

mstward

**Motion (2012/2013, No. 01)**  
**Labor Law Amendment**

Motion - Romain Laville;

Independent Faction Member in the Parliament of Country Sint Maarten, with its address at Parliament Building, Wilhelmina Street 1, Philipsburg, Sint Maarten.

**Considering:**

1. the ongoing issue regarding the workers of Pelican, in which the company was sold to Simpson Bay Resort and Marina (SBRM), which continued the existing operation, but the benefits and years of service accrued by the employees were lost;
2. that the transfer of the post office from Nieuwe Post Nederlandse Antillen N.V. (NPNA) to Postal Services St. Maarten N.V. (PSS) after 10-10-10, resulted in a controversial issue that disrupted the lives of its employees, their families, and the entire community, when the post office doors were closed for several weeks in October 2011;
3. that in countries such as Australia, Canada, and member states of the European Union, there are laws (transfer of undertakings legislation) currently in place to protect employees and their rights, in the event that a company transfers from one owner to another;
4. that in the Netherlands, the law exists in protecting the employees and their rights by transfer of ownership of a company, in accordance with the labor laws of Book 7 of the Dutch Civil Code, Title 10, Section 8, Article 662-666; "Rechten van de werknemer bij overgang van een onderneming;"

**Resolves:**

To request that the minister of labor amend the labor laws governing Sint Maarten to include an article on the protection of employees and their rights, by transfer of ownership of a company (Rechten van de werknemer bij overgang van een onderneming) as it is done in the Netherlands, in accordance with the labor laws of Book 7 of the Dutch Civil Code, Title 10, Section 8, Article 662-666, and have them incorporated to suit and regulate the labor laws on the island;

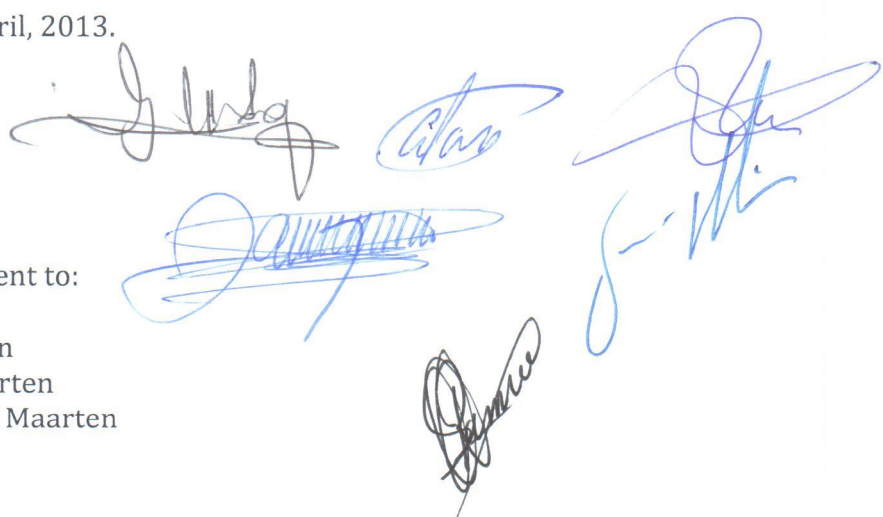
and proceeds to the order of the day.

Signed on this 17<sup>th</sup> day of April, 2013.

  
Romain J. Laville, MP

Copies of this motion to be sent to:

The Governor of Sint Maarten  
The Government of Sint Maarten  
The Council of Advice of Sint Maarten





STATEN VAN SINT MAARTEN  
Wednesday, April 17, 2013 Public Meeting no. 5  
Voting list

MI  
EJL

Rightstransfer ownership  
Company

Motion no. 1 date: April 2013

NO.	NAME	VOOR/FOR	TEGEN/AGAINST
1.	drs. R.E. Samuel	✓	
2.	G.C. Pantophlet	✓	
3.	Patrick G. Illidge	✓	
4.	H.L. Richardson	✓	
5.	Petrus L. de Weever	✓	
6.	F.G. Richardson	✓	
7.	Lloyd J. Richardson	✓	
8.	Romain J. Laville	✓	
9.	Roy R. Marlin	✓	
10.	Johan E. Leonard	_____	
11.	Silvia V. Meyers-Olivacce	_____	
12.	Jules C. James	_____	
13.	Louie E. Laveist	✓	
14.	Gracita R. Arrindell	_____	
15.			
		VOF	O A