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Port Authority 2017 – Potential Abuses Report

Guidance Standards – ISA 240 THE AUDITOR'S RESPONSIBILITIES RELATING TO FRAUD IN AN AUDIT OF FINANCIAL STATEMENTS (Practice guidance from ISSAI 1240 related to abuse)

Background

The OAG has started the audit planning process for the 2017 Port Authority Audit. As part of the planning process we are required by auditing standards to identify and assess the risk of fraud at the audited entity. One of the procedures to identify such risk is to inquire from management and TCWG if they are aware of any instances of fraud, alleged fraud and non-compliance with laws and regulation. Some responses to these inquiries highlighted matters that could be deemed as non-compliance with laws and regulations and merited further investigation.

OAG Key's responsibilities in response to such matters – ISA 240

If the auditor has identified a fraud or has obtained information that indicates that a fraud may exist, the auditor shall communicate these matters on a timely basis to the appropriate level of management in order to inform those with primary responsibility for the prevention and detection of fraud of matters relevant to their responsibilities.

Unless all of those charged with governance are involved in managing the entity, if the auditor has identified or suspects fraud involving:

- (a) management;
- (b) employees who have significant roles in internal control; or
- (c) others where the fraud results in a material misstatement in the financial statements,

The auditor shall communicate these matters to those charged with governance on a timely basis. If the auditor suspects fraud involving management, the auditor shall communicate these suspicions to those charged with governance and discuss with them the nature, timing and extent of audit procedures necessary to complete the audit.

The auditor shall communicate with those charged with governance any other matters related to fraud that are, in the auditor's judgment, relevant to their responsibilities.

Communications to Regulatory and Enforcement Authorities

If the auditor has identified or suspects a fraud, the auditor shall determine whether there is a responsibility to report the occurrence or suspicion to a party outside the entity. Although the auditor's professional duty to maintain the

confidentiality of client information may preclude such reporting, the auditor's legal responsibilities may override the duty of confidentiality in some circumstances

Key ISSAI 1240 consideration from Practice note

As stated in the INTOSAI Lima Declaration, General Section 14 "The concept and establishment of audit is inherent in public financial administration as the management of public funds represents a trust. Audit is not an end in itself but an indispensable part of a regulatory system whose aim is to reveal deviations from accepted standards and violations of the principles of legality, efficiency, effectiveness and economy of financial management early enough to make it possible to take corrective action in individual cases, to make those accountable accept responsibility, to obtain compensation, or to take steps to prevent—or at least render more difficult—such breaches". Public sector auditors therefore remain alert throughout the audit for occurrences of abuse. In this context, the Practice Note add an additional definition:

Abuse – involves behavior that is deficient or improper when compared with behavior that a prudent person
would consider reasonable and necessary business practice given the facts and circumstances. Abuse also includes
misuse of authority or position for personal financial interests or those of an immediate or close family member of
business associate. Abuse does not necessarily involve fraud, violation of laws, regulations, or provisions of a
contract or grant agreement. Abuse is a departure from the concept of propriety, which relates to the general
principles of sound public sector financial management and conduct of public sector officials.

Communications to Regulatory and Enforcement Authorities – AC Law key considerations

Duty of a public officer

A public officer or a member of the Legislative Assembly who has reasonable cause to believe that another public officer or a member of the Legislative Assembly has-

- (a) solicited;
- (b) accepted or obtained; or
- (c) agreed to accept or obtain;

any loan, reward, advantage or other benefit in contravention of any provision of this Law, shall report such belief to the Commission and shall provide the name, if known, of the person who gave, promised or offered such loan, reward, advantage or other benefit to the public officer or the member of the Legislative Assembly...

Abuse of Office

A public officer or a member of the Legislative Assembly who does or directs to be done, in abuse of the authority of his office, any arbitrary act prejudicial to the rights of another commits an offence and is liable on summary conviction to imprisonment for a term of two years.

If the act under subsection (1) is done or directed to be done for purposes of a loan, reward, advantage or other benefit such person commits an offence and is liable on summary conviction to imprisonment for a term of three years.

From interviews conducted and the review of board minutes, financial records, the PACI employee handbook and applicable legislations, the following breaches were noted in with regards to the recruitment of staff.

Assessment of breach/non-compliance	Ref
For new hires prior to 1 June 2017 the PACI	100
employee handbook would be the effective policy	
for recruitment. Effective 1 June 2017 the Public	
Authorities Law adds additional consideration for HR	11 500
practices, and also stresses that 'Public Authorities	_
shall prepare and act pursuant to a human resource	
policy and procedural manual and such manual shall	
be in compliance with this Law and approved by the	
board' (see extract)	PA 1
The PACI employee hand book states that the PACI	
can fill vacancies from within the existing staff	find and not; and
providing they are suitably qualified and have the	
necessary experience. It further states that vacancies	
will be advertised internally and externally only	
when necessary. (see extract)	PA 2
The handbook also states that the recruitment of	
new staff will be done by the HR manager and the	
respective manager/supervisor. The final hiring is	
subject to the approval of the Port Director. (see	PA2
extract)	
t1 -The HR Manager being excluded from New Hires pro	cess is a
loyee hand book and (effective 1 June 2017) is also a br	each of the
The agreed salary as per contract equated to	PA 3
approx. CI\$ per annum which exceeded the	
advertised salary scale.	PA 4
and the account of the second	
The HR manager noted that was involved in the	
interview process but not in the determination of	
the agreed salary.	
No. 1 to	
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ī	For new hires prior to 1 June 2017 the PACI employee handbook would be the effective policy for recruitment. Effective 1 June 2017 the Public Authorities Law adds additional consideration for HR practices, and also stresses that 'Public Authorities shall prepare and act pursuant to a human resource policy and procedural manual and such manual shall be in compliance with this Law and approved by the board' (see extract) The PACI employee hand book states that the PACI can fill vacancies from within the existing staff providing they are suitably qualified and have the necessary experience. It further states that vacancies will be advertised internally and externally only when necessary. (see extract) The handbook also states that the recruitment of new staff will be done by the HR manager and the respective manager/supervisor. The final hiring is subject to the approval of the Port Director. (see extract) 1 -The HR Manager being excluded from New Hires proloyee hand book and (effective 1 June 2017) is also a brown the process salary as percontract equated to approx. CI\$ per annum which exceeded the advertised salary scale. The HR manager noted that was involved in the interview process but not in the determination of

resigned effective 4 th November 2016.		
Breach/Non-compliance Act #2 – Contra	acting of salary in excess of advertised salary	range.
Hiring of Operations Manager – Administration: 2 nd January 2017 Following the resignation of the Office Manager the Port Director advised the HR manager that he did not wish to go through the advertising/interviewing process again and had identified someone to fill the vacant post of Office Manager.	The vacancy was not filled from internal staff of the PACI and therefore should have been deemed a recruitment of new staff and advertised/subject to interview etc. (as was done for the previous post holder). The HR manager was not involved in the recruitment process as required by the PACI employee handbook.	
The Port Director produced a new job description with the post of Operations Manager – Administration and directed the HR Manager to prepare the contract to hire effective 2 January 2017 at a salary of CI\$ per annum.	The Port Director giving the HR Manager a directive to hire a new employee is not in compliance with the PACI employee handbook. Although the post titles differed, the contents of the Operation manager — Admin job description was the same as that for the Office manager; however the salary as per the contract exceeded the amount advertised by Deloitte previously. The salary is however within the range for a management post as outlined in a salary hand used by PACI (provided by INACI in	PA 5 PA 6
	band used by PACI (provided by KPMG in 2000)	PA 7
	2000)	
contravention of the PACI employee handb	ling the HR Manager in the recruitment proce ook. The hiring of new staff by the Board Dire was done in contravention of the PACI emplo	ector without
Confirmation of : 12 th June 2017 On the 12 th June 2017, the Port Director	There is no evidence from the email communication that indicates the position was re-evaluated thereby meriting a salary	PA 8
advised the HR Manager via email that the Operation Manager Administration, had completed	increase as required by the PACI employee handbook	PA 9
probation and salary should be increased from CI\$ to CI\$ per annum	The terms of the contract states that the agreed salary shall be reviewed at fiscal yearend and annually thereafter. The directive to increasesalary by \$21,000 occurred 6 months prior to the	p =0

	fiscal yearend.	
	The amount to be paid as stated by the Port Director exceeded the range used to publicly advertise the post of other managers at PACI in March 2017. It also exceeds the amount that was approved in the PACI 2017 budget for the post of Office Manager. The budget does include the post of Operation Manager – Administration.	PA 10
Breach/Non-compliance Act #4 – Incre	easing the salary of without an evaluation	n and prior to

the end of the fiscal yearend contravenes the PACI employee handbook and the terms of the contract.

Port Director's awareness of the Public Authorities Law (2017) and its implementation

As a number of the proceeding breaches relate to the Public Authorities Law (2017), which came into effect on 1 June 2017, an assessment was done to determine if it was reasonable to expect that the Port Director should have been aware that the Law was implemented.

