned La Romana mill, with 1997 output estimated at 139,000 tonnes. At times white sugar is also imported to supplement domestic production. Historically, CEA accounted for 60% of the overall sugar production, with privately owned Central Romana and Vicini accounting for 33% and 7% respectively. Now Central Romana accounts for 60%, while the CEA share has fallen to one-third. Vicini remains more or less the same.

There are presently 230,000 hectares under cane, with an average yield about 35 tonnes cane per ha. The low yield is due primarily to poor agricultural practices as a result of the bankrupt condition of the state-owned sector.

There are fourteen sugar mills:

- State Sugar Council (CEA) - 10 in total, of which only eight are operating in the 1997 harvest.
  - Amistad (500 tdc)
  - Barahona (5000 tdc)
  - Boca Chica (4000 tdc)
  - Consuelo (4,500 tdc)
  - Montellano (2,200 tdc)
  - Ozama (4,000 tdc)
  - Porvenir (3,000 tdc) with attached refinery
  - Quisqueya (3,000 tdc)
  - Rio Haina (13,000 tdc)
  - Santa Fe (3,000 tdc)
- Vicini Group - three mills, of which only two are operating in 1997.
  Angelina (1,850 tdc)
  Caei (2,200 tdc)
  Cristobal Colon (4,500 tdc)
- Central Romana (18,000 tdc) with attached refinery

The State Sugar Council has allowed its operations to be run down badly due to a variety of reasons, mostly linked to the use of the industry for political purposes. Also, the difficulty in recruiting local harvest labour has resulted in a historical pattern of importing migrants from Haiti, which has given rise to all sorts of abuses.

C. Ownership and Management
- The State Sugar Council is owned by the Government of the Dominican Republic. It is in the midst of efforts to privatize the mills, with farmers and workers invited to take a stake along with private investors, whether local or foreign.

- The Vicini Group is property of the Vicini family of local business persons.

- Central Romana is owned by Central Romana Corporation, part of the Florida-based group of companies owned by the Cuban exile Fanjul family. Their three mills in Florida account for about 800,000 tonnes of annual sugar production.

There are no external management contracts.

D. Importance to National Economy
Sugar exports were valued at US $140 million in 1997. The industry employs about 60,000 persons at the manufacturing and estate levels, divided as follows among the three companies:

  CEA - 18,000 year-round, plus 10-12,000 seasonal field hands (as a rule 70-80% Haitian).

  Vicini - 1,300 year-round, plus 1,300 field hands (mostly Haitian) during harvest.

  Central Romana - 30,000 year-round, of which 7,000 are cane-cutters.

Independent farmers account for about 25% of the canes.

II. National Labour Codes and Sugar Workers

A. National Labour Code
1. Código de Trabajo de la República Dominicana" - Leyes que lo modifican y lo completan. Santo Domingo 1990. Enacted by Law 2920 of the National Congress, and promulgated by the Executive Power on June 11, 1951. Published in the Official Gazette No. 7309 bis, including all the modifications, corrections and additions up to the present. 258 pp. Its contents are outlined as follows:

Book I - The Labor Contract, Titles I-VI, pp. 9-32
Collective Bargaining in the Caribbean Sugar Industry

Book VI - On Economic Conflicts, Strikes and Work Stoppages, Titles I-II, pp. 81-86.
Book IX - Final Dispositions, pp. 159-160.
Appendices Nos. 1-35, pp. 163-229.

2. "Leyes, Decretos y Resoluciones Sobre el Trabajo Asalariado en el Año de 1991". Santo Domingo 1992. 71 pp. Its contents are outlined as follows:

Resolutions of the Secretary of State for Labor, pp. 25-54.

Regulation No. 258-93, dated Oct. 1, 1993, for the Application of the Labor Code. The contents of the regulation may be outlined as follows:

On the Official Regulation of Certain Labor Contracts, Articles 50-79.
On Trade Unions - Articles 81-87.
General Dispositions - Articles 98-99.
Temporary Dispositions - Articles 100-102.


6. "Tarifas de Salarios Mínimos Nacionales" - Aprobadas por el Comité Nacional de Salarios. Santo Domingo, 1996. 58 pp. It contains eleven resolutions, of which Resolution 4/94 is the Schedule which fixes the minimum wage for workers in the Sugar Industry, pp. 16-18. The minimum wage is set at RD$ 1,372.80 per month for all workers in the sugar industry, with the exception of field workers. The minimum wage for field workers is RD$ 34.32 per eight-hour day.

