

STATEMENT BY THE GSLP/LIBERAL OPPOSITION

82/2008

12 August 2008

This morning the Leader of the Opposition Joe Bossano contacted the ETB on behalf of a worker whose employment was terminated some two months ago and who has not been able to obtain unemployment benefit to date.

The person concerned registered with the ETB and regularly calls at their offices to seek employment and find out about vacancies, notwithstanding the fact that the ETB has not yet been provided by the employer with the Termination of Employment form as required by law.

Despite his regular attendance, the claimant is unable to obtain unemployment benefit after paying social insurance for many years and having submitted a claim for this benefit.

The ETB was very helpful and suggested that the DSS should be contacted and if necessary the two departments could liaise and the fact that the person was without work and regularly attending to seek employment would be confirmed by the ETB.

On approaching the DSS and explaining the situation, the reply was that the Termination of Employment form from the employer was required as confirmation that the person concerned was not working any longer. On explaining that there was no way that the person concerned could produce this form if the employer refused to provide it and that it was unfair to deprive him of his entitlement to much needed unemployment benefit, the civil servant who took the call said the matter would be referred to a more senior official who would revert to the Leader of the Opposition.

The call was returned some time later and the Leader of the Opposition was informed that there was a policy directive that they could not provide him with information and that he could write to the Principal Secretary setting out his grievance or complaint. Mr Bossano explained this did not raise any policy or political issues, it was imply a matter of seeking information on behalf of a constituent as to how he should go about obtaining unemployment benefit.

However the officials concerned, who are not at all to blame, explained that this was the policy that they had to adhere to.

The Opposition thinks it is an absolute scandal and an insult to the role of an elected Member of Parliament to deny the electorate their constitutional right to approach any Member of the House with a problem and seek assistance and advice. Clearly, in Opposition for that assistance and advice to be accurate, the information has to be obtained from the department.

The Opposition believes that MPs and indeed every citizen is entitled to seek explanations and information as to their rights and when a Member is approached it is because a citizen feels that the MP concerned is better qualified to understand the administrative obstacles that may exist.

It is quite obvious that the approach of the DSS has not changed, notwithstanding the apparent upgrading of our institutions by having our legislature called Parliament instead of a House of Assembly.

What is clear is that no Member of Parliament in any other Parliament in Europe would be treated in this way by a Government department when all that is being asked is how can a worker who has lost his job obtain the unemployment benefit to which he is entitled if the employer delays the return of the official form confirming that the employment has terminated.

This is even more so when another Government department that registers the unemployed confirms that the person is unemployed and has registered him as such in the first place.

Since the only apparent reason for the form is as evidence that the person is no longer working, then it is obvious that one department can easily confirm to the other that this is indeed the case. In any event since there is a legal requirement for that form to be provided it is up to the department concerned to enforce the law and not penalise the claimant by denying the benefit until the employer chooses, in his own good time, to return the required form.

ENDS