

LAWS OF GUYANA

WAGES COUNCILS ACT

CHAPTER 98:04

Act

[51 of 1956]

Amended by

19 of 1977

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Current Authorised Pages

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CHAPTER 98:04

WAGES COUNCILS ACT

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CHAPTER 98:04

WAGES COUNCILS ACT

[51 of 1956]

An Act to provide for the establishment of Wages Councils.[15th December, 1956]

Short title.

1. This Act may be cited as the Wages Councils Act.

Interpretation.

2. In this Act—

“outworker” means a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented finished or repaired, or adapted for sale in his own home or on other premises not under the control or management of the person who gave out the materials or articles;

“superannuation scheme” means any law, rules, deed or other instrument, providing for the payment of annuities or lump sums to the persons with respect to whom the instrument has effect on their retirement at a specified age or on becoming incapacitated at some earlier age, or to the personal representatives or the widows, relatives or dependants of such persons on their death or otherwise, whether with or without any further

or other benefits;

“thrift scheme” means any arrangement for savings, for providing money for holidays or for other purposes, under which a worker is entitled to receive in cash sums equal to or greater than the aggregate of any sums deducted from his remuneration or paid by him for the purposes of the scheme;

“wages council” and “commission of enquiry” mean respectively a wages council and a commission of enquiry established or set up under this Act;

“worker” means any person who has entered into or works under a contract with an employer, whether the contract be for manual labour, clerical work or otherwise, be expressed or implied, oral or in writing and whether it be a contract of service or of apprenticeship or a contract personally to execute any work or labour, except that it does not include any person who is employed casually and otherwise than for the purposes of the employer’s business.

PART I ESTABLISHMENT OF WAGES COUNCILS

Power of
Minister to
establish wages
councils

3. Subject to this Part, the Minister may by order (hereinafter in this Act referred to as a “wages council order”) establish a wages council to perform, in relation to the workers described in the order and their employers, the functions specified in this Act in any case in which he is satisfied that no adequate machinery exists for the effective regulation of the remuneration of such workers, or that existing machinery is likely to cease to exist or be adequate for that purpose, and that having regard to the remuneration existing among such workers, or any of them, it is expedient that such a council be established.

References to
commission of
enquiry.

4. Before making a wages council order with respect to any workers and their employers, the Minister may, if he thinks fit, refer to a commission of enquiry appointed by him for the purpose, the question whether a wages council should be established with respect to such workers, or any of them, and their employers.

Procedure on
reference to
commission of
enquiry.

5. (1) If a commission of enquiry, appointed under the last preceding section is of opinion with respect to the workers with whom it is concerned, or any of those workers whose position should, in the opinion of the commission, be separately dealt with—

- (a) that there exists machinery which is, or which can, by improvements which it is practicable to secure, be made adequate for regulating the remuneration and conditions of employment of those workers; and
- (b) that there is no reason to believe that that machinery is likely to cease to exist or be adequate for that purpose, the commission shall report to the Minister accordingly (and may include in its report any suggestions which it may think fit to make for the improvement of that machinery).

(2) Where any such suggestions are so included, the Minister shall take such steps as appear to him to be expedient and practicable to ensure the improvements in question.

(3) If the commission is of opinion with respect to the workers with whom it is concerned or any of those workers whose position should in the opinion of the commission be separately dealt with—

- (a) that machinery for regulating the remuneration and conditions of employment of those workers is not, and cannot, by any improvements which it is practicable to secure, be made adequate for that purpose, or does not exist; or
- (b) that the existing machinery is likely to cease to exist or be adequate for that purpose, and that as a result a reasonable standard of remuneration amongst those workers is not being or will not be maintained, the commission may make a report to the Minister embodying a recommendation (hereinafter in this Act referred to as a “wages council recommendation”) for the establishment of a wages council in respect of those workers and their employers.

(4) Where the Minister receives a wages council recommendation, he may, subject to the provisions of this Part, make a wages council order giving effect to the recommendation, either in full or with such modification as he may think fit, being modifications which, in his opinion, do not effect important alterations in the character of the recommendation.