Key Findings	Ref
The CO for the relevant Ministry sent an email to all SAGCs on the 1 st June 2017 stating that the Law was in effect. The Port Director was included in this communication.	PA 12
In the Board of Directors meeting held on the 15 th June 2017, there is recorded item which states "implementation of the Public Authorities Law: members where furnished with copies of the law and noted its contents".	PA 13
The Port Director was present at that meeting and prepared the related minutes.	
In email communication sent to the HR manager on the 10 th July related to the hiring of a new employee, the Port Director made reference to the Public Authorities Law and its contents regarding recruitment matters.	PA 14
On the 18 th July 2017 the CO send an email to SAGCs reminded them to adhere to the personnel management requirements of the Public Authorities Law. The Port Director acknowledged receipt of this email on the 19 th July 2017	PA 15
Assessed below.	
	6.1 6.11

It is reasonable to conclude that the Port Director was aware of the implementation of the Public Authorities Law (2017) effective 1 June 2017, and his actions should been in accordance with the Law.

Key findings	Assessment of breach/non-compliance	Ref
Promotion of		
On the 16 th June 2017 the Port	As this promotion occurred post 1 June 2017, the Public Authorities Law would be applicable in	
Director advised the HR	assessing the directives given in this email.	PA 16
Manager that he had offered		1200000000
a promotion to	The filling of the new position of DD & COO was	
Deputy Director & COO effective the 25 th June 2017	not done in an open and fair manner as required by Part 6 of the Law.	PA 17
and new salary should be	There was no notification of the new and vacant	1.6.47
increased to CI\$per	position to allow suitably qualified persons to	
annum.	apply for the position as required by Part 6 of the	PA 17
The Port Director also provided	Law.	
a new job description to the HR	Considering that the job description for DD &	-
Manager for The job	COO was prepared on the 14 th June 2017, only	PA 18
description was prepared on	two days prior to the directive that	
the 14 th June 2017 .	should be promoted to the post, it is clear that (even if the vacancy had been advertised) there	
	was no time allotted for the consideration of any	
	other potential applicants for the post. This	
	would suggest that some favoritism was shown	
	towards This is in breach of the Public Authorities Law section 41(1)	PA 19
	Authorities Law Section 41(1)	
	It should be noted that in March 2017 the PACI	
	publicly advertised for two other Deputy	PA 20
	Director positions, so this (not advertising the	
	post of COO) was a clear departure from that recent practice.	1
Breach/Non-compliance Act #5 T		tion
	orities Law, and his actions occurred following form	
	il on 1 June 2017 of the law being in effect, and 1 da	
implementation of the Law was t	liscussed at a PACI Board meeting, at which he was	present.
Hiring of		
Operations & Events Manager	As this appointment occurred post 1 June	
The state of the s	2017, the Public Authorities Law would be	
who is a former employee from MACI was 'on	applicable.	
loan' to the PACI assisting them	The filling of the new position of Operations &	
with their 40 th anniversary	Events Manager was not done in an open and	
celebrations. The HR manager	fair manner as required by Part 6 of the Law.	PA 17
advised that this arrangement was coordinated by	There was no notification of the new and	
	Little te was no nothication of the new and	

previously worked together at	persons to apply for the position as required	
MACI, and are also said to be	by Part 6 of the Law.	PA 17
close friends. (evidenced via social		
media)	The position of Operations & Events Manager	
	and the related salary as per the contract	PA 21
On the 10 th July 2017	were not presented in the PACI 2017 budget.	PA 11
(COO) gave the HR manager an	The second secon	
accepted offer of employment for	The PACI employee handbook explicitly states	nale 'all
to be employed as	that all successful applicants (i.e. new hires)	- 1 1
the PACI Operations & Events	need to pass a medical examination and a	PA 22
Manager. The salary for the post	police clearance is also required.	
was set at CI\$ per annum.		
	The Public Authorities Law also states that 'A	PA 23
The HR Manager advised the Port	chief executive officer shall, before making an	
Director that was advised by	appointment, undertake a background check	
the COO that did not	on the appointee relevant to the duties of the	
have to complete a medical.	position and which shall be in addition to any	
also advised the Port Director that	references'	
two references would be need for		
as well as proof of	The Port Director's directive that a medical	
being a Caymanian.	examination and references were not required	
	is a breach of the PACI employee hand book	
The Port Director stated that as	and the Public Authorities Law.	
worked for MACI		
and they used the same insurer as		
PACI no medical was required. He		
further referred to the Public		
Authorities Law and indicated that		
public servants did not need to		
produce police clearance		
certificates or reference letters.		
The Port Director also noted that		
has lived in Cayman		
for the past 20 years and being		potential Parameter
married to a Caymanian has		
granted Caymanian Status.		
Breach/Non-compliance Act #6 - Th		
	ties Law, and his actions occurred following form	
	on 1 June 2017 of the law being in effect, and afte	
	cussed at a PACI Board meeting, at which he was	
THE PROPERTY OF STREET AND THE PARTY OF THE	medical examination and references were not rec	quirea is a
breach of the PACI employee hand	book and the Public Authorities Law (2017).	

- redacted in accordance with Section 23 (1) of the FOI Law.

Hiring of the Deputy Director - Human	As this appointment occurred post 1 June	
Resources	2017, the Public Authorities Law would be	44
	applicable.	
In March 2017 the PACI advertised for the		
post of DD- Human Resources. The	It is not clear on what basis the contracted	PA 24
advertised salary range for the post was	salary was raised to an amount which	
CI\$88,000 to CI\$125,000. The successful	exceeds the advertised range.	PA 20
candidate was		
employed effective 1 September 2017.	The Public Authorities Law states 'where	PA 25
contract which was signed on the 11	the chief executive officer establishes to	
August 2017 was for an annual salary of	the satisfaction of the relevant board that	
CI\$ CI\$ in excess of the	the salary range for a post is not adequate	
maximum advertised salary.	to attract the best person for the post, the	
	chairperson, after consultation with the	
	relevant chief officer, may increase the	
	salary in an individual case by taking into	
	account market rates'	
1	The salary exceeds the amount approved	
	in the PACI 2016/17 budget for the port of	PA 26
	Deputy Directors. Note: the DD Human	
	Resources was not included in the budget.	
	The CO for the relevant Ministry has	
	confirmed that this matter was not	
	brought to his attention and consequently	
	he did not provide consultation on the	
	matter.	
	ng of salary in excess of advertised salary rang	e and the PACI
2016/17 budget.	A Committee of the second of t	Carrier that sate
	10-11-	
Promotion of to Deputy	As the date coincides with the date of	
<u>Director and CLO</u>	enforcement of the Public Authorities Law	
	it is not explicit if this contact was	
, who was a current employee	considered under the law.	
of the PACI and acted as Deputy Director		
or Operations, was promoted to DD and	The salary exceeds the amount approved	
Chief Logistic Officer effective 25 th June	in the PACI 2016/17 budget for the port of	
2017. This position was not advertised.	Deputy Directors. Note: this post was not	
The agreed salary was CI\$per	included in the budget.	
annum.		
contract was size and are the dist time.		
contract was signed on the 1 st June		
2017		
<u>breach/Non-compliance Act #8</u> – Contractil	ng of salary in excess of the PACI 2016/17 bud	get.

Financial analysis

In the Board of Directors meeting minutes dated 6th September 2017, under the section matters for noting, the Port Director updated the board on the recent recruitment of staff.

In response to the OAG asking for an expansion of the recorded point in the minutes regarding staff recruitment, the Port Director stated that the update was in relations to positions that were advertised in March 2017. He did not refer to either of the positions that were filled in June 2017 and in July 2017

In his response the Port Director also pointed out that the recruitment cost was \$1.1 million which was within the \$2million budgeted in the 2016/17 Budget

In details provided by the Port Director as an expansion of the point which was noted in the minutes, he pointed out that the cost from recruiting new positions was below the amount included in the 2016/17 budget.

The amount included in the budget of \$1.95 million represents the budget expectations of new staff (17 posts) for the 18 month period 1 July 2016 to 31 December 2017, inclusive of pension, health and life insurance cost. For the 12 months fiscal period ended 31 December 2017 the budgeted cost for new employees as per the 2016/17 budget is \$1.3 million inclusive of pension, health and life insurance cost.

As at October 2017 the PACI had 18 new post filled, some of which were not included in the 2016/17 budget, i.e. there are posts as per the budget that are still not filled.

The projected annual cost for these new employees is \$1.7 million.

PA 27

PA 28

PA 26

PA 29

Breach/Non-compliance Act #9 – The recruitments approved and in some instances initiated by the Port Director has increased the PACI annual payroll cost by \$1.7 million per annum. This amount exceeds the budgeted annual increase by around \$400,000 per year.

- redacted in accordance with Section 23 (1) of the FOI Law.

Port Authority 2017 - Potential Abuses Report - Granting Special Leave

From a review of the PACI leave reports the OAG analyzed significant exceptions in order to discuss with management the basis of such expectation and to assess compliance with the PACI employee handbook and the applicable law(s).

