

FIJI TEACHERS UNION ANNUAL CONFERENCE

Pacific Harbour - 15th August 2016

Address by Felix Anthony – National Secretary FTUC

The National President, General Secretary, Executive Members, Distinguished Guest, Sisters and Brothers.

It gives me great pleasure to be here this morning and to say a few words at this opening ceremony of your Conference.

The annual conference is an important event in your Union calendar. This is an opportunity for all of you present here to review the work of the Union over the past year and also to plan for the coming year. No doubt, your Union and indeed the entire trade union movement have gone through the most testing times over the last 8 years or so. In fact, I will not hesitate to say that this was probably the most difficult time in the history of the trade union movement in Fiji. I shall dwell on these challenges a bit later.

The education sector and your role as teachers are central to the future of Fiji and the society that we want to build. I have witnessed with some admiration the commitment of teachers and your Union to the professional development of the teaching profession. Not many Unions in Fiji dwell on professional development of its members but rather stick to the traditional roles of defending rights and ensuring fair treatment of workers. This effort on your part needs to be commended and complimented by Government recognizing the role of teachers unions and engaging with them on the basis of equal partnership. The goal is to ensure the best quality of education for our children. It is a common goal and there can be no difference of opinion or dispute about that. To effectively achieve this goal, the unions and Government and in particular the Ministry of Education needs to work together.

There needs to be regular consultations on all aspects of education. This means reactivating the Curriculum Advisory Board, engaging unions in the Central Staff Boards to ensure that sufficient number of teachers with sufficient skills are deployed in schools. This Staff Board must also ensure that promotions, transfers and any other staff issues that could give rise to grievances or disputes are avoided or resolved soonest. This is not about Government diluting its authority or even power. It is about a shared responsibility that you all have and that we can confidently say that we are giving our children the best. Unilateral decisions and a autocratic approach that we have witnessed in the past has no place in the education of our children. To expect the best from teachers, we need to ensure that they are treated fairly, given the respect that their profession deserves, ensure that teachers are trained and retrained and given the tools needed to deliver and above all that they too enjoy rights and fair working conditions which include periodical reviews of their working conditions and salary levels. A fair performance appraisal system which enjoys the confidence of teachers is vital to ensure ongoing improvements to quality delivery of education. Here again the Union plays an important role that the Ministry must recognize. Any other approach will be self defeating. I call upon Government to engage with the FTU and FTA and again I emphasize on the basis of equal partnership to not only education for all but quality education for all.

Our education system must cater for all. While I recognize the setting up of technical schools around the country, I believe that the merger of the Training and Productivity Authority of Fiji (TPAF) with FNU was a mistake. The FTUC together with the FCEF had objected to the idea of the merger from the very beginning. The TPAF had a very specific and pivotal role in providing recognized vocational training and certification

to our children and workers around the country. It had a role to identify skills shortages and make training available in those areas. Today, we are experiencing skills shortages in almost all areas. Employers will tell you the same story. Building contractors will tell you they cannot find skilled workers. Unfortunately education has become too commercialized and greater attention is given to profitability of our institutions. You will find Universities offering studies which can attract a large number of students' thus greater income for the institution. Vocational training is no longer given priority as it does not attract too many takers. Not because there aren't, but because it has become unaffordable.

They say there is no stopping to learning even after 55 years of age. We see many countries which have a lifelong learning and training programs. In Fiji at the young age of 55 when our people retire, there is nothing available for them unless of course out of necessity they become a watchman or a security officer. Fiji needs to look after its elderly and offer alternatives for those that wish to remain occupied and still have the stamina to give to the country. The bare fact is that we do not have a old age social benefit or unemployment benefit as many other countries have. The recent declaration by FNPF that more than 40% of workers in Fiji retire with less than \$10,000 is concerning. In fact even if we were to lift that bar to \$25,000, there would be a much higher percentage of workers in this category, some estimates would put that percentage to about more than 60% of members. The current FNPF pension scheme does not cater for lower paid workers. Their savings are far too little for any meaningful pension payments. At \$25,000 a worker would roughly receive about \$46 a week in pension payment. This would condemn the worker to perpetual poverty. In fact extreme poverty. The question than arises, is FNPF fulfilling its

mandate to the workers of Fiji when more than half its members are not in any position to opt for a meaningful pension. The slogan “providing a secure future” or its mandate to ensure a respectable retirement for all workers would sound hollow. It is time that the FNPF revisits its pension policy to ensure that the pension option on retirement is meaningful to all workers and not just those on the top. The percentage of pension payments must be scaled in such a way where those with little savings are able to also opt for pension. Fiji would be one of those few countries where Government has taken charge of workers superannuation fund. No worker representative sits on the Board. Workers must have a say on their capital and there must be total transparency and accountability in such Institutions.

