



# GOVERNMENT OF BERMUDA

## MINISTRY OF HOME AFFAIRS

### PATI Information Statement

**Name of Public Authority: DEPARTMENT OF WORKFORCE DEVELOPMENT**

**Description of general purpose of Public Access to Information Act 2010:**

The Public Access to Information Act became law on the 10<sup>th</sup> of August 2010. It is intended to foster a culture of openness in government. The Act establishes a right of access to all types of "recorded" information held by public authorities and imposes obligations on public authorities to disclose information, subject to a range of exemptions.

This is the Department of Workforce Development Information Statement as required by the Public Access to Information (Bermuda) Act 2010.

The purpose of this Act is to—

Give the public the right to obtain access to information held by public authorities to the greatest extent possible, subject to exceptions that are in the public interest or for the protection of the rights of others;

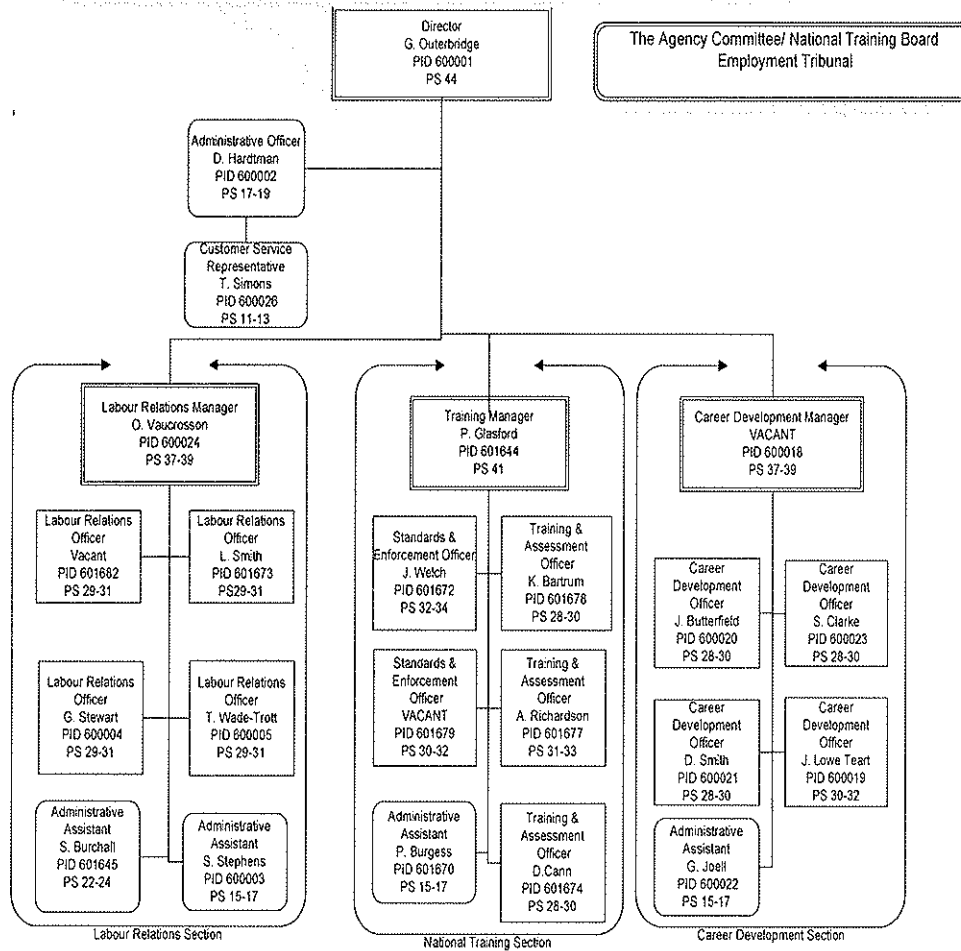
- Increase transparency, and eliminate unnecessary secrecy, with regard to information held by public authorities;
- Increase the accountability of public authorities;
- Inform the public about the activities of public authorities, including the manner in which they make decisions; and
- Have more information placed in the public domain as a matter of routine.