Key findings	= f = = 1		Assessment of breach/non-compliance	Ref
Opposition on what was	red'. A more in coment of PACI his coused leave was he Port Director wed that the lead /assistance the sociasified as of a days special lead.	depth analysis and ighlighted that a s taken by r – Clement Reid. ve was approved to Leader of the ficial business. In total eave between 1 March	The PACI employee handbook provides details on the types of leaves that employees are entitled to, and the type of leave that can be granted at the Port Director's discretion.	
Period of leave	# of Days	Reason for leave	entitlement –	
1 st March 2016 to 5 th March 2016	5	Travel/assistance the Leader of the	Annual leave, sick leave and	
April 6 th 2016 to April 16 th 2016	11	Opposition on what was	maternity leave Leave that can be	PA 30
May 18 th to 28 th 2016	11	classified as	granted by the	
June 17 th 2016 to July 5 th 2016	15	official business. Approved by PD	Port Director – Special leave, leave	
August 17 th 2016 to August 30 th 2016	14		without pay (which includes paternity	
March 2 nd 2017 to March 7 th 2017	7		leave for male employees after	
Total leave for 'Official business'	63		using all vacation leave)	
June 2 nd 2017 to October 16 th 2017	4.5 months	On suspension	Special leave as per the employee handbook is defined as leave granted to an employee if selected to represent the Cayman Islands as	

	a member of a	
	sporting team or a	
	cultural body at a	
	national level, upon	
	the presentation of	
	a written request	
	from the	
	organization.	
	There are no	
	provisions in the	
	PACI Employee	
	Book that gives the	
	Port Director	
	discretion to grant	
	leave for the	
	purpose of	
	travel/assistance to	
	MLAs.	
	There is evidence PA	A 31
	that the Port	
	Director	
	approved/directed	
	that be	
	granted paid leave	
	to travel/assist the	
	Leader of the	
	Opposition.	
	COUNTY STATE (DISERVED BOSE)	
ach/Non-compliance Act #10 - The granting of paid lea	ave for 63 days by the Port Dire	ector
travenes the PACI Employee Handbook.		

Key findings	Assessment of breach/non-compliance	Ref
Release of Wrecked Vessel to Port Employee where Ownership was Disputed Our audit reviewed the wrecks index for 2016 and 2017 and noted one dispute. Matter Arising: A Customs Official reported to the PACI Manager of Cruise Operations & Security that in July 2015 police took possession of a wrecked vessel (boat) which was overturned. He noted that	The Merchants Law section 286(1)&(2) states that a wreck shall be delivered to a claimant when he has proved to the satisfaction of the receiver his entitlement. At the time that the Port Director made the decision	PA32 (Wreck index Extract) PA 33 (Email from customs official)
(A PACI employee) delivered the boat to the police at the launch ramp. In a request for further details by the PACI Manager of Cruise Operations & Security, a RCIPS Officer who was copied on that same email responded and noted that another person, a delivered the boat to police officers.	to release the boat tothere was evidence that a second substantiated claim existed which he did not adequately consider prior to making his decision.	PA 34 (Email RCIP officer) PA35A (Email with
This created a scenario of two conflicting stories of who found the boat and further confusion as to who actually has the right to claim for the boat if the real owner was not identified. As the issue developed father contacted the Port Director to reaffirm that had found the boat and expressed an interest in it.		claim from one of the boat claimants to PD) PA35A (Mgr. of Cruise & Security notes of claimants
We also reviewed a file note prepared by the PACI Manager of Cruise & Security which indicates that he communicated directly with both claimants who both expressed their rights to the vessel. The note also shows that the Manager of Cruise & Security advised both claimants that as they were both making claims of the same vessel the solution would be to auction it and have the proceeds shared.		PA 36 (PD Instructions to release boat) PA 37 (Mgr. Cruise
In November 2016, the Port Director (PD) instructed the PACI Manager of Cruise Operations & Security via email to release the boat to		indicating existing conflict) PA 38 (PD confirming he released the boat himself)

delivered the boat.	(Official police report)	
The PD indicated in an email to the Acting Deputy	200	
Director of Operations that he released the boat	PA 40	
himself in March 2017 to	(Extract of	
	Merchants law	()
OAG requested and received the official RCIPS report	ALL CONTRACTORS	
and it noted towed the boat to shore		
after had found the vessel and had	- 1	
difficulty in pulling it ashore alone.		
and the state of t		
Breach/Non-compliance Act #11 - Release of wrecked	vessel to Port Authority employee without	
proper & clear evidence of rights to owner of vessel		

Key findings	Assessment of breach/non-compliance	Ref
Unauthorized removal of Four Boat Engines Four boat engines owned by the Port and stored at Harbour House Marina were reported	Ongoing	PA 41 (Report on port boat engines
to have been taken by Port Employees without authorization.		taken by Harbour Marina)
The estimated residual value of the engines were CI\$6,000 (CI\$1,500 each).		PA 42 (Residual
Presently the PACI do not have a written Disposals Policy, however the Deputy Director of Finance stated that the PACI has been following a long standing practice on disposing		value) PA 43 (Port disposal
of assets by either an auction, a donation to charity or schools or scrapping and disposing at the landfill. One very important business		practice) PD 44
practice that the Port adopted many years ago was that of informing the public of what was being auctioned or donated.		(PD Response on claim)
It appears that in this instance the proper guidelines and channels for disposing of fixed assets were not followed.		
The boat engines which were kept at the Harbor House Marina were taken from that location. The Harbor House Marina is contracted by the Port to replace engines,		

Manager of cruise and security port employee in receipt of one alleged that the Port Director gauthorization. The PD and other members of indicated that they did not aut removal of the engines. Breach/Non-compliance Act #3	noted that one e of the engines ave management horize the	
Key findings	Assessment of breach/non-compliance	Ref
Redecoration of PACI Offices Port director approved over \$100k to renovate his and another office within the Port Authority building. The Port processed contracts, payment requisitions, purchased Orders, and invoices for a total of CI\$135,773.62 consisting of the following: 1. Garrison Industries for CI\$14,332.00, (Office Furniture & Accessories) 2. Iron Shore Contractors for CI\$90,514.00 (Patio, 2 Offices Developments & Upgrades), 3. Design Studio for US\$37,716.61 CI\$30,927.62 (Rugs, Vases, Lounge Chairs, Poufs, Dining Tables)	There was no business case available for the works done. Although the work done by Iron Shore exceeded the threshold at which tendering is required, there was no evidence that the work was put out to competitive bidding. This is a departure from the Public Management and Finance Law CTC guidance.	PA 45 (PD director approval of Purchase Orders) PA 46 (Deputy Director of Finance confirming no business case available) PA 47 (contract details) PA 48 (FIN REG Extract)

Breach/Non-compliance Act #13 – Incurrence of expenditures in excess of \$100,000 on renovations with no evidence provided of business case and tendering.

Extracts of evidence referenced in the report

PA 1 - PUBLIC AUTHORITIES LAW EXTRACT

PART 6 – PUBLIC AUTHORITY PERSONNEL MANAGEMENT REQUIREMENTS

- 41. (1) A public authority shall make all personnel management decisions without patronage, favouritism or consideration of political factors and, pursuant thereto a public authority shall ensure that open and fair processes apply to all -
 - (a) appointments;
 - (b) promotions;
 - (c) remunerations;
 - (d) discipline;
 - (e) dismissal; and
 - (f) any other personnel management decisions.
- (2) All public authorities shall prepare and act pursuant to a human resource policy and procedural manual; and such manual shall be in compliance with this Law and approved by the board.



Filling of Vacancies

Whenever possible, the Port Authority will fill a vacancy from within the existing staff provided that a suitable employee with the necessary qualifications, experience, ability and potential is available for the vacancy. Vacancies will be advertised internally and externally only when necessary.

Caymanians will be given first right of refusal and will be employed in all positions wherever possible. Non-Caymanians will be employed only when it is not possible to find a Caymanian with the necessary qualifications and experience for the job. Caymanians identified for the replacement will be given every possible tool to enable them to make the easy transition.

Recruitment

Recruitment of new staff will be done by the Human Resources Manager and the respective Manager/Supervisor, with approval from the respective Deputy Director. However, the final hiring will be subject to the approval of the Port Director. The following hiring practices are strictly adhered to:

· ·	CONTRACT OF I	EMPLOYMENT
The parties	of P.O. Box 1358 George T	THE CAYMAN ISLANDS Town, Grand Cayman, KY1-1108 To as "the Employer")
And		ayman, KY1- 1 to as "the Employee")
muneration		
arrears by on the 2 yearend and annua	4 th day of each month. The said sally thereafter, without any commit	per annum and shall be paid monthly in salary shall be reviewed by the Employer at fiscal ment on the part of the Employer to increase the may enjoy such annual cost of living adjustments

PA 4 - OFFICE MANAGER ADVERTISE SALARY

Deloitte.

OUR CLIENT, THE PORT AUTHORITY OF THE CAYMAN ISLANDS IS SEEKING TO FILL A VACANCY FOR THE POST OF THE OFFICE MANAGER

Reporting to the Port Director, the Office Manager ("Manager") is responsible for organising and coordinating all of the administrative activities and procedures that facilitate the efficient operations of the offices of the Port Authority of the Cayman Islands ("PACI"). The Manager must be experienced in handling a wide range of administrative and executive support related tasks, and be able to work independently. The Incumbent must be exceedingly well organised, flexible and enjoy the administrative challenges of supporting an office of diverse people with a broad customer base. The incumbent must ensure office equipment is maintained, records are up to date and that all administration processes work effectively and efficiently in the PACI. As a member of the organisation's leadership team, the incumbent will be involved in personnel management, interpersonal communications, procurement, Board support, corporate communications and customer service. The Manager must maintain professional decorum and discretion at all times. In addition, the incumbent will support the Port Director with executive administrative tasks. The incumbent will be familiar with an office environment and possess a strong understanding of business principles.

The successful candidate will be rewarded with a competitive remuneration package with excellent benefits. Salary for the above position will be in the range of CI\$42,564 to CI\$63,912 per annum, commensurate with the qualifications and experience of the successful applicant.