We now also witness a draft Credit Union legislation which actually now would make it mandatory for all workers Credit Unions to become a member of the Credit Union league and place onerous responsibility on the administrative which would be overseen by the Reserve Bank of Fiji (RBF). Any investment would require the approval of the RBF. Again a disincentive for workers to form Credit Unions and make available cheap form of loans to workers without hassle of Bank requirements.

The Fiji Trades Union Congress has since 1997 pursued its goal to review the labour laws in Fiji. Unions were severely affected when in 1989 after the first Military coup, the then interim Government imposed the “Labour Reforms” which was anti union. Ironically, this was done by one of our colleagues, Mr. Taniela Veitata and former General Secretary of the Dock Workers Union and an Executive member of FTUC. It took the FTUC 10 years to finally have the laws reviewed and changed which we now call the ERP. The ERP replaces many other pieces of labour legislation and consolidates all labour laws into one. It is based on creating minimum labour standards, it has

provisions that help prevent direct or indirect discrimination on any grounds, it provides a structure of rights and responsibilities of each party, promotes good faith bargaining, establishes mediation and arbitration services, encourages consultations and importantly complies with international obligations. This law applies to all workers except. The military, police and prisons officers. The decrees of the 2011 and in particular the ENI Decree, Employment Relations (Amendment Decree) and the Public Service (Amendment) Decree excluded all civil servants and workers in the so called essential industries from the provisions of the ERP. This effectively meant that these workers had absolutely no rights. It took away the rights of Unions to collectively bargain and to represent their members in any way. It took away workers right to take up grievances or disputes and gave absolute power to Management including those that managed the civil service. We witnessed wholesale abuse of such powers and I know that you all have seen and experienced this abuse. The FTUC stood up to the challenge to fight to restore these rights. Reports were made to the ILO, Fair Trade Organisation for our sugar industry, Forest Stewardship Certification Organisation for our forestry workers, The US Trade Commissioner and to the EU on our partnership agreement. Discussions were held with many governments who were willing to listen. There was a lot of effort put including personal sacrifices during this struggle. I wish to at this point acknowledge the role of FTU leadership who stood up unwaveringly in this struggle. We did have many doubters who could not see our determination to restore our rights. Some openly stated that FTUC was on the wrong path. Eventually, with the assistance of all that have named and the ITUC, the Government and FTUC signed an agreement in March 2015 in Geneva to restore the rights of workers. We saw the passing of the ERP Amendment Act of 2015, which did not fully address all the critical

issues in the Agreement. The FTUC pursued these matters with the Governing Body of ILO and in February 2016, with the help of the ILO Missions visit, the FTUC again signed an Agreement with Government to further amend the laws to ensure the laws complied with the Core Labour Conventions. This resulted in the ERP Amendment Act 2016. The Decrees mentioned earlier were repealed and the ERP again became the law that applied to all workers including those in the essential industries.

Colleagues and friends, The fundamental rights have been restored and they are the Freedom of Association, restoration of check off and the right to organize and Collective Bargaining. The minimum standard, disputes procedures within the ERP is now available to all workers. We can now organize and collectively bargain and if the Employer refuses to do so, we can take the Employer to mediation, Arbitration Court or the Tribunal depending on whether the workers are classified as essential industries or not.

There has been considerable concern about the Arbitration Court not having commenced its work. I am in a position to assure all that the Court has written to all those in the Courts Panel as Employers and Workers Representative to indicate their availability. Once this is received, the Court anticipates to sit within 3 weeks to start hearing matters before it. Currently there are some 157 registered cases and some 78 yet to be registered which would be done soon.