**Section A: Structure, Organization and Legislation [s5(1)a]**

**Organizational Chart**

The Department Workforce Development is under the Ministry of Home Affairs. The Organizational chart sets out the structure showing the Director being directly accountable to the Permanent Secretary. The Director has responsibility for the day to day management and administration of the department. The department consist of three sections each headed by a manager with a total of twenty-three staff.

Department of Workforce Development Organizational Chart  
March 2015  
Total FTEs 23 posts



## The Governing Legislation

Copies of these can be found at <http://www.bermudalaws.bm>

- Trade Union Act 1965
- Labour Relations Act 1975
- Labour Disputes Act 1992
- Employment Act 2000
- Worker's Compensation Act 1965
- National Training Board Act 1997
- National Training Board (Apprenticeship and Training) Regulations 2009
- National Training Board (Designation of Occupations) Regulations 2008
- National Training Board (Electrician) Regulations 2008
- National Training Board (Automotive Service Technician) Regulations 2008
- National Training Board (Welder) Regulations 2008
- National Training Board Amendment Act 2002
- National Training Board Amendment Act 2005
- National Training Board Amendment Act 2009
- National Training Board (Apprenticeship and Training) Regulations 2009
- National Occupational Certification Regulations 2008
- National Training Board Amendment Act 2005 Commencement Day Notice 2010
- National Training Board Amendment 2011

### Section B: 1) Functions, powers, duties of the Authority [s5(1)b]

#### **Mission:**

To provide services to employees, employers and job seekers which strengthen the workforce in alignment with international standards, and promote sustainability and stability within the community.

#### **Core Values:**

##### **1. Service Excellence**

To be customer focused and to deliver positive experiences with every interaction. To seek to understand our customer needs. To be accessible, friendly, reliable, and provide timely service to all customers. To be proactive in offering options, and solutions to all stakeholders.

## **2. Professionalism**

To ensure that our conduct is ethical, honest, consistent, fair, equitable and transparent. To accept responsibility for our actions and to substantiate decisions made with respect to our management, employees, business partners and customers. To demonstrate best practice competence and skills required to attain our mission.

## **3. Adaptability**

To integrate development solutions and opportunities as an approach to guide management, employees, business partners and customers towards achieving high performance in their professions. To strategically and positively alter the general course of a situation, particularly as applies to economic and environmental changes. With stakeholder input, continue to renew or upgrade developmental requirements, solutions and services that will maintain customer confidence and ensure quality assurance.

## **4. Collaboration**

To create a culture that will promote management and employee involvement, open communication, teamwork and cooperation. Our employees are our most valued asset. We recognize that the quality, motivation and performance of our employees are key factors in achieving our success in our community.

## **5. Commitment**

To provide a high standard of service to all of our stakeholders that will be in the best interests of maintaining a sustainable and healthy economic environment.

The Department of Workforce Development's mandate is to provide employment related services to the community. The Career Development Section is responsible for ensuring job readiness of the workforce through assessment, career development services, workshops and seminars. The Training Section mandate is to take such measures as it considers necessary for ensuring an adequate supply of trained manpower in occupations in all branches of economic activity in Bermuda. All training activities are developed to meet approved local and international standards of 'best practice'. The Labour Relations Section's mandate is to promote good employment relations. This is achieved by providing advice, conciliation, mediation and arbitration services. Such services are in response to the lodging of disputes by unionized and non-unionized employees or queries from Employers or Employees. The Section oversees the certification and decertification of Unions in the workplace.

## **Functions, powers, duties and obligations**

The Department of Workforce Development consists of three sections; the Career Development Section, the Training Section and the Labour Relations Section.

The Director is the Head of the Department and works under the general guidance and direction of the Permanent Secretary of the Ministry of Home Affairs. The Director is responsible for the overall

management and administration of the Department.

The Director has full autonomy in relation to departmental decisions and is the accounting officer for budgetary decisions and strategic planning. This post is also responsible for all disciplinary measures relating to staff within the span of control of the department. The Director has significant decision making input influencing decisions with partners across Government.