JOB DESCRIPTION

JOB TITLE:

Operations Manager - Administration

DEPARTMENT: REPORTS TO: Administration Port Director

JOB SUMMARY

The Operations Manager – Administration ("Manager") is responsible for the organisation and coordination all administrative activities and procedures that facilitate the efficient operation of the offices of the Port Authority of the Cayman Islands ("PACI"). The incumbent will handle a wide range of administrative and executive support related tasks, and will be required to work independently. The Manager will support an office of diverse people with a broad customer base. The incumbent will be responsible for ensuring office equipment is maintained, records and policies are kept up-to-date and that all administration processes work effectively and efficiently. In addition, the incumbent will support the Port Director with executive administrative tasks.

As a member of the organisation's leadership team, the incumbent will be involved in personnel management, interpersonal communications, procurement, Board support, corporate communications and customer service. The Manager will maintain professional decorum and discretion at all times.

ESSENTIAL DUTIES & RESPONSIBILITIES

Administrative Support

- Uses office productivity software including email, spreadsheets and databases to help organise and coordinate
 the administrative functions of the PACI's office environment and information resources.
- Responsible for maintaining sufficient inventory and tracking the use of office supplies.
- Responsible for reviewing and approving all PACI purchasing requisitions to support the organisation's operations.
- Responsible for maintaining the operational and aesthetic conditions of the PACI offices, and arranging for necessary repairs or improvements.
- Responsible for designing / enhancing filing systems, as needed, for the proper retention / release of information.
- Plans and implements office systems, layouts / layout changes, and equipment procurement for the office environments of the PACI.
- Responsible for organising and scheduling all executive meetings and appointments. Additionally, assists with other meetings and appointments when possible.
- Responsible for ensuring all executive travel is within the PACI travel policy.
- Partners with the Information Technology department on all office equipment selections and purchases.
 Reviews equipment lifecycle and replacement plans annually.
- Responsible for managing relationships with vendors and service providers, ensuring that all services / goods are invoiced / paid on time.
- Participates on the PACI crisis management team.

Page 1

Management

- Responsible for developing and implementing office policies and procedures for all operations in the offices of
 the PACI. Responsible for measuring operations effectiveness quarterly against standards, and for reviewing /
 updating the policies and procedures on an annual basis, as required.
- Maintains and updates the library of operational compliance records in accordance with international regulatory requirements.
- Responsible for assigning and monitoring the effectiveness of clerical functions at the PACI.
- Delegates work to staff and manages their workload and output in support of the PACI office operations.
- Responsible for promoting staff development and training for all direct report staff through performance
 management and coaching. Responsible for collaborating with the management team and Human Resources
 ("HR") for annual reviews of the development and training programs of the PACI.
- Responsible for carrying out staff appraisals, managing performance and disciplining staff, as outlined in the PACI HR policies, for all direct reports.
- Responsible for designing and proposing procedures for retention, protection, retrieval, transfer, and disposal
 of records in accordance with executive directives and legal requirements. Reviews and updates as
 necessary, all data retention policies and procedures on an annual basis.
- Manages contract / price negotiations with office supply / equipment vendors and service providers, and manages all purchase requisitions for PACI supplies and equipment.
- Supervises and monitors the work of office secretarial, clerical and administrative staff.
- . Manages office operating budgets for the offices of the PACI.

Communications

- Writes reports, press releases, special announcements and communications for executive leadership, and senior management as required, and delivers presentations to both PACI employees and external entities.
- Responsible for controlling PACI wide correspondence, including all organisation wide communications in any
 format. Ensures that all communications adhere to internal policies and legal requirements.
- Attends industry / regulatory conferences, as regulred.
- Keeps management informed by reviewing and analysing reports, summarising information and identifying trends as instructed by executive leadership and ensuring accuracy and timeliness of reporting.
- Attends meetings with (or on behalf of) executive management as needed, including Board of Director meetings.
- Maintains relationships with strategic partners including the Cayman Islands Department of Tourism, cruise lines, etc.

CONTRACT OF EMPLOYMENT

The	Parties	of P.O. Box 1358 George Town, Grand Cayman. KY1-1108 (Hereinafter referred to as "the Employer")
And		of P.O. Box Grand Cayman, KY1- (Hereinafter referred to as the Employee ")
Rem	nuneration	
5.	shall be paid mor salary shall be re- thereafter, withou said salary on each	per annum and athly in arrears by on the 24th day of each month. The said viewed by the Employer at fiscal yearend and annually at any commitment on the part of the Employer to increase the ch or any such review. The Employee may enjoy such annual estments as may be approved by the Employer.
	- redacted in ac	ecordance with Section 23 (1) of the FOI Law.

Capacity pf parties to sign

Both the Employer and Employee warrant that they have the requisite capacity, authority and permission to enter into this agreement.

Signature for Employer 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	
Name of signatory <u>Clamant Rual</u>	
Designation	Date 19.12.16
Signature of witness	
Name	
Designation	Date
Employee's signature	
Name	
Designation	Date 19/05/2016
	, ,
- redacted in accordance with Section 23 (1) of the FOI L	Law.

PA 7 - PACI SALARY BAND (PROVIDED BY KPMG)

The table below shows the minimum and maximum salaries per band:

Minimum (CI\$ p/month)	Maximum (CIS p/month)
15.000	17,000
8,000	14,500
4,000	8,000
3,000	6,000
2,500	5,000
Minimum (CI\$ p/hour)	Maximum (CI\$ p/hour)
14.86	22.28
	15,000 8,000 4,000 3,000 2,500 Minimum (CI\$ p/hour)

The current employees will be placed in the band that corresponds with their job. There will be no changes in current salaries/wages. Bands will increase annually with approved cost of living increases.

PA 8 – OPERATION MANAGER SALARY INCREASE

Subject: Employment Confirmation for Good morning has completed probation with PACI and requires a Confirmation Letter for file. salary will be increased to CI\$ per annum effective June 25th, 2017. Rgds, Clement Reid - Port Director	From: Sent: To:	Clement Reid Monday, June 12, 2017 9:26 AM		
has completed probation with PACI and requires a Confirmation Letter for file. salary will be increased to Ci\$ per annum effective June 25 th , 2017. Rgds,		Employment Confirmation for		
salary will be increased to Ci\$ per annum effective June 25 th , 2017. Rgds,	Good morning			
Rgds,	has completed	probation with PACI and requires a Confirmation L	etter for file.	
	salary will be increased to CI\$	per annum effective June 25 th , 2017.		
Clement Reid - Port Director	Rgds,			
Clement Reid - Port Director				
Clement Reid - Port Director				
	Clement Reid - Port Director	STATE OF THE STATE		-



Band of the new position, and shall be nearest to the pay rate the employee is paid in the present position.

d) At no time will an employee receive a salary greater than the maximum of the pay range for his/her Salary/Wage Band as specified in the Compensation Plan.

The new salary will be determined by the Port Director, based on:

- » the employee's current salary;
- » the new Salary/Wage Band;
- » the most recent performance appraisal;
- » the level of acquired skills and knowledge of the employee relevant to the new job;
- » the expected potential of the employee; and
- » the career history of the employee with the Port Authority.

Position Re-evaluation

- a) Where an employee occupies a position which is re-evaluated, resulting in its having a higher pay range, the employee shall receive not less than the minimum rate of the new pay range.
- b) Where his/her salary falls within the new pay range, any adjustment shall be done at the discretion of the Port Director.
- c) Where an employee's salary exceeds the maximum of the applicable Salary/Wage Band, the employee shall not be entitled to received further pay increases until such time as the maximum salary assigned to the applicable Salary/Wage Band exceeds the employee's present salary.

Where the re-evaluation of a position takes place there will be no retroactive salary adjustment.

FLEET MANAGER SALARY: CI\$69,000 - \$104,000 PER ANNUM

Reporting to the Deputy Director – Cargo Operations, the Fleet Manager manages the activities of the Fleet / Mechanical department to ensure that fleet and heavy equipment are available, dependable and safe at all times.

The incumbent develops, refines, and oversees the preventative maintenance programmes and ensures compliance with organisational policies, Government regulations and manufacturer requirements.

FINANCE MANAGER SALARY: CIS 69,000 - \$104,000 PER ANNUM

Reporting to the Financial Controller (FC), the Finance Manager is responsible for the financial health of the Port Authority of the Cayman Islands (PACI). The incumbent produces financial reports, develops strategies based on financial research, provides support to the Deputy Director — Finance and FC, and provides guidance to management to assist in short- and long-term decision making. The incumbent also assists the FC in managing the day-to-day Accounting department operations.

