

BILL No. 15 of 1994

SATURDAY 30TH JULY, 1994.

**PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.**

94-07-26

The following Bill which will be introduced in the National Assembly is published for general information.

F. A. Narain,
Clerk of the National Assembly.



GUYANA

BILL No. 15 of 1994

**LABOUR (CONDITIONS OF EMPLOYMENT OF CERTAIN WORKERS)
(AMENDMENT) BILL 1994**

ARRANGEMENT OF SECTIONS

- Short title.**
2. Amendment of section 2 of the Principal Act.
 3. Repeal and re-enactment of section 4 of the Principal Act.
 4. Amendment of section 5 of the Principal Act.
 5. Amendment of section 6 of the Principal Act.
 6. Amendment of section 12 of the Principal Act.
 7. Amendment of First Schedule to the Principal Act.

A BILL

Intituled

AN ACT to amend the Labour (Conditions of Employment of Certain Workers) Act.

A.D 1994

Enacted by the Parliament of Guyana:—

Short title.
No. 18 of
1978.

1. This Act, which amends the Labour Conditions of Employment of Certain Workers) Act, may be cited as Labour (Conditions of Employment of Certain Workers) (Amendment) Act 1994.

Amendment
of section
2 of the
Principal
Act.

2. Section 2 of the Principal Act is hereby amended by the substitution for the definition of "worker", of the following definition —

'"worker" means any of the persons specified in the first column of the first schedule and wholly or mainly employed in any cookshop, discotheque, guest house, hotel, liquor restaurant, liquor store, night club, parlour, restaurant, retail spirit shop or tavern.'

Repeal and
re-enactment
of section
4 of the
Principal
Act.

3. Section 4 of the Principal Act is hereby repealed and the following section substituted therefor —

"Overtime
rates.
Cap. 91:04
Cap. 82:22

4.(1) Notwithstanding section 11 (d) and subject to sections 6 and 7 of the Shops (Consolidation) Act and notwithstanding section 5 of the Licensed Premises Act and subject to sections 7 and 8 of the said Act and subsection (2) hereof, every worker who, at the request of his employer, works for any period exceeding seven and one-quarter hours in any one day, shall be paid in respect of every hour or part of an hour so worked in excess thereof at one and one-half times the rate at which he would; but for this section, be paid.

(2) Except as otherwise provided under any law, every worker who is employed on a Sunday or a public holiday shall be paid at one and one-half times his hourly rate of pay for all rours worked on such days."

Amendment
of section
5 of the
Principal
Act.

4. Section 5 of the Principal Act is hereby amended in the following respects —

(a) by the deletion of the words "who is employed in any retail spirit shop, tavern or hotel"; and

(b) by the substitution for the words "and another interval of not less than fifteen minutes for any other meal taken on the premises", of the words "and when his duties require him to work overtime hours the employer shall allow to such a worker an interval of one-quarter of an hour for the taking of a meal for every four hours or part thereof worked as overtime".

5. Section 6 of the Principal Act is hereby amended by the deletion of the words "in any retail spirit shop, tavern or hotel".

Amendment
of section
6 of the
Principal
Act.

6. Section 12 of the Principal Act is hereby amended in the following respects —

Amendment
of section
12 of the
Principal
Act.

(a) in subsection (1), by the substitution for the words "one hundred dollars", of the words "six thousand, two hundred and fifty dollars"; and

(b) in subsection (2), by the substitution for the words "two hundred dollars", of the words "twelve thousand, five hundred dollars".

7. The First Schedule to the Principal Act is hereby amended in Part 1, by the substitution for the heading "HOTELS", of the heading "HOTELS, GUEST HOUSES, DISCOTHEQUES, NIGHT CLUBS AND LIQUOR RESTAURANTS".

Amendment
of First
Schedule
to the
Principal
Act.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Labour (Conditions of Employment of Certain Workers) Act, No. 18 of 1978, so as to —

- (a) extend the definition of "worker" to include persons employed in liquor restaurants, guest houses, discotheques and night clubs;
- (b) reduce the normal hours of work after which overtime is payable in certain premises from eight hours (per day) and forty-six hours (per week) to seven and one-quarter hours and forty and three-quarter hours, respectively, and provide for overtime pay for all hours worked on Sundays and public holidays;

4.

- (c) extend the aforesaid amended provisions relating to overtime and the existing provisions relating to luncheon interval and accommodation to employment in all premises covered by the aforesaid definition;
- (d) increase the penalties payable under the Act; and
- (e) extend the rates of wages prescribed in Part I of the First Schedule to be aforesaid Act to workers employed in the premises referred to at (a) above.

H. B. Jeffrey,
Minister of Labour, Human
Services and Social Security.