Making of
wages council
order

6. (1) Before making a wages council order whether in pursuance of a wages council recommendation or not, the Minister shall publish, in such manner as he thinks fit, notice of his intention to make the order, specifying a place where copies of a draft thereof may be

obtained, and the time, which shall not be less than forty days from the publication, within which any objection made with respect to the draft order must be sent to him.

(2) Every objection so made must be in writing and must state—

- (a) the specific grounds of objection; and
- (b) the omissions, additions or modifications asked for, and the Minister shall consider any such objection, made by or on behalf of any person appearing to him to be affected, being an objection sent to him within the time specified in the notice, but shall not be bound to consider any other objection.

(3) The Minister, having considered all the objections which he is required to consider under the last preceding section, may either—

- (a) make an order in the terms of the draft or subject to such modifications as he thinks fit, being modifications which, in his opinion, do not effect important alterations in the character of the draft order as published; or
- (b) refer the draft order to a commission of enquiry, for enquiry and report, in which case he shall consider its report and may then, if he thinks fit, make an order either in the terms of the draft or subject to such modifications as he thinks fit.

(4) Where the Minister makes a wages council order, he shall publish it in such manner as he thinks fit, and the order shall come into operation on the date on which it is so published or on such later date as is specified therein.

Variation and
revocation of
wages
council order.

7. (1) The Minister may at any time by order abolish, or vary the field of operation of a wages council, and the last preceding section shall apply in relation to any such order as it applies in relation to wages council orders:

Provided that where the order directs that a wages council shall cease to operate in relation to any workers and that another wages council shall operate in relation to them, but save as aforesaid, does not affect the field of operation of any wages council—

- (a) the last preceding section shall not apply; but
- (b) when the order is made, the Minister shall publish it in such manner as he thinks fit, and it shall come into operation on the date on which it is so published or on such later date as is specified therein.

(2) Where an order of the Minister directs that a wages council shall cease to operate in relation to any workers and that another wages council shall operate in relation to them, the order may provide that anything done by, or to give effect to any proposals made by, the first mentioned wages council shall have effect in relation to those workers as if it had been done by, or to give effect to proposals made by, the second mentioned wages council and may make such further provisions as appears to the Minister to be expedient in connection with the transition.

(3) Where an order of the Minister under this section directs that a wages council shall be abolished or shall

cease to operate in relation to any workers, then, save as is otherwise provided by the order, anything done by, or to give effect to proposals made by the wages council shall, except as respects things previously done or omitted to be done, cease to have effect or, as the case may be, cease to have effect in relation to the workers in relation to whom the wages council ceases to operate.

General provisions as to wages Council. First Schedule

8. (1) The provisions of the First Schedule shall have effect with respect to the constitution, officers and proceedings of wages councils.

(2) A wages council shall consider as occasion requires any matter referred to it by the Minister with reference to the industrial conditions prevailing as respects the workers and employers in relation to whom it operates, and shall make a report upon the matter to the Minister, and a wages council may, if it thinks it expedient so to do, make of its own motion a recommendation to the Minister with reference to the said conditions and, where such a recommendation is so made, the Minister shall forthwith take it into consideration.

General provisions as to commissions of enquiry. Second Schedule.

9. (1) The Second Schedule shall have effect with respect to the constitution, officers and proceedings of commissions of enquiry.

(2) Where any question or matter is referred to a commission of enquiry under this Part, the commission shall make all such investigations as appear to it to be necessary and shall publish in such manner as is prescribed by regulations to be made hereunder by the Minister, a notice stating the questions which it is its duty to consider by virtue of the reference and further stating that it will consider representations with respect thereto made to it in writing within such period as may be specified in the notice, not being less than forty days from the publication thereof; and it shall consider any representations made to it within that period and then make such further enquiries

as it considers necessary including, so far as it considers necessary, the hearing of oral evidence.

(3) Without prejudice to the generality of the last preceding subsection, where the Minister refers to a commission of enquiry under this Act the question whether a wages council shall be established in relation to any workers and their employers, it shall be the duty of the commission to consider not only the subject matter of the reference but also any other question or matter which, in the opinion of the commission, is relevant thereto, and in particular to consider whether there are any other workers (being workers who, in the opinion of the commission, are engaged in work which is complementary, subsidiary or closely allied to the work performed by the workers specified in the reference or any of them) whose position should be dealt with together with that of the workers, or some of the workers specified as aforesaid; and, in relation to any such reference to a commission of enquiry, any reference in this Part to the workers with whom the commission is concerned shall be construed as a reference to the workers specified as aforesaid and any such other workers as aforesaid.