Benefits will be determined in accordance with the Labour Law (2011 Revision). Preference will be given to suitably qualified and experienced Caymanians

Detailed Job Descriptions and Application Form are available online at https://www.caymanport.com/human-resources/

PLEASE SUBMIT A COVER LETTER, OFFICIAL APPLICATION FORM AND RESUME TO:

Port Director
Port Authority of the Cayman Islands
PO Box 1358, 45A Harbour Drive, Grand Cayman KY1-1108, Cayman Islands
Email: creid@caymanport.com

CLOSING DATE: 31 March, 2017

PA 11 - OFFICE MANAGER SALARY BUDGET AMOUNT

PACI 2	2017 BUDGET		
Expec	ted effects on the Staff Costs for the 18 months to Decer	mber 31, 2017	
♂	Administration/Staffing (NEW):	Dec-16	Dec-17
	Project Manager		
	Facilities Manager		-
	Deputy Director - Cargo Operations		
	Deputy Director - Maritime Affairs/Harbor Master	ĺ	
	Office Manager		
	ri , sa	2000	72.000

PA 12 - CO NOTIFICATION ON PUBLIC AUTH LAW

From: Bodden, Stran

Sent: Thursday, June 01, 2017 2:21 PM

To: Fabian Whorms (fabianwhorms@caymanairways.net); Tim Adam (timadam@TURTLE.KY); Clement Reid (creid@caymanport.com);

Jackson, Jonathan; Watler, Dalton (Dalton.Watler@gov.ky)

Subject: FW: Public Authorities Law

Good Afternoon Gentlemen,

Please find attached Public Authorities Law and the below email from the Deputy Governor.

Best regards,

Stran A. Bodden, JP

Permanent Secretary & Chief Officer Ministry of District Administration, Tourism and Transport

From: Manderson, Franz Sent: Tuesday, May 30, 2017 12:56 PM To: Chlef Officers Cc: Gough, Peter; Rodrigues, Mary Subject: Public Authorities Law Dear Chief Officers,

The Public Authorities Law 2017 was passed at a recent sitting of the Legislative Assembly. The Law was gazetted on Monday 8 May 2017 and the majority of the Law will become effective on 1 June 2017. Section 47 of the Law which relates to a pay scale for the SAGC's will come into effect on 1 June 2018. The law specifies your responsibilities as Chief Officers in relation to public authorities. I have attached the Law for your penusal

The Law enshrines a standard, best practice framework for all Public Authorities for achieving good governance and best human resource practices. Improvements in these areas will benefit the community by enhancing the effectiveness of public authorities and ultimately the achievement of important public policy goals. The Law does not affect the principal functions of any public authority or their independent regulatory decision-making processes. I know that the commencement date is very near but we wanted to ensure that any new Board members of the SAGC's were appointed in accordance with the new Law. Can you please notify your SAGC's that the Law will come into effect on 1 June 2017.

We will discuss how we can consistently implement the Law at our next meeting.

BOARD OF DIRECTORS MEETING Port Authority of the Cayman Islands 45A Harbour Drive 15th June, 2017 Meeting No. 413

Other Attendees

Mr. Clement Reid - Port Director

Mr. James Parsons - Deputy Port Director - Finance

7. New Business

a. Snack Shack letter to PACI requesting explanation on his refusal and subsequent

Mr. Gerry Kirkconnell cited a conflict and recused himself from the meeting. Members requested additional information from Snack Shack and deferred the matter to the July 27th meeting.

b. Tender proposal for North Terminal Refurbishment Project

Mr. Gerry Kirkconnell rejoined the meeting. The Board noted the contents of the proposal.

c. Implementation of the Public Authorities Law (2017)

Members were furnished with copies of the Law and noted its contents.

9. Adjournment and Date of Next Meeting

There being no further business the meeting was adjourned at 3:00 pm. The next meeting is scheduled for July 27th, 2017.

Mr. Errol L. Bush - Chairman

Mr. Clement Reld - Secretary

PA 14 - AWARENESS OF PUBLIC AUTHORITIES LAW

From:	Clement Reid
Sent:	Monday, July 10, 2017 2:37 PM
To:	
Cc;	
Subject:	Re: New Staff -
Ні	
is currently an e requiring a medical.	mployee of MACI and they have the same insurance provider as PACI, hence the reason for not
references or Police Clea same will apply for re	thorities Law, all persons employed in SAGC's are considered Public Servants and do not requirerance Certificates when moving from one SAGC to another, you are still a public servant. The esidency status, having lived and worked in Cayman for the past 20 years and being married to Caymanian Status. As an employee of MACI, no work permit was required given the fact thats.
Certificates or reference	recruitment of Civil Servants and Public Servants are not required to produce Police Clearance letters. They will only require a medical if the plan they are currently on is different from our the same company, the Cayman Islands Government.
- reda	acted in accordance with Section 23 (1) of the FOI Law.

PA 15 - ACKNOWLEDGEMENT OF PUBLIC AUTHORITIES LAW

From: Clement Reid [mailto:creid@caymanport.com]
Sent: Wednesday, July 19, 2017 8:56 AM
To: Bodden, Stran; Tim Adam; Fabian Whorms; Albert Anderson; Patrick Thompson
Subject: Re: Public Authorities Law

Good morning CO,

Message received and noted.

Warm regards,

From: Stran Bodden
Date: Tuesday, July 18, 2017 at 4:44 PM
To: Timothy Adam , Fabian Whorms , Clement Reid , Albert Anderson , Patrick Thompson
Subject: FW: Public Authorities Law

Good Afternoon Gentlemen,

I have been requested by the Deputy Governor to remind all SAGCs on adherence to the personnel management requirements outlined in the attached Public Authorities Law, specifically in relation to the recruitment and appointment of staff of a public authority.

Best regards,

Stran A. Bodden, JP Pennanent Secretary & Chief Officer Ministry of District Administration, Tourism and Transport

PA 16 – DIRECTIVE TO PROMOTE COO

From: Sent: To: Subject: Attachments:	Clement Reid Friday. June 16, 2017 11:00 AM Employment Confirmation and New Title Deputy Director Chief Operating Officer (COO) 14JUN2017 v2.docx
HI has completed her 2017. A copy of the new JD is a	probation at PACI, I am pleased to offer a promotion to Deputy Director & Chief Operating Officer (COO) effective June 25th, ttached.
new salary will be CI\$1 vacation.	per annum and CI\$ per month for car allowance. As a Deputy Director, will also receive 30 days per year for annual
Please create a new Employme	nt Contract for our signatures prior to the close of business today.
Rgds,	
Clement Reid - Port Director	
- re	dacted in accordance with Section 23 (1) of the FOI Law.

PA 17 - PUBLIC AUTHORITIES LAW (6) (1)

42. (1) A public authority -

- (a) shall operate an open and fair appointment process for all staff;
- (b) shall notify a vacant position in such manner as enables suitably qualified persons to apply for the position; and
- may, if necessary, publicly advertise in local or international media or both, a vacant position in such manner as would enable suitably qualified persons to apply for the vacant position.

PA 18 - COO JOB DESCRIPTION

JOB DESCRIPTION

JOB TITLE:

SERVICE LINE:

Deputy Director & Chief Operating Officer (COO)
Operations (Administration), Facilities and Port Development

REPORTS TO: DATE CREATED: DATE MODIFIED: Port Director 14 June, 2017 14 June, 2017

JOB SUMMARY

The incumbent is responsible for managing, directing and integrating the functions, programmes and activities of assigned departments. The incumbent provides strategic leadership in the development and implementation of policies, procedures, systems and processes, and ensures all assigned operations and services meet the needs of internal and external customers. In addition, the incumbent participates in development of short- and long-term organisational and administrative strategies and plans to meet operational and service delivery objectives while making optimal utilisation of the Port's resources.

- 41. (1) A public authority shall make all personnel management decisions without patronage, favouritism or consideration of political factors and, pursuant thereto a public authority shall ensure that open and fair processes apply to all -
 - (a) appointments;
 - (b) promotions;
 - (c) remunerations;
 - (d) discipline;
 - (e) dismissal; and
 - (f) any other personnel management decisions.

DEPUTY DIRECTOR - COMMERCIAL AND CUSTOMER SERVICES SALARY: CIS88,000 - \$125,000 PER ANNUM

Reporting to the Port Director, the Deputy Director — Commercial and Customer Services is responsible for the commercial and customer services strategies for the Port Authority of the Cayman islands (PACI), which involves working collaboratively with the management team and of serinternal and external partners in order to ensure the provision of a commercially viable, efficient, and customer-friendly Port environment. The incumbent will direct the planning and management of business development, marketing, property management, public relations and commercial and customer services.

DEPUTY DIRECTOR - HUMAN RESOURCES SALARY: GISSO,000 - \$125,000 PER ANNUM

Reporting to the Port Director, the Deputy Director — Human Resources is responsible for providing leadership in developing and implementing human resources (HR) strategy in support of the overall business plan and strategic direction of the Port Authority of the Cayman Islands (PACI), specifically in the areas of change management; performance management; talent management; and compensation and benefits. The incumbent provides strategic leadership by articulating HR needs and plans to the management team and the Board of Directors as required.

Benefits will be determined in accordance with the Labour Law (2011 Revision). Preference will be given to suitably qualified and experienced Caymanians

Detailed Job Descriptions and Application Form are available online at https://www.caymanport.com/human-resources/

PLEASE SUBMIT A COVER LETTER, OFFICIAL APPLICATION FORM AND RESUME TO:
Port Director
Port Authority of the Cayman Islands
PO Box 1358, 45A Harbour Drive, Grand Cayman KY1-1108, Cayman Islands
Email: creid@caymanoort.com

CLOSING DATE: 31 March, 2017

CONTRACT OF EMPLOYMENT

The Parties	PORT AUTHORITY OF THE CAYMAN ISLANDS of P.O. Box 1358 George Town, Grand Cayman. KY1-1108 (Hereinafter referred to as "the Employer")
And	of P.O. Box, Grand Cayman, KY1 (Hereinafter referred to as the Employee")
Remuneration	
5. The Employee's shall be paid mo employee will a salary shall be r thereafter, with sald salary on e	rate of remuneration will be CI\$ per annum and onthly in arrears by on the 24th day of each month. The lso receive a monthly car allowance of CI\$ The said eviewed by the Employer at fiscal year-end and annually out any commitment on the part of the Employer to increase the ach or any such review. The Employee may enjoy such annual justments as may be approved by the Employer.