B. ILO Convention ratifications of particular reference to sugar workers

C.87 - Freedom of Association and Protection of Rights to Organize
C.98 - Right to Organize and Collective Bargaining
III. Trade Union Organisations in Agriculture and Sugar-Processing

The labor laws in the Dominican Republic favor a multiplicity of trade unions. It is very easy for a small group of workers to register a new trade union. There are literally hundreds of unions in the sugar industry, which greatly weakens the workers' movement. There is an ongoing struggle to unite as many of these unions as possible in one federation, a task which is made more difficult by the multiplicity of political factions within the trade union movement.

FENAZUCAR, the national federation of unions in the sugar industry, unites more than 50 unions. It is affiliated nationally to the CTU (Unified Confederation of Workers), and internationally to the IUF.

The Sindicato Unido, representing the workers at Central Romana, is the largest single union in the sugar industry, with 20,000 members. It is affiliated to FENAZUCAR.

IV. Overview of Collective Bargaining in the National Sugar Industry

Usually the different federations and unions create a joint committee to bargain wages with the CEA annually prior to the start of the harvest. Strikes are not unusual, as the CEA is often short of money to pay the workers.

The working conditions are usually negotiated by the individual workplaces. The Central Romana and Vicini workers each negotiate wages and working conditions with their employers.

V. Contents of Collective Bargaining Agreements

A. Collective Agreement
1. "Acto de Avenimiento Directo", June 16/97, is the current agreement between the CEA and the unions in its 10 mills, represented by nine federations. It provided for a 15% increase in the minimum wage effective June 1/97, plus another 5% with the beginning of the 1997/98 harvest (at the end of November). This increase does not apply to the work of cutting, loading and transporting cane, which already received a 40% increase at the beginning of the 1996/97 harvest. The workers committed themselves to work in a spirit of cooperation so that the CEA could overcome its precarious financial position, and agreed not to disrupt the harvest further by strikes.

At the same time the President of the Republic promised a sum of RD$ 60 million to fund the sugar workers' pension plan, with another RD$ 6 million to be contributed by the CEA. The latter also agreed to contribute RD$ 5 million monthly to the Social Security Institute, so that workers might be eligible for medical services.

2. "Convenio Colectivo de Condiciones de Trabajo" is the collective agreement between Central Romana and the Sindicato Unido of Central Romana for the period 1994-1997. It contains 84 articles in a booklet of 58 pages. All employees earning less then RD$ 4,200/mo. are
covered by the contract, which ran from July 17/94 to July 17/97. It provided for annual wage increases of 10%-8%-7%, plus a thirteenth month salary paid at Christmas.

There is also a crop bonus starting at 32 days pay for a crop of 3 million tonnes cane, and ranging up to 68 days for 4 million tonnes. A further bonus, minimum 3%, is linked to the selling price of sugar.

A dues check-off system is in force, and there is a joint management-union health & safety committee.

3. "Pacto Colectivo de Condiciones de Trabajo" between Ingenio Santa Fe and the Sindicato Unido of Ingenio Santa Fe. Feb. 10/90. 29 pp., 64 articles, plus 6-page addendum May 28/90.

B. Wages (1997 rates) and categories of workers
(Exchange rate RD$ 14.00 = US$ 1.00)

Factory - Minimum wage of RD$ 62.69 (US$ 4.50) per day, or RD$ 1,477 (US$ 105.50) per month. The monthly cost of adequate and nutritious food for a family of six persons in the Dominican Republic is calculated at the equivalent of US$ 571 per day.

Field - Minimum wage of RD$ 48.19 per day.

About half the total workforce earns the minimum wage, plus a subsistence allowance for lodging. Reportedly both private companies (Central Romana and Vicini) pay higher salaries than the CEA, and their workers live in better conditions.

C. Working Conditions, Health & Safety

For industrial workers, the work day is eight hours, and the work week is 44 hours, while for agricultural workers, the day is 10 hours and the week is 60 hours.

Joint health & safety committees are provided for in the agreement at Central Romana. Also employees working at dangerous heights receive a 30% wage premium as long as the job lasts.