(4) In considering for the purposes of this Act whether any machinery is, or is likely to remain adequate for regulating the remuneration and conditions of employment of any workers, a commission of enquiry shall consider not only what matters are capable of being dealt with by that machinery but also to what extent those matters are covered by agreement or awards arrived at or given thereunder, and to what extent the practice is, or is likely to be, in accordance with those agreements or awards.

(5) Where the Minister receives a report from a commission of enquiry, he may, if he thinks fit, refer the report back to the commission and the commission shall thereupon reconsider it having regard to any observations made by him and shall make a further report, and the like proceedings shall be had on any such further report as in the

case of an original report.

PART II WAGES REGULATION ORDERS

Power to fix remuneration and holidays.

10.(1) Subject to and in accordance with this section, any wages council shall have power to submit to the Minister proposals (hereafter in this Act referred to as “wages regulation proposals”)—

- (a) for fixing the remuneration to be paid, either generally or for any particular work, by their employers to all or any of the workers in relation to whom the council operates;
- (b) for requiring all or any such workers as aforesaid to be allowed holidays by their employers.

The power to submit proposals for fixing remuneration shall include power to submit proposals for fixing holiday remuneration.

(2) Wages regulation proposals for requiring a worker to be allowed a holiday shall not be made unless both holiday remuneration in respect of the period of the holiday and remuneration other than holiday remuneration have been or are being fixed under this Part for that worker, shall provide for the duration of the holiday being related to the duration of the period for which the worker has been employed or engaged to be employed by the employer who is to allow the holiday, and subject as aforesaid, may make provision as to the times at which or the periods within which, and the circumstances in which, the holiday shall be allowed; and wages regulation proposals for fixing holiday remuneration may contain provisions as to the times at which, and the conditions subject to which, that

remuneration shall accrue and shall become payable, and for securing that any such remuneration which has accrued due to a worker during his employment by any employer shall, in the event of his ceasing to be employed by that employer before he becomes entitled to be allowed a holiday by him, nevertheless become payable by the employer to the worker.

(3) Before submitting any wages regulation proposals to the Minister, a wages council shall make such investigations as it thinks fit, and shall publish in such manner as shall be prescribed by regulations made by the Minister hereunder notice of the proposals, stating the place where copies of the proposals may be obtained and the period, which shall be not less than sixty days from the date of the publication of the notice within which written representations with respect to the proposals may be sent to the Minister; and the wages council shall consider any written representations made to it within that period and shall make such further enquiries as it considers necessary, and may then submit the proposals to the Minister either without amendment or with such amendments as it thinks fit having regard to the representations.

(4) Where the Minister receives any wages regulation proposals, he shall make an order (hereinafter in this Act referred to as a “wages regulation order”) giving effect to the proposals as from such date as may be specified in the order:

Provided that the Minister may, if he thinks fit, refer the proposals back to the wages council and the wages council shall thereupon reconsider them having regard to any observations made by the Minister and may, if he thinks fit, re-submit the proposals to the Minister either without amendment or with such amendments as it

thinks fit having regard to those observations; and where proposals are so re-submitted, the like proceedings shall be had thereon as in the case of original proposals, except that the period within which such representations on the amended proposals are to be made to the wages council may be reduced to thirty days.

The date to be so specified shall be a date subsequent to the date of the order, and where, as respects any worker who is paid wages at intervals not exceeding seven days, the date so specified does not correspond with the beginning of the period for which the wages are paid, the order shall, as respects that worker, become effective as from the beginning of the next such period following the date specified in the order.

(5) As soon as the Minister has made a wages regulation order, he shall give notice of the making thereof to the wages council and that wages council shall give such notice of the order and the contents thereof as may be prescribed for the purpose of informing, so far as practicable, all persons who will be thereby affected.

