

CWU considering appeal over TSTT's \$5m payout order

■ Rickie Ramdass

rickie.ramdass@trinidadexpress.com

THE Telecommunications Services of Trinidad and Tobago (TSTT) has been ordered by the Industrial Court to pay more than \$5 million in compensation to 503 workers who were retrenched in 2018.

Among the retrenched workers was Clyde Elder, former secretary-general of the Communications Workers' Union (CWU).

However, speaking to the *Express* yesterday, the CWU's current secretary-general, Joanne Ogeer, stated that the organisation is considering appealing the matter.

The majority State-owned company came in for criticism from the court over how it carried out the retrenchment, which the court said was 'harsh and oppressive.'

TSTT was ordered to pay \$10,000 to each of the workers by March 10, with the exception of Elder, whose retrenchment is to be immediately rescinded, the court ordered.

Elder is to also receive \$100,000 in exemplary damages together with the salaries and retirement benefits he would have received had he not been wrongly retrenched. That payment is to be made by February 28.

In a statement on Sunday, TSTT said it accepts and respects the decision of the court.

'We remain focused on ensuring compliance with legal requirements while continuing to serve the interests of our employees, customers and stakeholders.

'At this time, we are unable to provide further comments as we are carefully evaluating the implications of the court's decision,' TSTT stated.

The CWU on the other hand, said the judgment can best be described as 'a pyrrhic victory.'

In a release over the weekend, the union said TSTT was only given just a simple 'slap on the wrist.'

'The CWU aver that although justice appears to have been done, and may understand the logical position to reinstate all 503 workers, the question of deciding the quantum in this case remains perplexing, coupled with how and why has the company gone unscathed from this harsh and oppressive act against over 500 workers.

'Simply a slap on the wrist, to say the least.

'They have gone to lengths in 2018, 2022 and currently in 2025 to 'bust the union', as industrial relations in TSTT is at an all-time low. Although equity will not suffer a wrong to be without a remedy, in this case the remedy was miniscule for the workers, some of whom are not happy.

'TSTT has flagrantly disregarded the collective agreement and continues to, even to this present day,' the union stated. The court's members who heard the matter were Lawrence Achong, Michelle Austin, Andrew Stroude and Vincent Cabrera.

'Last in, first out' breached

TSTT claimed it had taken the decision to retrench

the workers because of major drops in revenue due to the decline of its traditional business and the rise of broadband Internet.

It claimed that it had properly consulted with the union and that the workers were paid their lawful benefits under the Retrenchment and Severance Benefits Act.

Attorneys for the union, however, claimed that the company did not enter into meaningful discussions before taking the action.

They also argued that the company breached the 'last in, first out' (LIFO) provisions of two collective agreements, as it decided to send senior staff away yet retained junior staff who held similar positions.

Ogeer said this was one of two issues the CWU believes were not adequately addressed.

The other, she said, is the contracting of work to Amplia that was being offered by TSTT.

Because the CWU did not hear any redress on these matters, Ogeer said it is considering the possibility of appealing the decision.

'It is a victory-but we are not happy,' Ogeer said.

CWU was represented by attorneys Douglas Mendes, SC, Anthony Bullock and Clay Hackett, while Sashi Indarsingh appeared for TSTT.