D. Social and Related Benefits

1) Holidays: At Central Romana the holidays are as follows:

<table>
<thead>
<tr>
<th>Years of service</th>
<th>Weeks holiday</th>
<th>Holiday Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-5</td>
<td>2</td>
<td>14 days</td>
</tr>
<tr>
<td>6-8</td>
<td>2</td>
<td>18 days</td>
</tr>
<tr>
<td>9-20</td>
<td>3</td>
<td>18 days</td>
</tr>
<tr>
<td>21 and over</td>
<td>4</td>
<td>18 days</td>
</tr>
</tbody>
</table>

2) Pensions: Central Romana maintains a pension plan for its workers. The CEA pension plan was not funded properly by the company, hence the emergency cash infusion which formed part of the 1997 wage settlement described above.
Retirement -

Severance -

E. Rights of women workers
"Código de Trabajo", Book Four, Title I, Chapter I sets out the rights of women workers in Articles 209 to 221. "Guía de los Derechos de los Trabajadores" (1993) explains how the articles of the code are to be applied in practice. Women have the right to do the same tasks as men, and to be paid equally.

Maternity Leave of six weeks before and six weeks after confinement is provided. A woman cannot be dismissed during maternity leave. She has the right to further paid leave if medically required. She also has the right to three twenty-minute rest periods for feeding the baby per day during the first year following birth.

VI. Evaluation of Level of Compliance with Collective Bargaining Agreements

The level of compliance at Central Romana appears to be good, with a minimum of industrial strife. The level of compliance at CEA is admittedly low, as the precarious financial state of the company makes it virtually impossible to fulfill all the clauses of the collective agreement. This situation was referred to explicitly in the 1997 wage agreement between the CEA and the unions, with the understanding that the union would take the CEA's difficulties into account, in the interests of preserving the entity as a source of employment.
CONCLUSION

Certain general comments may be made by way of an overall conclusion to this study of collective bargaining in the Caribbean:

1) The six countries of the English-speaking Caribbean have a number of historical factors in common. Their law and political institutions are based for the most part on the British system. They achieved independence from Britain during roughly the same period (1962-83), and their trade unions also tend to be inspired by the model of British trade unionism.

The two-Spanish speaking countries had a number of common factors besides language up until the time of the Cuban revolution. But since 1959 they have followed very different political and trade union paths. As a result there appear to be more differences than common factors between them.

2) The six Anglophone countries are for the most part small island states, with populations ranging from 44,000 to 2.5 million. As a result, documentation is not always easy to come by. It may be genuinely unavailable (as a result of other government and trade union priorities), or the information may be lodged in a variety of sources, and not compiled in readily available form.

3) Many of the small island states and neighbouring territories are isolated from one another by great distances which can only be overcome by expensive airfares or phone communications. It has been remarked that, as a result of the legacy of colonialism, it is often easier to find out what is going on in another Caribbean country via New York, London or Toronto, rather than by direct communication with the country concerned.

4) There is much scope for improved communication and coordination among the unions within the region, whose companies may have ownership and management links. The employers have access to modern means of communication, and meet regularly in their associations. In order to be full partners within the regional sugar industry, the unions need to take a more regional approach.

5) Trade unionism is widely accepted within the region, and there are no openly non-union employers in the sugar industry. The benefits contained in the contracts appear comparable or superior to what is available to many North American workers. However, the question arises about the ability of the industries to bear the costs of providing these benefits.

6) Wages are low by international standards, ranging from about $1 to $4 per hour. The economic state of the industries keeps wages low, and makes it difficult to retain skilled labour by matching rates available in other sectors.

7) The mills are mostly old, and face the capital costs of rehabilitation. The preponderant social role of the industry makes it difficult to achieve economies of scale, which are the basis of low cost production in other countries.

These are some of the main factors which go to make up the background against which collective bargaining takes place in the Caribbean. It is by evaluating and making the most of these realities that trade unions will be able to assure an acceptable standard of living for their membership, while contributing to the long-term economic health of their country.
Principal Sources:


United States Department of Agriculture (USDA)- Foreign Agricultural Service. Annual and semi-annual profiles for various countries. Also USDA “Sugar and Sweetener Report” (semi-annual).

ICCSASW-CCSTAM, “Sugar World” bimonthly newsletter (various issues).
- “Labour in the Sugar Industries of the English-Speaking Caribbean” February 1997
- “Sugar Industries of the English-Speaking Caribbean: Structural Aspects” December 1997


U.S. Department of State. Background Notes on various countries.

“Sugar in the West Indies and British Guyana”. 1958 Handbook of the British West Indies Sugar Association.