(6) Any wages regulation proposals and any wages regulation order for giving effect thereto may make different provision for different cases, and may also contain provision for the amendment or revocation of previous wages regulation orders.

(7) No wages regulation order shall have effect so as to prejudice any rights as to remuneration or holidays conferred on any worker by or under any enactment other than this Act.

(8) Remuneration (including holiday remuneration) fixed by a wages regulation order is hereinafter in this Act referred to as “statutory minimum remuneration”.

Additional powers of Minister to make wages regulation order. [23 of 1978]

11. (1) The Minister, whenever he deems it expedient, having regard to the special circumstances of any particular class of workers in any occupation and to any representations made to him by the workers and their employer that there should be effective regulation of the remuneration of those workers, may without establishing a wages council, make a wages regulation order under this section for the purpose to take effect from such date as may be specified in the order.

(2) Without prejudice to the application of the succeeding provisions of this Part and Part III, subsections (6), (7) and (8) of section 10 shall, as they apply in relation to a wages regulation order made under subsection (4) thereof, apply to a wages regulation order made under this section.

Effect and enforcement of wages regulation orders.

12. (1) If a contract between a worker to whom a wages regulation order applies and his employer provides for the payment of less remuneration than the statutory minimum remuneration, it shall have effect as if for that less remuneration there were substituted the statutory minimum remuneration, and if any such contract provides for the payment of any holiday remuneration at times or subject to conditions other than those specified in the order, it shall have effect as if for those times or conditions there were substituted the times or conditions specified in the order.

(2) If an employer fails to pay to a worker to whom a wages regulation order applies remuneration not less than the statutory minimum remuneration, or fails to pay to any such worker holiday remuneration at the times and subject to the conditions specified in the order or fails to allow to any such worker the holidays fixed by the order, he shall be liable on summary conviction to a fine of one hundred and fifty dollars for each offence, and where the employer or any other person charged as the person to whose act or default the offence was due has been found guilty of an offence under this section consisting of a failure

to pay remuneration not less than the statutory minimum remuneration, the court may order the employer to pay such sum as is found by the court to represent the difference between the amount which ought to have been paid to the worker by way of remuneration, if the provisions of this Part had been complied with, and the amount actually so paid.

(3) On the prosecution of any person for failing to pay remuneration not less than the statutory minimum remuneration it shall lie on that person to prove that he has not paid remuneration less than the statutory minimum remuneration.

(4) Where proceedings are brought under this section in respect of an offence consisting of a failure to pay remuneration not less than the statutory minimum remuneration, then, if notice of intention so to do has been served with the summons, warrant of complaint—

- (a) evidence may, on the employer or any other person charged as a person to whose act or default the offence was due having been found guilty of the offence, be given of any like contravention on the part of the employer in respect of any period during the two years immediately preceding the date of the offence; and
- (b) on proof of the failure, the court may order the employer to pay such sum as is found by the court to represent the difference between the amount which ought to have been paid during that period to the worker by way of remuneration, if

the provisions of this Part had been complied with, and the amount actually so paid.

(5) The powers given by this section for the recovery of sums due from an employer to a worker shall not be in derogation of any right to recover such sums by civil proceedings

Permits to infirm and incapacitated persons.

13. (1) If, as respects any worker employed or desiring to be employed in such circumstances that a wages regulation order applies or will apply to him, the wages council is satisfied on application being made to it for a permit under this section either by the worker or the employer or a prospective employer, that the worker is affected by infirmity or physical incapacity which renders him incapable of earning the statutory minimum remuneration, it may, if it thinks fit, grant, subject to such conditions, if any, as it may determine, a permit authorising his employment at less than the statutory minimum remuneration, and while the permit is in force the remuneration authorised to be paid to him by the permit shall, if those conditions are complied with, be deemed to be the statutory minimum remuneration.

(2) Where an employer employs any worker in reliance on any document purporting to be a permit granted under the preceding subsection authorising the employment of that worker at less than the statutory minimum remuneration, then, if the employer has notified the wages council in question that, relying on that document, he is employing or proposing to employ that worker at a specified remuneration, the document shall, notwithstanding that it is not or is no longer a valid permit relating to that worker, be deemed, subject to the terms thereof and as respects only any period after the notification, to be such a permit until notice to the contrary is received by the employer from the wages council.