Capacity pf parties to sign

Both the Employer and Employee warrant that they have the requisite capacity, authority and permission to enter into this agreement.

Signature for Employer Sur = 2	
Name of signatory CLEMENT REID	
Designation Port Director	Date July 12, 2017
Signature of witness	
Signature of withess _	
Name	
Designation Manager H.R.	Date July 12, 2017
Employee's signature	
Name	
Designation Operations & Events Manager	Date <u>July 12, 2017</u>
,	

- redacted in accordance with Section 23 (1) of the FOI Law.



5. The Manager Human Resources will write to all applicants, both successful and unsuccessful, advising them of the Port Authority's decision. A contract will be entered into with all successful applicants which will set out the starting rate of pay, the terms and conditions of employment, including the need to pass a medical examination (which includes testing for HIV, drugs and alcohol), before employment commences. Additionally, a police clearance certificate is also required.

PA 23 - PUBLIC AUTHORITIES LAW (10)

(10) A chief executive officer shall, before making an appointment, undertake a background check on the appointee relevant to the duties of the position and which shall be in addition to any references.

CONTRACT OF EMPLOYMENT

The Parties		of P.O. Box 1358 George Town, Grand Cayman. KY1-1108 (Hereinafter referred to as "the Employer")
And	l	of P.O. Box Grand Cayman, KY1- (Hereinafter referred to as the Employee ")
Rem	uneration	
5.	shall be paid month Employee will also is salary shall be revie thereafter, without said salary on each cost of living adjust	per annum and say in arrears by on the 24 th day of each month. The receive a monthly car allowance of CI\$ The said ewed by the Employer at fiscal year-end and annually any commitment on the part of the Employer to increase the or any such review. The Employee may enjoy such annual ments as may be approved by the Employer.

made in writing and signed by both parties specifying the date on which they shall come into operation.

Capacity pf parties to sign

Both the Employer and Employee warrant that they have the requisite capacity, authority and permission to enter into this agreement.

Signature for Employer Red Name of signatory Clement Red Designation And Overter	Date Aug 11, 2017
Signature of witness Name Designation COD	Date 11 /4.6/2017
Name	Date <u>Aug 11, 2017</u>
- redacted in accordance with Section 23 (1) of the FOI La	w.

PA 25 – PUBLIC AUTHORITIES LAW (SALARY INCREASE PROTOCOL)

- (6) In establishing the terms and conditions and remuneration of a staff member, a public authority shall -
 - (a) take into consideration the terms and conditions and remuneration of positions with comparable managerial and technical responsibility in both the civil service and in the private sector; and
 - (b) ensure that the terms and conditions and remuneration are consistent with those positions mentioned in paragraph (a);
 - (c) where the chief executive officer establishes to the satisfaction of the relevant board that the salary range for a post is not adequate to attract the best person for the post, the chairperson, after consultation with the relevant chief officer, may increase the salary in an individual case by taking into account market rates; and

PA 26 - PACI 2016/17 BUDGET (STAFF COST EXTRACT)

ected effects on the Staff Costs fo	or the 18 months to Dece	nder 31, 2017		
Administration/Staff	ing (NEW):	Dec-16	Dec-17	18 month Tota
Project Manager				
Facilities Manager				
Deputy Director - Cargo O	perations			
Deputy Director - Maritime	Affairs/Harbor Master			
Office Manager				
Fleet Manager				
Property Manager				
Training Co-ordinator				
HR Officer				
Payroll & Benefits Supervis	or			
Clerical - Finance (2 Clerks	@ each)			
Clerical - Receptionists				
Security Officers/Taxi Disp	atchers (4 @ each)			
TOTALS BASE SALARY		545,000	1,090,000	1,635,00
TOTAL PENSION		54,500	109,000	163,50
TOTAL HEALTH/ LIFE		51,900	103,800	155,70
TOTAL PROPOSED NEW S	TAFF COSTS	651,400	1,302,800	1,954,20

- redacted in accordance with Section 23 (1) of the FOI Law.

PA 27 - PD STAFF COST - WITHIN BUDGET CONFIRM

From: Clement Reid

Sent: Wednesday, November 1, 2017 3:14 PM

To: Sobers, Winston

Subject: Re: 2017 Audit - Port Authority of the Cayman Islands

Mr. Sobers,

My update was in relation to the following jobs that were advertised in the Cayman Compass in March 2017 and positions that were filled:

Deputy Director – Commercial and Customer Services
Deputy Director – Human Resources
Finance Manager
Fleet Manager
Safety and Crisis Management Manager
Harbour Patrol Officers

Through an open recruitment process, we are able to fill the above positions except for the Fleet Manager. The monies that were realized in not filling this position was transferred to the Harbour Patrol Officers recruitment. We were able to hire the full complement of Officers by forgoing the Fleet Manager which brings the department up to it regular operational level. Through this recruitment process we hired 4 officers from the Civil Service.

Two additional candidates that were shortlisted for the Harbour Patrol position were identified as having expertise that could be used in other operational areas at PACI and were offered positions in Fleet Mechanic and Taxi Dispatcher.

All recruited were within the \$2million that was budgeted for the 2016/17 budget. Of the \$2million dollars, PACI only spent \$1.1million. All of the new recruits are Caymanian.

BOARD OF DIRECTORS MEETING Port Authority of the Cayman Islands 45A Harbour Drive 6th September, 2017 Meeting No. 415b

Matters for noting

- a) The Board discussed representations relating to the new shift system for night workers that was implemented on Monday, 21st August, 2017. Ms. Jacqueline Scott-Rankine suggested PACI conduct an engagement survey.
- b) A policy is to be drafted regarding MLA's requests for PACI employee services.
- c) Training for the new yard management system commenced on Monday, 4th September, 2017.
- d) The Port Director updated the Board on the recent recruitment of staff.

PA 29 - PROJECTED ANNUAL COST OF NEW EMPLOYEES (ACTUAL)

		1				•)	
	_						
	_						
_							
		\$1,388,369.36	\$1,388,369.36 \$18,900.00	\$1,388,369.36 \$18,900.00 \$140,726.94	\$1,388,369.36 \$18,900.00 \$140,726.94 \$127,718.64	\$1,388,369.36 \$18,900.00 \$140,726.94 \$127,718.64 \$13,200.00	\$1,388,369.36 \$18,900.00 \$140,726.94 \$127,718.64 \$13,200.00 \$1,688,914

- redacted in accordance with Section 23 (1) of the FOI Law.

PA 30 - SPECIAL LEAVE

Special Leave

The Port Director may from time to time grant special leave (not necessarily with pay) for an employee who is selected to represent the Cayman Islands as a member of a sporting team or a cultural body at a national level, upon presentation of a written request from the organisation.

PA 31 – PD CORRESPONDENCE WITH M BUSH

On Mar 2, 2016, at 11:23 AM, Clement Reid < creid@caymanport.com > wrote:

Dear All:	
I received a request on Monday from the Hon. McKeeva Bush, Opposition Leader, to have accommodate him on an official visit to Jamaica as his driver from Tuesday to Saturday. I have given approval to the request and ask that time card be manually edited to reflect this and have sign the Leave Form on return. The time off will be treated as official travel and not recorded as vacation.	
Rgds,	
Last week I received another request from the <mark>Leader of the Opposition,</mark> the Hon. McKeeva Bush, to allow thave time off from work to assist him in an official capacity.	0
The time off from work for official business commenced on April 6 th , 2016 and will run thru April 16 th , 2016. When returns to work next week please have sign a leave form that reflects absence was for official government business. In the meantime please manually edit punches for the days away from PACI.	
Rgds,	
Clement Reid - Port Director	
On Jun 16, 2016, at 3:34 PM, Clement Reid < creid@caymanport.com > wrote:	
н	
Please edit ADI and manually enter time for on the following days:	
May 18-28, 2016	
The Hon Opposition Leader requested services for official business during that period.	
Rgds,	
Clement Reid - Port Director	***************************************
- redacted in accordance with Section 23 (1) of the FOI Law.	

