

Ministry of Social Affairs and Labor
Directorate of Labor
Presentation of the Service for Social Organizations
May 2017

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Labor refers to all manual or intellectual activities carried out by an individual in order to support himself and his family. In any society this function is noble, and this nobility justifies the very existence of the Directorate of Labor.

The Ministry of Social Affairs and Labor (M.A.S.T.: *Ministères des Affaires Sociales et du Travail*) in its mission to ensure the harmonization of relations related to labor, has adopted the spirit and letter of the ILO Convention No. 87. Thus, the competent authorities have set up an operating section whose mission is to encourage workers, craftsmen and employers to collaborate better and to structure themselves into associations to defend their common interests. It is in this spirit that Haitian legislators have included in the Organic Act of the Ministry of Social Affairs and Labor the Service for Social Organizations, an entity of the Directorate of Labor with the responsibility to:

- Ensure the application of the legal provisions to the functioning of Unions;
- Protect workers, encourage them to join unions to defend their professional interests;
- Proceed with the legal registration and recognition of unions upon study of their statutes and their constituent act;
- Maintain continuous contacts with Union Organizations and supervise their functioning in accordance with the provisions of the Labor Code;
- To provide any person who so requests with consultations concerning the formation and operation of a union;
- Encourage frequent contacts between members and organize courses or conferences for them to ensure a revolution in the union movement;
- Conduct investigations into union activities in general;
- Assist cooperative companies and disseminate cooperative ideas and methods to them;
- Maintain an up-to-date file of Social, Employers' and Workers' Organizations;
- Establish comparative statistics on their functioning.

1. ORGANIZATION

The Directorate of Labor via the Social Organization Service is the body responsible for the registration and recognition of Social Organizations.

To obtain this legal registration, the leaders of the Organization must submit the following documents:

- A cover letter (four originals)

- The Constituent Act (two originals)
- The Minutes (two originals)
- The Statutes (two original copies)
- Copy of ID cards (NIF) or National Identification Cards (CIN) of all members of the Executive Committee
- Certificate of good conduct of all members of the Executive Committee
- The printing fees of the certificate (Gdes 600.00).

2. SAMPLE COVER LETTER

Mrs Guerline JEAN LOUIS, Director of Labor, In her Offices.

Madam Director,

The Executive Committee of the Association presents its compliments and has the honor to submit to your Directorate the complete file of the Association for registration.

Please accept, **Madam Director**, its kind regards.

For the committee:

XY / President

3. SAMPLE CONSTITUENT ACT

We, _____ founding members of the _____, meeting in _____, on _____ . In order to found an (Association, Organization, Movement) and in deed founded the said _____ with the objectives of _____.

The founding members are:

Surname and First Name	NIF/CIN	Signature
_____	_____	_____

N.B. - The Constituent Act must include the signature of at least 10 founding members.

4. SAMPLE MINUTES

In the year _____ on _____, we, the founding members of the Association, decided to found and in deed founded an Association called: " _____ " and with the acronym (____).

The objective of the Association is to: _____

The members present at this Assembly elected an Executive Committee with the mission of managing the Association well.

The Committee is composed of the following persons:

Surname and first names	Function	NIF/CIN	Signature
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N.B. - It is recommended to the founding members of the associations to elect an Executive Committee with an odd number to facilitate final decisions when divergences arise at meetings.

5. STATUTES

The Statutes of the Associations contain chapters divided into articles dealing with at least the following subjects:

- A. Their distinctive name, acronym, purpose and duration;
- B. Their registered office, i.e. their full address;
- C. The conditions of admission of their members;
- D. The rights and duties of the Executive Committee;
- E. The procedure for the replacement of members of the Committee
- F. Director dismissal before office term;
- G. Method for electing the Executive Committee;
- H. Procedures and motives for expulsion and disciplinary sanctions against members;
- I. The minimum frequency of ordinary and extraordinary meetings of the General Assembly and the method for convening them;
- J. The form of payment of contributions, their amount, the method of collection;
- K. The frequency with which financial reports are presented to the General Assembly;
- L. The method for handling internal conflicts;
- M. The modalities for voluntary dissolution or liquidation of the association.

6. FEDERATION/CONFEDERATION

In addition to the documents mentioned in the section on associations, it is necessary, in order to register:

- A federation of associations: 5 recognized associations;
- A confederation of associations: 3 recognized federations or 15 recognized associations.

7. ASSOCIATIONS OPERATING ABROAD

Associations operating outside the national territory and wishing to set up an office in Haiti will submit a file that will include

- 2 copies of the statutes, the constituent act and the minutes of the association duly authenticated by the Haitian Consulate of the country where the association operates.
- Translation of the file, if applicable, into one of Haiti's official languages.
- A copy of the authorization issued by the association's country of origin.
- The constitution of a Haitian office duly validated by the members.

8. RENEWAL

For the renewal of the certificate, the person in charge must submit the following documents to the Directorate of Labor:

- A. A letter of request for renewal (Four originals);
- B. The original and copy of the old certificate;
- C. An activity report (detailed and quantified) including cost of the association activities and source of funds;
- D. The minutes of the election of the current Executive Committee and the copy of NIFs and certificates of good conduct of the members of the new Executive Committee.
- E. The printing fees of the certificate (Gdes 600.00).

9. CONFIRMATION LETTER OF THE CERTIFICATE

To receive the confirmation letter of the certificate, the interested party must submit the following documents to the Directorate of Labor

- A. A cover letter;
- B. A copy of the certificate issued by the Directorate of Labor.

10. NAME CHANGE

Changing the name of any social organization already registered with the Directorate of Labor, requires the submission of the following documents by the persons in charge:

- A. A letter addressed to the Directorate of Labor notifying their request and reason;
- B. The Minutes of the General Assembly signed by all members present at the Assembly confirming this decision.

11. IN THE EVENT OF LOSS OF THE ORIGINAL OF THE CERTIFICATE

The member responsible for renewing the Certificate must submit:

- A renewal request letter indicating the loss of the certificate;
- A report notifying the loss of the certificate with the signature of the members present at the General Assembly;
- A mandate from a member of the Executive Committee authorizing the individual to carry out the renewal process;
- A certificate of complaint to the nearest police station to the locality where the association operates.