Computation
of
remuneration.

14. (1) Subject to this section, any reference in this Part to remuneration shall be construed as a reference to the amount obtained or to be obtained in cash by the worker from his employer after allowing for the worker's necessary expenditure, if any, in connection with his employment, and clear of all deductions in respect of any matter whatsoever except any deductions lawfully made —

c. 98:01

- (a) in accordance with the provisions of the Labour Act; or
- (b) at the request of the worker, either for the purposes of a superannuation scheme, or a thrift scheme or for any purpose in the carrying out of which the employer has no beneficial financial interest either directly or indirectly.

(2) Notwithstanding anything in subsection (1) wages regulation proposals and wages regulation orders may contain provisions authorising specified benefits or advantages, being benefits or advantages provided, in pursuance of the terms and conditions of the employment of workers, by the employer or by some other person under arrangements with the employer and not being benefits or advantages the provision of which is illegal by virtue of the Labour Act or of any other enactment, to be reckoned as payment of wages by the employer in lieu of payment in cash, and defining the value at which any such benefits or advantages are to be reckoned.

(3) If any payment is made by a worker in respect of any benefit or advantage provided as mentioned in the last preceding subsection, then —

- (a) if the benefit or advantage is authorised by virtue of that

subsection to be reckoned as payment of wages by the employer in lieu of payment in cash, the amount of the payment shall be deducted from the defined value for the purposes of reckoning the benefit or advantage;

- (b) if the benefit or advantage is authorised by virtue of that subsection to be reckoned as payment of wages by the employer in lieu of payment in cash, any excess of the amount of the payment over the defined value shall be treated for the purposes of subsection (1) as if it had been a deduction not being one of the excepted deductions therein mentioned;
- (c) if the benefit or advantage is specified in a wages regulation order as one which has been taken into account in fixing the statutory minimum remuneration, the whole of the payment shall be treated for the purposes of subsection (1) as if it had been a deduction not being one of the excepted deductions therein mentioned.

(4) Nothing in this section shall be construed as authorising the making of any deduction, or the giving of remuneration in any manner which is illegal by virtue of the Labour Act, or of any other enactment.

Employers
not to receive

15. (1) Where a worker to whom a wages regulation order applies is an apprentice or learner, it shall not be lawful

premiums. for his employer to receive directly or indirectly from him, or on his behalf or on his account any payment by way of premium:

Provided that nothing in this subsection shall apply to any such payment duly made in pursuance of any instrument of apprenticeship not later than four weeks after the commencement of the apprenticeship or to any such payment made at any time if duly made in pursuance of any instrument of apprenticeship approved for the purposes of this proviso by a wages council.

(2) If any employer acts in contravention of this section, he shall be liable on summary conviction in respect of each offence to a fine of one hundred and fifty dollars and the court may, in addition to imposing a fine, order him to repay to the worker or other person by whom the payment was made the sum improperly received by way of premium.

Records and notices.

16.(1) The employer of any workers to whom a wages regulation order applies shall keep such records as are necessary to show whether or not the provisions of this Part are being complied with as respects them, and the records shall be retained by the employer for six years.

(2) The employer of any workers shall post in the prescribed manner such notice as may be prescribed for the purpose of informing them of any wages regulation proposals or wages regulation order affecting them, and, if it is so prescribed, shall give notice in any other prescribed manner to the said workers of the said matters and of such other matters, if any, as may be prescribed.

(3) If an employer fails to comply with any of the requirements of this section, he shall be liable on summary conviction to a fine of one hundred and fifty dollars.

Criminal liability of

17. (1) Where the immediate employer of any worker is himself in the employment of some other person

agent and
superior
employer, and
special defence
open to
employer.

and that worker is employed on the premises of that other person, that other person shall for the purposes of this Part be deemed to be the employer of that worker jointly with the immediate employer.