From: Clement Reid
Sent: Monday, July 11, 2016 12:15 PM
To:
CC:
Subject:
н
has been assisting the Hon. McKeeva Bush with his travels off island between June 17th – July 5th, 2016, 15
working days.
Approval is granted for to receive salary for these days out of office when was on official business.
Rgds,
Clement Reid - Port Director
Cicinent Reid - 1 of t Director
has been assisting the Hon. McKeeva Bush with his travels off island between August 174 -
30 th , 2016.
Approval is granted forto receive salary for these days out of office whenwas on official business.
Pade
Rgds,
Clement Reid - Port Director
From:
Sent: Thursday, March 02, 2017 8:52 AM
To:
Subject:
Good morning
I received a phone call yesterday afternoon from Mr. McKeeva Bush. He stated he is in need offrom today
Thursday march 2 nd until next Tuesday when they will be returning to the island. Sowill be out from today and
return next Wednesday to work. Clement knows about it.
Kind regards,
Killa legalos,
Manager Human Beauties
Manager, Human Resources Port Authority of the Cayman Islands

PA 32 - WRECK INDEX

		Port Authority R	eceiver of Wrecks Ind	dex		
		Receiver of	Wrecks Index 2016			
Index Number	Date Received	Name, Address & Telephone Number of Salvager	Names & contact details of Witnesses	Summary of Occurrence	Details of Property Recovered and Handed Over to Receiver of Wrecks	Date
1	8.1.16	RCIP Marine Unit		Advised by email that the Police wanted to hand over a boat to the Receiver of Wrecks that they had taken possession of a year before because it was found drifting upside down with ganja in it and had been towed ashore byand Vessel had originally been spotted by police in July 2015 off Morritts the evening beforeand towed it in.	Vessel # is a Contender 26 ft. Fiber Glass, light Grey on top/black on bottom color with 225hp twin Yamaha saltwater series 2 outboard	8.1.16

- redacted in accordance with Section 23	(1) of the FOI Law.
--	----	-------------------

PA 33 - EMAIL FROM CUSTOMS OFFICIAL

Sent: Friday, January 08, 2016 8:28 AM	
To:	
Cc:	
Subject: Vessel recovered by	
Morning sir,	
End launching ramp and turned it over and placed it on a trailer the was provided by the and taken to the Marine Base where it was stored. Enquires was made to try to locate to vessel but was unsuccessful. The vessel is a Contender gray in color with twin Yamaha of The vessel needs to be handed over to the receiver of wrecks, can you instruct where the taken and who will receive it.	e Marine Unit the owners of the outboard motors.
Regards,	
Senior Customs Officer/Deputy Marine Comm	ander
- redacted in accordance with Section 23 (1) of the FOI Law.	

PA 34 - EMAIL RCIP OFFICER EMAIL

From: @rcips.ky]
Sent: Thursday, January 14, 2016 4:23 PM
To:
Cc:
Subject: RE: Vessel recovered by
Good Day Sir,
As instructed by CI please see the following:- Vessel #. is a Contender 26 ft. Fiber
Glass, light Grey on top/black on bottom color with 225hp twin Yamaha saltwater series 2 outboard
engines which was originally seen by the crew of " on the 30th July 2015 at 1820 hrs. outside the reef near Morritt's Hotel capsized where attempts were made by the crew of to tow however were unsuccessful due to the anchor of the vessel being secured in the reef. The matter was reported to Port Authority and before the crew of departed the area.
The following day 31st July 2015 the vessel became unhinged from the reef and began drifting where it was towed ashore to the East End Playfield launch ramp by
The vessel was righted with assistance from salvager and two parcels containing
vegetable matter resembling ganja was found. The vegetable was wet. The vessel was transported to
the marine base by PC per instructions of Insp.
the marine base by re
Incident Number for the matter is RMS 2015—
Regards,
PC
- redacted in accordance with Sections 20(1)(d) and 23 (1) of the FOI Law.

Ţo:	om: te: Friday, July 29, 2016 at 11:23				
Dat To:					
To:		AM			
	: Clement Reid < creid@caymanp				
Sub	bject: Salvage on Boat				
God	od Morning Mr. Reid,				
00.		gards to the 28'	Contendor boa	t that was pulled	in last year 31
201	25 No. 10 April 2013			lice and port mer	
	erest in the salvage of this boat.			The second secon	
	d it was left up to the port author	******	The state of the s	The Color of the C	THE PARTY OF THE PARTY OF THE PARTY OF THE
	ocedures for this action to comm			a picase intoint	on the
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PA 35B - BOAT CLAIMANTS - MANAGER OF CRUISE & SECURITY FILE NOTES

Update 8.8.16
9:21am 8.8.16 father, called enquiring about the vessel that was claiming salvage rights to. was advised that either and would have to come to an agreement with respect to it, or the Port would auction it and give them each a salvage fee. father said that couldn't tow it in because his boat wasn't big enough, so that was how got involved.
9:50am 8.8.16 called enquiring about the vessel. He was advised that either and
would have to come to an agreement with respect to it, or the Port would auction it and give them each
a salvage fee. said that shouldn't have any claim to the vessel as it was who towed it in.
said that heard calling on the VHF and sounded like it was an emergency so answered
It was the boat had found and said was on a charter so couldn't tow it in, so went
and towed it in. Advised once more that they either had to come to an agreement, or the Port
would auction it.
12:35pm 8.8.16 and sister attended the Port and I once more explained the position. stated found the vessel and called who used boat to tow it in to shore, but was present all of the way. On arrival at shore, told and that wanted nothing to do with the boat. However, I explained to that both of them are claiming the boat, so they either need to come to an agreement, or we will auction it and give them each a salvage fee.
- redacted in accordance with Section 23 (1) of the FOI Law.

PA 36 - PD INSTRUCTIONS TO PREPARE RELEASE LETTER

From: Clement Reid
Sent: Wednesday, November 9, 2016 8:15 AM To:
Subject: Release of Boat to
Hi
Please prepare a Release Letter for who recovered the Contender vessel last year and towed it to the launching ramp where it was turned over to the Police Marine Unit, see attached email that supports his claim.
Rgds,
<< Message: RE: Overturn boat found vand towed >>
Clement Reid - Port Director
Good Afternoon, On July 31st 2015 at about 9 o'clock in the morning I was informed by Inspector that a vessel was found overturned in the waters off East end, and a local vessel was towing it to the East End Launching Ramp. I connected one of the Joint Marine Unit trailers to the Police truck and with Insp we transported the trailer to the East End Launching ramp. On my arrival at the launching ramp I observed towing the overturned vessel which was grey & white in color with two outboard motors brought the overturned vessel to the launching ramp, then attached other ropes to the overturned vessel and by using vessel up righted the overturned vessel and then placed the vessel on the Joint Marine Unit trailer. I transported the vessel to the Joint Marine Unit Base where it was secured so that further enquires could be made regarding the vessel. Regards, Regards,

- redacted in accordance with Sections 20(1)(d) and 23 (1) of the FOI Law.

PA 37 - MGR CRUISE & SECURITY EMAIL TO PD ON CONFLICT

From:
Sent: Wednesday, November 09, 2016 8:26 AM
To: Clement Reid <creid@caymanport.com></creid@caymanport.com>
Subject: RE: Release of Boat to
Good Morning Clement,
Unfortunately, there are dual claims to the vessel and I have instructed them that if they cannot resolve
it, we will have to auction the vessel and pay each a salvage fee. See email below from PC
who originally mentions the second claimant.
Who originally mentions the second claimant.
Best regards,
best regards,
Evenue III
From: \(\alpha\)rcips.ky\] Sent: Thursday, January 14, 2016 4:23 PM
To:
Cc:
Subject: RE: Vessel recovered by
Good Day Sir,
pood bay sir,
As instructed by CI please see the following:- Vessel #. is a Contender 26 ft. Fiber Glass, light Grey on top/black on bottom color with 225hp twin Yamaha saltwater series 2 outboard engines which was originally seen by the crew of " on the 30th July 2015 at 1820 hrs. outside the reef near Morritt's Hotel capsized where attempts were made by the crew of to tow however were unsuccessful due to the anchor of the vessel being secured in the reef. The matter was reported to Port Authority and before the crew of departed the area.
The following day 31st July 2015 the vessel became unhinged from the reef and began drifting where it
was towed ashore to the East End Playfield launch ramp by
The vessel was righted with assistance from salvager and two parcels containing vegetable matter resembling ganja was found. The vegetable was wet. The vessel was transported to the marine base by PC as per instructions of Insp.
Incident Number for the matter is RMS 2015 —
Regards,
PC PC
- redacted in accordance with Sections 20(1)(d) and 23 (1) of the FOI Law.

PA 38 - EMAIL SUPPORTING RELEASE OF BOAT BY PD

From:
Sent: Monday, March 20, 2017 12:11 PM
To: Clement Reid < creid@caymanport.com Subject: FW: Salvaged Boat
Subject, PVV. Salvaged Boat
Clement
Are you aware of the below? Can you shed any info on this as the boat left CDC over the weekend.
Acting Deputy Port Director - Operations
From: Clement Reid Sent: Monday, March 20, 2017 12:28 PM To:@caymanport.com> Subject: RE: Salvaged Boat
See email from Police Constable, who received the boat from The email with attached letter is self-explanatory.
As Receiver of Wrecks, I released the boat toon Friday, March 17th, 2017.
Warm regards,
Clement A. Reid Port Director
- redacted in accordance with Section 23 (1) of the FOI Law.

