

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE INDUSTRIAL COURT

BEFORE THE SPECIAL TRIBUNAL

ST No. 3 of 1998

BETWEEN

ESTATE POLICE ASSOCIATION - Party No. 1

AND

UNIVERSITY OF THE WEST INDIES - Party No. 2

Coram: His Honour Mr. Cecil O. Bernard - Chairman  
His Honour Mr. G. Baker - Member  
His Honour Mr. V. Ashby - Member

Appearances:

Ms J. James-Sebastien - For Party No. 1  
Attorney-at-Law

Dr. C. Seepersad - For Party No. 2  
Attorney-at-Law

Dated: 23<sup>rd</sup> May 2001

Delivered by: His Honour Mr. Cecil O. Bernard

\*\*\*\* JUDGMENT \*\*\*\*

By letter dated 27<sup>th</sup> October 1998 addressed to the Registrar of the Industrial Court, the University of the West Indies (the University), sought through its Senior Assistant Registrar, Industrial Relations, to invoke the

Court's jurisdiction under section 16(2) of The *Industrial Relations Act, Chap 88:01* in relation to a difference between the University and the Estate Police Association (the Association), the association with the statutory right to represent constables under the *Supplemental Police Act, Chap 15:02*.

The University's letter reads as follows:

"...In accordance with section 16(2) of the Industrial Relations Act Chapter 88:01 ... the University hereby makes an application to the Honourable Court for the determination of a difference arising from the interpretation of Article 33 ESD, CA 2/98 between the University of the West Indies and Estate Police Association which was registered on March 12, 1998.

The difference arose when the University exercised its authority to discipline Estate Corporal No. 5242 Kelvin Meridin under its Internal Disciplinary Procedures. Corporal Meridin through the Estate Police Association as well as his Attorney-at-Law is claiming that the Disciplinary Procedures are ultra vires the Supplemental Police Act and Regulations Chapter 15:02.

It is in this context that your intervention is sought ...".

We interpret the University's letter to be an invocation of the jurisdiction of the Special Tribunal which, by reason of section 42 (1) of the Supplemental Police Act, has jurisdiction to hear and determine all disputes referred to it under the provisions of the Industrial Relations Act. There is no question of the Tribunal's jurisdiction to hear and determine the matter