(2) Where an employer is charged with an offence under this Part, he shall be entitled, upon information duly laid by him and on giving to the prosecution not less than three days' notice in writing of his intention, to have any other person to whose act or default he alleges that the offence in question was due brought before the court at the time appointed for the hearing of the charge; and if, after the commission of the offence has been proved, the employer proves that the offence was due to the act or the default of that other person, that other person may be convicted of the offence, and, if the employer further proves that he has used all due diligence to secure that this Part and any relevant regulation or order made thereunder are complied with, he shall be acquitted of the offence.

(3) Where a defendant seeks to avail himself of the provisions of subsection (2)—

- (a) the prosecution, as well as the person whom the defendant charges with the offence, shall have the right to cross-examine him if he gives evidence and any witnesses called by him in support of his pleas and to call rebutting evidence;
- (b) the court may make such order as it thinks fit for the payment of costs by any party to the proceedings to any other party thereto.

(4) Where it appears to an officer acting for the purposes of this Part that an offence has been committed in respect of which proceedings might be taken under this Part against an employer, and the officer is reasonably satisfied that the offence of which complaint is made was due to an act or default of some other person and that the employer could establish a defence under subsection (2), the officer may cause proceedings to be taken against that other person without first causing proceedings to be taken against the employer.

In any such proceedings the defendant may be charged with and, on proof that the offence was due to his act or default, be convicted of the offence with which the employer might have been charged.

Officers.
[19 of 1977]

18. (1) The Minister may designate officers to act for the purposes of this Part.

(2) Every officer acting for the purposes of this Part shall be furnished by the Minister with a certificate of his appointment or authority so to act, and when acting under this Part shall, if so required by any person affected, produce the certificate to him.

(3) An officer acting for the purposes of this Part shall have power for the performance of his duties—

- (a) to require the production of wages sheets or other records of wages kept by an employer, and records of payments made to outworkers by persons giving out work, and any other such records as are required by this Part to be kept by employers, and to inspect and examine those sheets or records and copy any material part thereof;

- (b) to require any person giving out work and any outworker to give any information which it is in his power to give with respect to the names and addresses of the persons to whom the work is given out or from whom the work is received, as the case may be, and with respect to the payments to be made for the work;
- (c) at any hour of the day or night to enter any premises at which any employer to whom a wages regulation order applies carries on his business (including any place used, in connection with that business, for giving out work to outworkers and any premises which the officer has reasonable cause to believe to be used by or by arrangement with the employer to provide living accommodation for workers);
- (d) to inspect and copy any material part of any list of outworkers kept by an employer or person giving out work to outworkers;
- (e) to examine, either alone or in the presence of any other person, as he thinks fit, with respect to any matters under this Part, any person whom he has reasonable cause to believe to be or to have been a worker to whom a wages regulation order applies or applied or the employer of any such

person or a servant or agent of the employer employed in the employer's business and to require every such person to be so examined and to sign a declaration of the truth of the matters in respect of which he is so examined:

Provided that no person shall be required under paragraph (e) to give any information tending to criminate himself.

(4) An officer acting for the purposes of this Part may institute proceedings for any offence under this Part and may, although not a legal practitioner, conduct any such proceedings.

(5) An officer acting for the purposes of this Part who is authorised in that behalf by general or special directions of the Minister may, if it appears to him that a sum is due from an employer to a worker on account of the payment to him of remuneration less than the statutory minimum remuneration, institute on behalf of and in the name of that worker civil proceedings for the recovery of that sum and in any such proceedings the court may make an order for the payment of costs by the officer as if he were a party to the proceedings.

The power given by this subsection for the recovery of sums due from an employer to a worker shall not be in derogation of any right of the worker to recover such sums by civil proceedings.

(6) Any person who obstructs an officer acting for the purposes of this Part in the exercise of any power conferred by this section, or refuses to comply with any requirement of such an officer made in the exercise of any such power shall be liable on summary conviction to a fine of one

hundred and fifty dollars.

Penalty for
false entries in
records,
producing false
records or
giving false
information.

19. If any person makes or causes to be made or knowingly allows to be made any entry in a record required by this Part to be kept by employers, which he knows to be false in a material particular, or for purposes connected with this Part produces or furnishes, or causes or knowingly allows to be produced or furnished, any wages sheet, record, list or information which he knows to be false in a material particular, he shall be liable on summary conviction to a fine of seven hundred and fifty dollars and to imprisonment for six months.