PA 39 - OFFICIAL POLICE REPORT ON CLAIMS

	Tuge 5					
NARRATIVE						
Marine Officers attempted to tow vessel, however with negative result as the vessel was secured to the seabed via a rope that was fasten						
tightly possibly due to an anchor being caught in the seabed. Officers Notified port authority. Vessel was found outside the reef vicinity						
Morritts's Hotel.						
vegetable matter was wet color with black bottom v	towed the capsized ashore to the East End playfield launch ramp. At 1pm with the assistance of r) wrighted the capsized vessel and two parcels containing vegetable matter resembling ganja was found. The a. The packages were handed over to PC The Vessel Serial # Contender light gray in with twin Yamaha 225hp saltwater series 2 was transported to the Marine Base by PC as per SOCO was notified for forensic analysis.					
At 0959hrs PC	attended the East End Heritage Field on a report of a boat that was being towed to the Dock. The					
officer spoke to	who stated that found the boat off the east end beach area out by the Reef at approximately 0745hrs on					
	stated that the boat is a 31 foot Contender. It is light Grey with Black bottom and has two 250 four Stroke					
	ld not give any more details as the boat was upside down in the water. the owner of a boat					
	ong with and another male were trying to get the boat to turn right side up. Due to the					
Gas from the engine	was affected. had breathing problem as a result the ambulance had to be called. was Town Hospital For further treatment.					
transported to the George	Town Hospital For Inflict treatment.					
At 1100hrs Inspector	and PC arrived on location. The assistance of (Salvage) was					
requested by Inspector	At 1300hrs two Parcels of vegetable matter resembling Ganja wrapped in transparent plastic bags was					
handed over to PC.						
	At 1440hrs the Boat was secured on the Marine Trailer and transported to the Marine base.					
[08/10/2016 08:53,	RCIP]					
	ALLY (DOG (AVA)					
A 40 – MERCHANT L	AW (286 (1)(2)					
Disposal of unclaimed wreck 286. (1) Where, as respects any wreck found in the Islands or in Cayman Islands waters and in the possession of the Receiver, no owner establishes a claim to it within one year after it came into the Receiver's possession, the wreck shall be dealt with as provided in subsections (2) to (6).						
	(2) If the wreck is claimed by a person who has delivered the statement required by section 285 and has proved to the satisfaction of the Receiver his entitlement to receive unclaimed wreck found at the place where the wreck was found, the wreck shall, on payment of all expenses, costs, fees and salvage due in respect of it, be delivered to that person.					

60

- redacted in accordance with Sections 20(1)(d) and 23 (1) of the FOI Law.

PA 41 – HARBOUR MARINE REPORT ON MISSING ENGINES

From: Date: February 20, 2016 at 12:06:45 PM EST To:@caymanport.com>,	@caymanport.com>			
Cc: Subject: Old engines			Ý L	
н				
has come to me today saying that has been asking where the and took both sets of engines. I have attached the photos.	e old engines went off the Port Boats.	said that a man that works t	for the Port Authority	came and picked (
Apparently the engines were taken to for installation on other vengines are apparently sprayed white now.	ressels, one of which we have heard is	s owned by and the other by	who apparently owns	Bot
I just wanted to pass this information on as we would not release eng HHM.	ines without authorization from Port	Authority Staff. We don't know wh	ere the other set went after they	were removed from
Please let us know if you have any questions.				
Best regards				
Under the first terms of the fir				
Harbour House Marina				
PA 42 – DISPOSAL VALUES				
Follow up.				
From:	Malannesannemare sonike mare en ancille illigite			
To:				
Subject: RE: Approximate Sale Val	ue of Used Engines			
No. 13 pp. 10 miles 2012 1 2.	3. J. 3. 3. 3. 3. 3. 3. 3. 3. 3. 3. 3. 3. 3.			
Good morning				
Mark (our mechanic) estimates	around \$1,500 C.I. pe	r engine.		
Cheers				
Harbour House Marina				
Direct: 345				
Cell: 345				
Fax: 345 947 7844				
www.harbourhousemarina.com	<u>I</u>			
	2 (4) (4) = 2011			
- redacted in accordance with 23	3 (1) of the FOI Law.			

PA 43 - DISPOSAL PRACTICE



A Practice used by PACI over the years to present

Presently the PACI do not have a written Disposable Policy but have been followed a long standing practice on disposing of assets by either an auction, a donation to charity or schools or scrapping and disposing at the landfill. Either method of disposal used, the PACI has been cautious in its fiduciary duties of how it handles the public's property.

When assets are disposed of by auction it would consist of cargo abandoned by customers, which becomes the property of the Port after a certain time, Real Assets that have been replaced because they have reached their useful life but still have a salvage value, such as vehicles, vessels and their components and machinery. Before these assets are disposed of, a listing of the items is advertised in the media with the auction date and is also published the Cayman Islands gazette.

PA 44 - PD EMAIL BOAT ENGINES

From: Clement Reid O: Cc:	2016 7
Subject: RE: Old engines	
Dear All:	
Harbour House Marina was contracted to replace engines, generators, AC units and refurbish both Harbour Patrol Vessels.	
I have been informed that this has been completed with the exception of one boat requiring some additional work. Both vessels received new parts that are under warranty and the old parts were left with Harb House Marina for them to dispose of including the engines in question.	our
I do not know what arrangement/sale occurred between/Harbour House Marina for the engines in question. It is obvious someone at HHM authorized the removal of the engines otherwise the in the picture would not have been allowed to load and drive away with them.	drive
The disposal of engine parts is no different at a mechanic shop (i.e. whenever the Ford F250 truck is taken to Vampt Motors to have parts replaced, they do not return the old parts but are responsible for their disposal). I do not authorize or approve to whom a repair shop can give or sell the old parts removed from PACI machinery.	
There appears to be great interest from a number of staff in the old engines that were left at HHM, can someone enlighten me on the whereabouts of the AC's and generators that were also removed from these boats?	se
Warm regards,	
- redacted in accordance with Section 23 (1) of the FOI Law.	

PA 45 - PORT DIRECTOR APPROVAL OF PURCHASE ORDERS



PORT AUTHORITY OF THE CAYMAN ISLANDS OFFICIAL PURCHASE ORDER

39620 Purchase Order

Please note this Order No-on Invoice/Shipping Advice

DIE July 6 2016

Supplier Ironshove Contractors

PLEASE SUPPLY THE FOLLOWING TO THE PORT AUTHORITY OF THE CAYMAN ISLANDS:

Quantity	Ref.No.	Description	Un I Price	Total	Total	
		Firm Payment For Paris		120(80	w	
		Chanss Ac			_	
		Invoice U 2457			\vdash	
		FORDI Asymund FON OHECE		22,30	U	
		Rannehas				
		3006 H 2456			L	
		Change order 2384-1		13,935	æ	
		Charge order 2384-2		\$ 585	œ	
				47,517	U	
					-	

SEND INVOICE AND/OR SHIPPING ADVICE TO:

PORT AUTHORITY OF THE CAYMAN ISLANDS P.O. BOX 1358 GRAND CAYMAN XY1-1109 CAYMAN ISLANDS

PORT DIRECTOR

DEPUTY PORT DIRECTOR

FINANCE .. - OPERATIONS

PA 46 - NO BUSINESS CASE PROVIDED

om:	Sobers, Winston				Sent: Thu 11/9/2017 8:0
	Sobers, Whistory				
bject:	RE: Asset additions for July 2016 to June 2	D17.xlsx			
d Message	Garrison Industries.pdf (396 KB)	[P] IRONSHORE CONTRACTORS	.pdf (459 KB) 🖺 DESIGN STI	JDIO.pdf (248 KB)	
Dear Wins	ton,				
urther to	your email and our subsequent tele	phone conversation please find	dattached the contracts,	payment requisitions, Purch	ased Orders, and Invoices
or a total	of CI\$135,773.62 consisting of the fo	lowing:			
1. Garı	ison Industries for CI\$14,332.00,				
2. Iron	Shore Contractors for CI\$90,514.00				
3. Desi	gn Studio for US\$37716.61 CI\$30,927	.62			
	f the short window of time to report				
	oard room at HD. I could have misse				
	f there is anything else it wouldn't b				
	ing and when I find it I will send it to	you. There isn't a business case	that is readably availabl	e to me or who req	uested the same some
	when the payments started.				
	e need o anything further I will be in	office until 9ish tonight or else	will have to ans	wer your questions.	
With kind	regards,				
	PA 47 – CONTRACT DETAIL	OF CLIME IN EVCECE O	EEOV		
	PA 47 - CONTRACT DETAIL	OF SUIVIS IN EXCESS O	r JUK		
	IDON	CHODE			
	IRON	HORE			
	<u> </u>	SHORE	8.5		
	(5)	2/4			

10 Market Street #436 Camana Bay, Cayman Islands Phone 345,547,5776 kyle@ironshore.ky www.ironshore.ky INVOICE # 2456 DATE June 1, 2016

TO

FOR: OFFICE

Design Studio Attn: David Wilson Port Authority - GT

- redacted in accordance with Section 23 (1) of the FOI Law.

General clean of area. Remove all protective sheeting and dispose.

Total for Original Contract

\$44,634

Invoice for Balance 50%

\$22,317

Make all checks payable to Ironshore Contractors. All prices are in Cayman Islands Dollars.

Payment is due upon receipt. For cost in USD divide the total by .82

Total for Original Contract

\$41,360

Invoice for Balance 50%

\$20,680

Make all checks payable to Ironshore Contractors. All prices are in Cayman Islands Dollars.

PA 48 - FIN REG SECTION 37(1)

PART IX - Procurement

Preference to local suppliers

- 36. Subject to an overriding requirement -
 - (a) to ensure value for money; and
 - (b) to ensure that the price and quality of goods and services is no more than overseas procurement,

a prescribed entity, statutory authority or government company shall give preference to procuring goods and services from suppliers trading, carrying on business or operating within the Islands.

Requirement to tender

- 37. (1) Subject to paragraphs (2), (3) and (4), a prescribed entity, statutory authority or government company is required to offer for public tender -
 - (a) any contract for the purchase of supplies, services and assets over fifty thousand dollars; and
 - (b) the sale of assets with a book value of fifty thousand dollars or more.