

ORDER NO. **000366** /MINTSS OF **12 MARS 2020**
ON THE ESTABLISHMENT, ORGANISATION AND FUNCTIONING OF JOINT COMMISSIONS IN CHARGE OF ELECTIONS OF STAFF REPRESENTATIVES IN THE MINISTRY OF LABOUR AND SOCIAL SECURITY.

THE MINISTER OF LABOUR AND SOCIAL SECURITY,

- MINDFUL** of the Constitution,
MINDFUL of law no.92/007 of 14 August 1992 on the Labour Code and its implementing regulations;
MINDFUL of decree no.2011/410 of 09 December 2011 to organise the Government, amended and supplemented by Decree No.2018/190 of 2 March 2018;
MINDFUL of decree no.2012/558 of 26 November 2012 to organise the Ministry of Labour and Social Security;
MINDFUL of decree no.2019/002 of 4 January 2019 to reshuffle the Government;
MINDFUL of decree no.2018/9397/CAB of 30 November 2018 laying down terms and conditions for the establishment, organisation and functioning of Committees and Inter-ministerial Working Groups;
MINDFUL of order**000365**.....to lay down election procedures and conditions for the performance of the duties of staff representatives;

HEREBY ORDERS AS FOLLOWS:

CHAPTER 1: GENERAL PROVISIONS

ARTICLE 1: This Decision lays down the establishment, the organisation and the functioning of the National, Regional and Divisional Joined Commissions, in the Ministry of Labour and Social Security, hereinafter referred to as: **"The Joint Commissions"**.

ARTICLE 2: The Joint Commissions shall be responsible for collecting and analysing results of the elections of staff representatives throughout the National Territory.

ARTICLE 3: (a) The Joint Commissions shall meet when convened by their Chairperson.

(b).The Commission shall take place after an individual convening notice issued three days before the date of the meeting

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CHAPTER 2: ORGANISATION AND FUNCTIONING OF JOINT COMMISSIONS

ARTICLE 4: The National Joint Commission, whose members are appointed before the polling date, shall be composed as follows:

Chairperson : One representative of the Minister of Labour and Social.

Members:

- Five (05) representatives of the Administration;
- Representatives from Employers' Associations nominated by Employers;
- Representatives from Confederations of Trade Unions nominated by Confederations;

ARTICLE 5: (1) To carry out their missions, , the Joint Commissions shall be composed of one Technical Secretariat, responsible for ensuring the functioning and Follow-up of sessions.

(2) The Technical Secretariats of the Joint Commissions shall in particular be responsible for:

- Proposing to the Joint Commission the agenda of the meeting;
- Preparing files to be submitted for consideration;
- Organising meetings;
- drawing up minutes and reports of the meetings.



(3) The Technical Secretariat of the National Joint Commission shall be coordinated by the Department of Industrial Relations. It shall be composed of officials in charge of legal matters, follow up and the Service in charge of Industrial Institutions, Trade Unions and Employers' Associations.

ARTICLE 6: (1) The National Joint Commission shall meet fifteen (15) days after the polling date.

(2) The Chairperson of the National Joint Commission shall submit his or her report to the Ministry of Labour and Social Security, three (03) days after, latest.

ARTICLE 7: The National Joint Commissions, whose members are appointed before the polling date, shall be composed as follows:

Chair: The Regional Delegate of Labour and Social Security of the area.

Members:

- Four (04) representatives from the Regional Delegation of Labour and Social Security with territorial jurisdiction;
- Two (02) representatives of Employers, appointed by Employers' Associations nominated by Employers themselves;
- Representatives of Divisional Unions and Federations of Trade Unions having taken part in the elections, and nominated by said entities.

(2) The Technical Secretariat of Regional Joint Commissions shall be composed as follows:

- Two (02) representatives from the Regional Delegation of Labour and Social Security with territorial jurisdiction;
- One (01) representative from the Employers' Associations having taken part in the Election Process nominated by Employers;
- One (01) representative from the Trade Unions having taken part in the election process nominated by Workers.

ARTICLE 8: (1) The National Joint Commission shall be convened ten (10) days latest after the ballot after the ballot, on the basis of the minutes of the Divisional Joint Commissions.

(2) A report proclaiming the results of the elections of Staff representatives throughout the Region shall be established, then transmitted to the National Joint Commission within two (02) clear days.

ARTICLE 9: (1) The Divisional Joint Commissions, whose members are appointed before the polling date, shall be composed as follows:

- Chair: The Divisional Delegate of Labour and Social Security with territorial jurisdiction, or where appropriate, the Regional Delegate of the area;
- Members:
 - Two (02) representatives from the Divisional Delegation of Labour and Social Security with territorial jurisdiction;
 - One (01) representative from Employers' Associations nominated by Employers;
 - One (01) representative from the home Trade Unions having taken part in the Election Process nominated by such trade unions;

(2) The Technical Secretariat of Divisional Joint Commissions shall be composed as follows:

- Two (02) representatives from the Divisional Delegation of Labour and Social Security;
- One (01) representative from the Employers' Associations having taken part in the Election Process nominated by Employers;
- One (01) representative from the Trade Unions having taken part in the election process nominated by Workers.

ARTICLE 10: (1) The Divisional Joint Commission shall be convened six (06) days after the elections, latest.



(2) Minutes of proceedings shall be duly prepared upon the Commission sessions.

(3) The minutes from the Divisional Joint Commissions shall be forwarded to the Regional Joint Commissions within two (02) clear days after the elections.

CHAPTER 3: FINAL PROVISIONS

ARTICLE 11: (1) The composition of the National Joint Commission shall be established by a decision of the Minister of Labour and Social Security.

(2) The composition of each Regional Joint Commission shall be established by a decision of the Regional or Divisional Delegate of Labour and Social Security with territorial jurisdiction.

ARTICLE 12: The mandate of Joint Commissions shall cease upon the submission of the reports.

ARTICLE 13: The Minister of Labour and Social Security shall establish and proclaim the ranking of Trade Union Confederations after counting the votes from all minutes registered by the National Joint Commission.

ARTICLE 14: (1) The duties of Chair, Members of the National, Regional and Divisional Joint Commissions and members of the Technical Secretariat shall be free of charge.

(2) However, the concerned persons may be entitled to sitting allowances according to the regulation in force.

ARTICLE 15: Expenses related to the functioning of the Commission shall be borne by the budget of the Ministry of Labour and Social Security.

ARTICLE 16: This Order shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French./- /-

Yaounde, on 12 MARS 2020



THE MINISTER OF LABOUR AND
SOCIAL SECURITY,


Grégoire OWONA