The Director oversees the National Training Board. A Board that is directly accountable to the Minister of Home Affairs and has identified as a priority the growth of decent work in Bermuda by coordinating the essential expertise and resources.

The Board –

- a) Shall determine the mission, strategic direction and priorities of the One Stop Career Centre and shall establish performance goals for the Centre;
- b) Shall cause the One-Stop Career Centre to be managed so as to ensure effective coordination between the Sections referred to in subsection (1) of the National Training Board Act 1997 for the attainment of the objective of facilitating and sustaining employment; and
- c) May review and revise the mission, strategic direction and priorities of the One-Stop Career Centre, so as to continue to have in place relevant performance goals for the facilitation of employment.

The Minister of Home Affairs may give the Board such directions with regard to the exercise of the duties of the Board.

## **Section B: 2) Obligations under PATI Act [s5(1)b]**

*Same for all public authorities*

To provide an **information statement** for the public and promulgate it [s5],

- To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - General information, e.g. activities of the Authority
  - Log of all information requests and their outcome
  - Quarterly expenditure (upon request) [s6(5)]
  - Contracts valued at \$50,000 or more.
- To **respond to information requests** in a timely manner [s12-16]
- To **track information requests**, and provide this data to the Information Commissioner
- To respond to requests from the Information Commissioner [s9]
- To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- To conduct an **internal review** if formally requested [part 5]
- To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- To provide an **annual written report** to the Information Commissioner of the status of information requests [s58 (3)].

- **To do anything else as required** under the PATI Act and subsequent Regulations [s59, 60], including:
  - **Fees** for Requests for information
  - **Management and maintenance of records**
  - **Procedures** for administering the Act
- To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
- To **designate one of its officers** to be the person to whom requests are directed [s62]

## **Section C: Services and Programmes [s5(1)c]**

*Insert a summary of services and programmes provided by the authority:*

### **Career Development Services**

- Provide assessments to help individuals identify interests and aptitude, and guide career development services to promote job readiness ( includes soft skills)
- Referrals to training services
- Referrals to other intergovernmental departments and agencies for support services
- Provide a career development service
- Support employers in their search for staff
- Provide a vocational, career guidance and career resource service to help individuals with training and career paths
- Provide training programmes that meet the demands of the workforce
- Assist the public with resume writing and preparation for interviews
- Establishment of a job bank and an unemployment registry
- Maintaining an active Employment Registry that matches employees to jobs commensurate with their skills, experience and abilities
- Coordinate the Summer Employment Programme for college students

### **Training Services**

- Provide funding, administration and training to prepare people for the workforce;
- Administer skills assessments, testing and develop training action plans;
- Provide educational upgrading and employment skills training;
- Oversee training and funding for training by other service providers;
- Develop and manage National Apprenticeship Programme;
- Develop and manage National Certification Programme;
- Provide services and advice to the National Training Board;
- Assist non-traditional learners to obtain qualifications and certifications;
- Conduct investigations and administer enforcement related to National Certification;
- Coordinates and facilitate workshops and outreach programs within the community;
- Provides mentorships and counselling services to young adults;
- Proctors examinations;
- Create programs to address skill gaps in the local workforce.

### **Labour Relations Services**

- Advise workers and employers on employment matters

- Provide presentations on labour relations matters – including employment Act 2000
- Provide conciliation, mediation and arbitration services
- Coordinate Government's reporting obligation to the International Labour Organization and other regional and international bodies
- Collaborated with Immigration and Financial Assistance on related matters
- Investigate unionized and non- unionized worker complaints
- Prepare complaints for the Employment Tribunal and Arbitration Hearings
- Oversee the Certification of Unions in the workplace
- Oversee the Decertification of Unions in the workplace

#### **Section D: Records and documents held [s5(1)d]**

*List and describe the classes of records held by the authority:*

##### **Minutes of Meetings**

- National Training Board Advisory Committee
- Labour Advisory Committee
- Employment Tribunal
- Staff Meetings
- Individual Section Meetings
- Social Committee
- Health and Safety Committee
- Administrators Meeting

