



**GOVERNMENT OF BERMUDA**  
**MINISTRY OF ECONOMY AND LABOUR**

**PATI Information Statement**

**Name of Public Authority: Department of Labour**

This is the Department of Labour Information Statement as required by the Public Access to Information Act 2010 ("PATI Act"). The PATI Act is intended to foster a culture of openness in government. The PATI 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.

The purpose of the PATI Act as specifically set forth under section 2 is to:

- Give the public the right to obtain access to information held by the public authority 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 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.

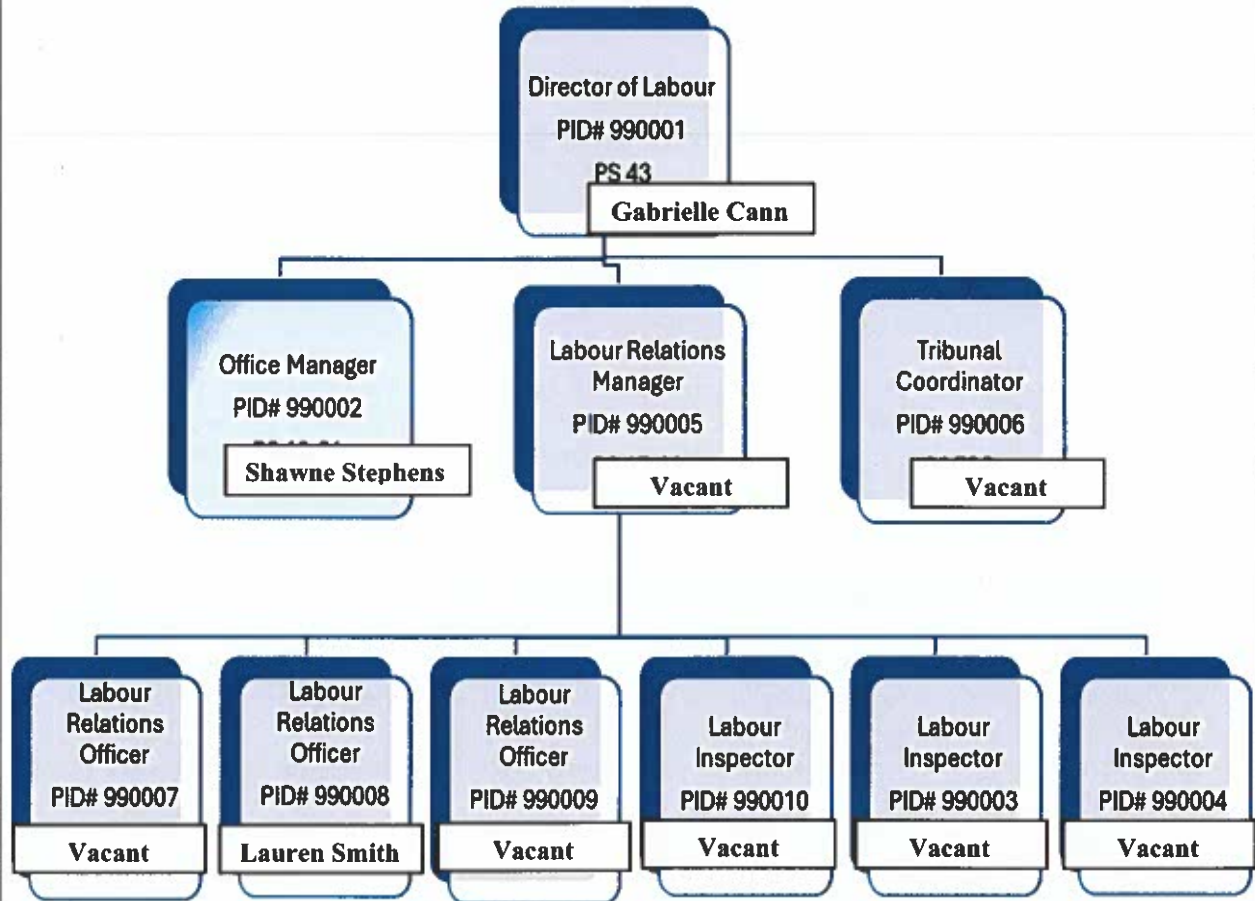
The Department of Labour provides this Information Statement to facilitate the public's access to records held by this office. It also includes background on our office's structure, decision making and other information that will assist the public's ability to exercise their rights under the PATI Act.

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

**Organizational Chart**

The Department of Labour falls within the Ministry of Economy and Labour. 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 consists of a total of 10 staff.

