

## DRAFT MOTION

The Parliament of St. Maarten, in its meeting of today, November 17, 2011

### CONSIDERING:

- The ongoing debate on issues surrounding developments at the Simpson Bay Resorts and Marina, whereby, following a recent court ruling, the general manager of the Simpson Bay Resorts Management Company, Mr. Jules James, has decided to immediately dismiss about 100 unionized workers;
- That the workers in question have been told verbally by the general manager, Mr. Jules James, that they were immediately dismissed, without giving them a valid reason and due notice in writing;
- That this action on the part of the general manager, Mr. Jules James, is a clear violation of the labour laws of St. Maarten;
- That the workers in question, some of whom have worked for the former Pelican Resorts for over 10 years, in permanent service, have been told, that in order to remain employed, they had to immediately sign a six months contract before they leave the premises;
- That these actions of the general manager of the Simpson Bay Resorts Management Company, Mr. Jules James, are clear examples of excessive abuse of power;
- That Simpson Bay Resorts and Marina and the Simpson Bay Resorts Management Company have been replacing the permanent workers with casual employees via so-called employment agencies, and that these new employees are offered work for often just 2 or 3 days a week;
- That this practice is aimed at eradicating permanent workers at the resort and circumventing the labour and social laws of St. Maarten and thus infringing on the job security of the workers;
- That the WIFOL labour union, representing the workers of the Simpson Bay Resorts Marina, has filed a court injunction against the decision of the appeals court, seeking for the dismissed employees to remain in their positions until the final ruling of the Supreme Court has been rendered on the dispute between Simpson Bay Resorts and Marina and their employees represented by WIFOL;
- That if the general manager of the Simpson Bay Resorts Management Company, Mr. Jules James, sticks to his decision to dismiss about 100 unionized workers, at the start of the 2011 – 2012 tourist season, this can lead to social and labour unrest in the country, which in turn can have a negative impact on the overall economy;

**RESOLVES:**

- To declare that the Parliament of St. Maarten is in solidarity with the dismissed employees of the Simpson Bay Resorts and Marina, and their struggle to secure continued permanent employment with the Resort;
- To denounce the actions of the general manager of the Simpson Bay Resorts Management Company, particularly the verbal dismissal of about 100 unionized workers and the replacement of these permanent employees with casual workers via so-called employment agencies;
- To call on the Simpson Bay Resorts and Marina and the Simpson Bay Resorts Management Company, to maintain all of its employees in their respective positions, pending the final ruling of the Supreme Court on the case between the Simpson Bay Resorts and Marina and the WIFOL union, representing the employees.
- To call on the government of St. Maarten to use whatever influence, powers and authority it might have to intervene on behalf of the dismissed workers at the Simpson Bay Resorts and Marina, and in the general interest of proactively maintaining peace, law and order in St. Maarten.

And goes over to the order of the day.

Copies of this motion to be sent to:

The Governor of St. Maarten

The Government of St. Maarten

The general manager of the Simpson Bay Resorts Management Company, Mr. Jules James

The President of the WIFOL, Mr. Theophilus Thompson

The image shows several handwritten signatures in black ink. At the top right, there is a signature that appears to be 'W. Martin' with a large flourish. Below it, there is a signature that looks like 'Jules James'. To the left of these, there are several other signatures, some of which are more stylized and less legible. The signatures are arranged in a somewhat scattered manner, with some overlapping.



motion nr I

# STATEN VAN SINT MAARTEN

Donderdag 17 november 2011 om 14:00 uur

Openbare Vergadering no. 7

## Stemmingslijst

Developments surrounding the dismissal of over 100 employees at one of the Resorts in Sint Maarten and the effects on the individuals in question and their families / (Deze spoedvergadering is aangevraagd door de leden van NA-fractie, IS/084/2011-2012, d.d. 10 november 2011)

NO.	NAME	VOOR/FOR	TEGEN/AGAINST
1.	Graciba Arrindell		✓
2.	L.E. Louwerst	✓	
3.	Hyacinth Richardson	✓	
4.	Frans Richardson	✓	
5.	George C. Pantophlet	✓	
6.	Jules C. James		✓
7.	Lloyd Richardson	✓	
8.	William V. Marlin	✓	
9.	Johan E. "Janki" Leonard		✓
10.	Roy R. Marlin		✓
11.	Romain Laville		○
12.	Schiva V. Meyens		✓
13.	Patrick Illidge		✓
14.	Petrus L. de Weever		✓
15.			

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