##### **Records**

- Client personal records
- Complainant Information relating to employment disputes
- Employer Information relating to employment disputes
- Tribunal decisions
- Arbitration decisions
- Vendor Information, training facilitators and institutions

##### **Information that may be withheld**

- Any information that contains personal information



- The names of employers and employees involved in Tribunal and Arbitration decisions

#### **Section E: Administration (all public access) manuals [s5(1)e]**

*Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:*

##### **Strategies and Plans, Performance Reports**

- Strategic Plan
- Annual Business Plan
- Annual National Training Board Report
- Monthly Unemployment statistics
- Reports on labour complaints
- Report on success on National Certification, Student Funding and Apprenticeship Programmes
- Policies and Procedures for Career Development Section
- Policies and Procedures for Labour Relations
- Policies and Procedures for Training

#### **Section F: Decision-making documents [s5(1)f]**

*Insert list and description of all policies and guidelines for decision making in respect to any person:*

##### **Policies, Rules and Guidelines**

- Financial Instructions
- Government of Bermuda Conditions of Employment and Code of Conduct
- Government of Bermuda Public Service Regulations
- Government of Bermuda Collective Bargaining Agreement
- Department's operational policies and procedure manuals

#### **Section G: The Information officer [s5(1)g]**

*Insert name and contact information:*

##### **Oonagh Vaucrosson**

23 Parliament Street, Hamilton HM 12, Bermuda

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**Pandora Glasford**

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**Section H: Any Other Information [s5(1)h]**

*Insert any other information that **you think** might be useful for the public to know, so as to decrease requests for information:*

**Financial Performance**

- Annual Budget Brief
- Annual Budget
- Budget vs. actual monthly and quarterly reports ( budget, expenditure variance)
- List of current tenders, contracts or quotations; Recently-awarded contracts

**Section I: Any Other Information To be Provided? [s5(1)i]**

The Department of Workforce Development undertakes to:

1. Pro-actively publish and release information. We will review what we publish and take account of the demands for information. We will publish information electronically and in other cost effective ways appropriate to the needs of the community. In order to make it as easy as possible to find information, we will continue to improve our website, regularly update the Jobs Board and make regular updates to this Information Statement to enable people to find the information they want quickly and easily.

It is important to note that (subject to the Public Access to Information Act 2010) any person who is a Bermudian or a resident of Bermuda may apply for, and receive, information held by the Department of Workforce Development.

2. Encourage better information management. As budgets permit, we will continue to create and store records in manually and in digital formats.

3. Consult openly and widely wherever appropriate and practical. We will inform stakeholders as quickly as is practical about the reasons for our actions, keep them fully informed of progress, seek feedback and consult and involve them where it is practical to do so.

4. Strive to answer requests that are reasonable and specific. We will treat all requests fairly and without prejudice taking into account the public interest in making information available wherever possible. As legislatively required to do under the Public Access to Information Act 2010, we will:

a. Acknowledge receipt of a request within five (5) working days after receipt of the request and inform the requester of the process for dealing with the request and of the requester's rights under the Act;

b. No later than 6 weeks after receipt of the request, decide whether to grant or refuse the request in whole or in part;

c. Notify the requester of any extensions if responding within the original 6 week period is not reasonably practicable.

5. Give a clear explanation of our decision if information cannot be published or released and advise as to next steps that may be available.

**Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]**

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(1-5), PATI Act]:

**Date Information Statement was updated:** *March 31 2015*

**Locations of Information Statement:**

*Confirm copies of Information Statement are available at the following sites:*

Your principal office: (The location of the Department is 23 Parliament Street, Hamilton HM12)

- |   |   |
|---|---|
| • The Bermuda National Library;   | Y |
| • The Bermuda Archives;   | Y |
| • Available electronically,   | Y |
| • Website for public authority ( <a href="http://www.dwd.com">www.dwd.com</a> ).  | Y |
| • Have you published a notice in the Gazette indicating the places where the information statement is available for the public? | Y |
| • With the Information Commissioner.  | Y |

**Sign and Date:**

*Donagh*

*31 march 2015*