BRITISH GUIANA.

ORDER IN COUNCIL

MADE UNDER

THE HOLIDAYS WITH PAY ORDINANCE,

(Chapter 108).

UNDER SECTION 3 OF THE HOLIDAYS WITH PAY ORDINANCE, IT IS HEREBY ORDERED BY THE GOVERNOR IN COUNCIL AS FOLLOWS :—

1.　　　This Order may be cited as the Holidays with Pay (Stone Crushing Plant Employees) Order, 1960.

2.　　　In this Order —

"earnings" means the regular amounts paid by an employer to an employee in respect of the employee's services and includes the value of any meals supplied to such employee under or by virtue of his contract of employment, but does not include any amount paid in respect of overtime work or by way of bonus, unless such payments by way of bonus form part of such regular amounts;

"employee" means a person employed in a stone crushing plant;

"medical practitioner" means a person registered as a medical practitioner under the Colonial Medical Service Ordinance*;

"stone crushing plant" means any place where any process is carried on in connection with the dressing and preparation of stone or rock.

3. (1)　Every employee being in employment at the date of the commencement of this Order shall be allowed a period of holidays with pay of not less than one day for each completed month of employment computed as though his employment commenced on the date of the commencement of this Order.

(2)　Every employee not being in employment at the date of the commencement of this Order, but thereafter being in employment, shall be allowed a period of holidays with pay of not less than one day for each completed month of employment computed from the date of engagement.

4.　　　No day that is a public holiday under the provisions of the Public Holidays Ordinance** for the time being in force shall be computed as holidays with pay under this Order.

5. (1)　No employer shall require an employee to take his holidays with pay in periods of less than twelve consecutive days and no employee shall require his employer to allow his holidays with pay prior to the completion of twelve consecutive months' service;

*Cap. 134
**Cap. 61.

Provided that an employer and employee may agree that such employee shall take his holidays with pay in periods of not less than six consecutive days upon the completion of six consecutive months' service in which case such holidays shall be given by the employer and taken by the employee before the expiration of three months after each period of such completed service.

(2) The holidays with pay shall be given by the employer and shall be taken by the employee before the expiration of ten months after the date upon which the right to such holiday accrues.

(3) The employer shall determine the date on which the holiday shall commence and shall give the employee not less than seven days' notice of such date.

6. In respect of a period of holidays with pay, the employer shall pay to the employee for each day of such period remuneration at the rate of one-sixth of the average weekly earnings of the employee during the previous twelve months or during the period of his employment with the employer whichever is the lesser period.

7. When the employment of an employee is terminated, either by the employer or the employee, the employer shall pay to the employee in lieu of such period of holidays with pay as shall have accrued under the provisions of this Order and in respect of which no payment has been made, a sum equal to the remuneration which would have been paid for a like period of holidays with pay if taken at that date.

8. For the purposes of this Order a period of employment shall be deemed to be continuous if it has not been interrupted by absence from work without the permission of the employer for a period not exceeding two consecutive days:

Provided that absence from work due to the non-operation of the stone crushing plant or periods of illness, certified by a medical practitioner, not exceeding fourteen days shall not be deemed to be a break in employment for the purpose of this Order.

Made in Council this 9th day of November, 1960.

A. A. ABRAHAM,
Clerk to the Executive Council.