**PART III
MISCELLANEOUS**

Regulations.

20. The Minister may make regulations for prescribing anything which by this Act is required or authorised to be prescribed.

Expenses.

21. There shall be paid from moneys provided by Parliament—

- (a) any expenses incurred by wages councils, commissions of enquiry, or officers in carrying into effect this Act; and
- (b) the remuneration of officers appointed under this Act.

s. 8

FIRST SCHEDULE

CONSTITUTION, OFFICERS AND PROCEEDINGS OF
WAGES COUNCILS

- Constitution of
Wages Council
1. A wages council shall consist of persons appointed by the Minister, being—
- (a) not more than three persons chosen by the Minister as being independent persons;
 - (b) such number as the Minister thinks fit of persons who, in his opinion, represent employers in relation to whom the wages council or, as the case may be, the wages councils in question, is or are to operate;
 - (c) such number as the Minister thinks fit of persons who, in his opinion, represent workers in relation to whom the wages council or, as the case may be, the wages councils in question, is or are to operate.
- Appointment
of Chairman
and Deputy
Chairman.
2. Of the persons appointed under paragraph 1(a), one shall be appointed by the Minister to act as Chairman, and another may be appointed by the Minister to act as deputy Chairman in the absence of the Chairman.
- Consultation
with employ-
ers and
workers
concerned
3. Before appointing a person under paragraph 1(b) or (c), the Minister shall consult any organisations appearing to him to represent employers or, as the case may be, workers, concerned, and the persons appointed under those subparagraphs shall be equal in number.
- Secretary and
other officers.
4. The Minister may appoint a secretary and such other officers as he thinks fit of a wages council.

Delegation of powers.

5. A wages council may, if it thinks fit, delegate any of its powers under this Act (except the powers to submit wages regulation proposals) to a committee consisting of such number of persons, being members of the wages council, as the wages council thinks fit:

Provided that the members of the committee representing employers and the members of the committee representing workers shall be equal in number.

Regulations, procedure, quorum and method of voting.

6. The Minister may make regulations as to the meetings and procedure of a wages council and of any committee thereof, including regulations as to the quorum and the method of voting, but subject to this Act and to any regulations so made, a wages council and any committee thereof may regulate the procedure in such manner as it thinks fit.

Term of office.

7. The term for which a member of a wages council is to hold office shall be such as may be determined by the Minister at the time of his appointment, and the conditions subject to which he is to hold office shall be such as may be prescribed.

Payment of remuneration, travelling expenses and other allowances.

8. There shall be paid out of moneys provided by Parliament to the members of the wages council appointed under paragraph 1(a) such remuneration and to any member of such council such travelling and other allowances (including compensation for loss of working time) as may be approved by the Minister.

SECOND SCHEDULE

CONSTITUTION, OFFICERS AND PROCEEDINGS OF COMMISSIONS OF ENQUIRY

Constitution of commission of enquiry.

1. Every commission of enquiry shall consist of persons appointed by the Minister, being—

(a) not more than three persons

chosen by the Minister as being independent persons;

(b) not more than two persons chosen by the Minister to represent employers;

(c) not more than two persons chosen by the Minister to represent workers.

Appointment of Chairman and Deputy Chairman.

2. Of the persons appointed under paragraph 1(a), one shall be appointed by the Ministry to act as Chairman, and another may be appointed by the Minister to act as deputy Chairman in the absence of the Chairman.

Consultation with employers and workers and impartiality of members.

3. The persons appointed by the Minister under paragraph 1(b) and (c) shall be equal in number and shall be appointed after such consultation as the Minister may consider necessary with such organisations representing employers and workers respectively as he thinks fit, and the said persons shall be persons who, in the opinion of the Minister are not connected with or likely to be affected by the matters to be inquired into by the commission.

Appointment of assessors.

4. (1) The Minister may appoint such number of persons as he thinks fit as assessors to be available to any commission of enquiry, being persons who, in the opinion of the Minister, have an expert knowledge of any of the matters with which the commission's enquiry is concerned.

(2) An assessor shall not vote or otherwise be a party to any report or recommendation of the commission.