## Department of Labour Organizational Chart – Head 99



### Legislation:

Trade Union and Labour Relations (Consolidation) Act 2021  
Employment (Wage Commission) Act 2019  
Employment Act 2000  
Employment Act (Appeals) Rules 2014  
Employment (Minimum Hourly Wage Entitlement) Act 2022  
Employment (Minimum Hourly Wage Entitlement) Regulations 2023  
Employment (Minimum Hourly Wage) Order 2023

Copies can be found at [www.bermudalaws.bm](http://www.bermudalaws.bm)

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

### **Mission:**

To provide services to support and foster positive employment relations and harmonious industrial relations within Bermuda in alignment with international best practices.

### **Objectives:**

1. To monitor and enforce the Employment and Labour Code of Bermuda, the Employment (Minimum Hourly Wage Entitlement) Act 2022 and their related orders, regulations and policies.
2. To provide dispute resolution services for employment complaints and labour related disputes.
3. To educate employers, the Bermuda labour force and their respective representatives on their rights and responsibilities under the legislation.
4. Increase labour protections and advance labour policy through a human-centered approach.

The Department of Labour has the jurisdiction to investigate and conciliate any employment complaint and labour dispute reported to it under the Employment Act 2000, the Employment (Minimum Hourly Wage Entitlement) Act 2022 and the Trade Union and Labour Relations (Consolidation) Act 2021.

In the exercise of the powers conferred on inspectors of the Department, an inspector may require any relevant person to furnish information in relation to a matter or attend before an inspector.

### **Functions, Powers, Duties and Obligations**

The Director is the Head of the Department and works under the general guidance and directions of the Permanent Secretary of the Ministry of Economy and Labour. The Director is responsible for the overall management and administration of the Department.

The Employment and Labour Relations Tribunal ("Tribunal") is a statutory body established under the Employment Act 2000. The Tribunal has jurisdiction to hear and determine complaints, labour disputes, differences, conflicts and other matters referred to it under the Employment and Labour Code.

The Tribunal consists of a Chairman, Deputy Chairman and a panel of not more than 30 members appointed by the Minister responsible for labour:

- Panel Chairman – shall hold office for a period of three years
- Panel Deputy Chairman – shall hold office for a period of three years
- Panel members – shall hold office for a period of three years

The Tribunal shall regulate its own proceedings as it thinks fit.

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

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]

- To investigate and conciliate any employment complaint and labour dispute referred to it under the relevant legislation and such other functions as may be given to it by any other provision of law.
- Administer enforcement of the Employment (Minimum Hourly Wage Entitlement) Act 2022
- To refer unresolved matters to the Employment and Labour Relations Tribunal and/or the Minister responsible for labour.
- To provide guidance to Bermuda's employers, the labour force and their respective representatives.
- To educational seminars for the public, employers and employees.

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

### Minutes of Meetings:

- Wage Commission
- Labour Advisory Council
- Staff Meetings

**Records:**

- Complaint Files
- Awards of the Employment and Labour Relations Tribunal

**Financial Performance:**

- Annual Budget Brief
- Annual Budget
- Monthly and Quarterly Budget Reports

**Information that may be withheld:**

- Any information that contains personal information
- Notes and minutes of mediations and conciliations
- Names of employers and employees or any such information that the Employment and Labour Relations Tribunal deems should be excluded from the publication of an award

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

- Annual Business Plan
- Strategic Plan
- Department's Policies and Procedures

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

- 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 Policies and Procedures

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

**Gabrielle Cann**  
23 Parliament Street  
Hamilton HM 12  
Tel: (441) 297 7716  
Email: [gfcann@gov.bm](mailto:gfcann@gov.bm)

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

The Employment and Labour Relations Tribunal

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

The Department of Labour will strive to answer requests that are reasonable and specific. The Department of Labour 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, the Department of Labour will:

- 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 Public Access to Information Act;
- No later than six (6) weeks after receipt of the request, decide whether to grant or refuse the request in whole or in part;
- Notify the requester of any extensions if responding within the original six week period is not reasonably practicable;
- Give a clear explanation of our decision if it is deemed that information cannot be published or released and advise as to the 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:** 7 February 2025

**Locations of Information Statement:**

Your principal office: 23 Parliament Street, Hamilton HM 12	Y
The Bermuda National Library	N
The Bermuda Archives	N
Available electronically	Y
Website for public authority <a href="https://www.gov.bm/department/labour">https://www.gov.bm/department/labour</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**



**7 February 2025**