Of concern to FTUC is the nomination by the Government of 4 Permanent Secretaries on the Employers panel. These Permanent Secretaries sit on the ERAB as Government representatives. Clearly with the Court hearing matters that either concern Government workers or Government owned entities which form almost all the so called

essential industries, there would be a clear conflict of interest if the Permanent Secretaries were to sit. This matter has been raised with the Chair of the Court and will be raised again with Government. We need an independent Court.

Friends, with the restoration of these fundamental rights, there is no time to sit back and relax. I must also say that there is still much to be done. We are currently still reviewing the ERP to ensure that all the gaps in the law are addressed, that the laws fully comply with all the conventions that Government has ratified including the most recent ones like the MLC and also address issues that the Committee of Experts have raised in their reports. Again, I am pleased to report that the FTUC and the FCEF have worked on this review for the past 2 years and have reached agreement on almost 90% of the amendments. Government had also agreed on almost all of the amendments. We are hopeful that these amendments will now proceed for legal drafting in a short period of time and find its way to Parliament as was agreed between the FTUC, FCEF and Government.

I also acknowledge that there are other Decrees that need our attention and action. They include the POAD and the Political Parties Decree. These would be raised in due course with Government. Our priority is to address the fundamental rights issues that affect workers on a daily basis.

It is clearly of no use if we just amended the laws that reflect that rights are ensured. It is time to put these laws into practice. Here I must raise concern that the Ministry of Education has so far not entered into any form of collective bargaining with your Union or the FTA. Government as the biggest employer must set an example for other employers in the country. It must demonstrate its desire to respect workers rights in

practice. I must also point out that no Government Ministry has commenced any form of collective bargaining with its Unions. I urge Government to do the right thing and enter into collective bargaining and conclude collective agreements with the Unions.

I can understand that some if not all Ministries are having some difficulty in readjusting to the new environment after 5 years of absolute power. The unions are there not to obstruct but to ensure that everyone gets a fair go. The laws clearly state that the parties must act with each other in “good faith”. This means that both parties must use their best endeavors to meet and collectively bargain. Each must respond to the other’s proposals and recognize the authority of each party. They must not undermine each other in any way. Well we certainly have not seen any of these principles stipulated in the laws being respected by the Ministry of Education or other Ministries. I am aware that some Ministries don’t even respond to correspondence. This is most unfortunate and we call on Government to change course and work with Unions.

I acknowledge that the Ministry of Education has met with the two teachers Unions recently. While this is positive, it is insufficient and a greater effort is necessary. The FTUC, FCEF and Government was only able to resolve serious differences by engaging and thrashing out differences. I must admit it takes a lot of effort and commitment to do what is right and just. It is far easier to simply condemn. As workers organizations we must focus on outcomes rather than just the process.

Colleagues, it is time for Unions to get back to work. Those of you who attended the FTUC Conference are aware that we have set ourselves some targets when it comes to organizing workers. This week our advertisements on Trade Union Rights and Minimum Wage will air on

TV and Radio stations. This is a big effort to educate and organize workers into unions. October 7th is world day for Decent Work and it is time that we as a movement fought for the weakest in our society. That is to fight for a decent minimum wage. It is for those of us who may be above the minimum wage to stand up for those that are being paid poverty wage of \$2.32 an hour. The FTUC campaign calls for a \$4 minimum wage as a start which must be reviewed annually. We call on Government to review the NEC scheme which is undermining the minimum wage and pays workers \$60.00 a week without any other benefits or rights. We see employers replacing permanent workers with attaches on the NEC scheme. Clearly we are on a race to the bottom and we as a movement need to get it back on track. We also note that the Wages Councils are not operating and call on Government to reactivate the Wages Councils.

Finally, it would be amiss of me if I did not address the issue of Trade Union Unity. The FTUC remains committed to a united Movement and I invite the few Unions who are out to come back home to the FTUC. In particular I invite the FTA back into the fold and am pleased that they have already been taking part in FTUC activities. It is time to put aside personal differences and focus on how we collectively can better serve workers. We owe it to them. I firmly believe in the US Democratic Party slogan – **STRONGER TOGETHER.**

I thank you for your attention and wish you all a very successful conference. **SOLIDARITY FOR EVER.**