Secretary and other officers.

5. The Minister may appoint a secretary and such other officers as he thinks fit of any commission of enquiry.

Proceedings not to be invalidated by reason of vacancy or defect.

6. The proceedings of a commission of enquiry shall not be invalidated by reason of any vacancy therein or by any defect in the appointment of a member.

Making of regulations as to procedure.

7. The Minister may make regulations as to the meeting and procedure of commissions of enquiry, including regulations as to the quorum, but, subject to this Act and to any regulations, so made, a commission of enquiry may regulate its procedure in such manner as it thinks fit.

Payment of remuneration travelling expenses and other allowances.

8. There shall be paid out of moneys provided by Parliament to the members of, and assessors to, any commission or enquiry such remuneration and such travelling and other allowances (including compensation for loss of working time) as may be approved by the Minister.

SUBSIDIARY LEGISLATION

O.46/1958

**WAGES COUNCIL (AERATED WATER FACTORIES)
ORDER***made under section 3*

Citation.

1. This Order may be cited as the Wages Council (Aerated Water Factories) Order.

Establishment
of wages
council.

2. There shall be established in respect of the workers to whom this Order applies as set out in the Schedule and their employers, a wages council to be known as the Aerated Water Factories Wages Council.

SCHEDULE

1. This Order applies to all workers who are employed in Guyana by any person or persons carrying on an aerated water factory, and who are engaged mainly or wholly in any of the following capacities in connection with such aerated water factory:

- (a) clerk;
- (b) salesman;
- (c) assistant salesman;
- (d) driver-salesman;
- (e) driver;
- (f) machine attendant; and
- (g) labourer.

[Subsidiary]

Wages Council (Aerated Water Factories) Order

Wages Council (Timber Grant) Order

2. For the purpose of this Schedule "aerated water factory" means any place where is carried on the manufacture of mineral or aerated waters (including non-alcoholic cordials, flavoured syrups), unfermented sweet drinks, and other similar beverages for trade or for the purpose of gain, and any operation or work incidental thereto.

O. 54/1958
O.27/1960
O. 39/1964

WAGES COUNCIL(TIMBER GRANT)ORDER

made under section 3

Citation.

1. This Order may be cited as the Wages Council (Timber Grant) Order.

Establishment of wages council.

2. There shall be established in respect of the workers to whom this Order applies as set out in the Schedule, and their employers, a wages council to be known as the Timber Grant Wages Council.

SCHEDULE

1. This Order shall apply to all workers who are employed in Guyana by any person or persons carrying on a timber grant, and who are engaged mainly or wholly in any capacity in connection with the operation of a timber grant.

2. For the purposes of this Schedule—

- (a) "timber grant" means any portion of land whether public or private from which timber, charcoal or firewood is extracted;

[Subsidiary]

Wages Council (Timber Grant) Order
Wages Council (Saw Mill Workers) Order

- (b) "timber" includes a tree, or any ligneous part of a tree, whether standing, fallen or felled, and all wood, whether or not sawn, split, hewn or otherwise cut up or fashioned.

O.27/1960

WAGES COUNCIL (SAW MILL WORKERS) ORDER

made under section 3

Citation.

1. This Order may be cited as the Wages Council (Saw Mill Workers) Order.

Establishment of wages council.

2. There shall be established in respect of the Workers to whom this Order applies as set out in the Schedule, and their employers, a wages council to be known as the Saw Mill Workers Wages Council.

SCHEDULE

1. This Order shall apply to all workers who are employed in Guyana by any person or persons carrying on a saw mill, and who are engaged mainly or wholly in any capacity in connection with the operation of a saw mill.

2. For the purpose of this Schedule "saw mill" means any place where wood is prepared by mechanical process for building purposes.

LAWS OF GUYANA

34 **Cap. 98:04**

Wages Councils

[Subsidiary]

Wages Council (Printing Trade Workers) Order

Wages Council (Building Operation and Works of Engineering Construction) Order

O.94/1960

**WAGES COUNCIL (PRINTING TRADE WORKERS)
ORDER**

made under section 3

Citation.

1. This Order may be cited as the Wages Council (Printing Trade Workers) Order.

Establishment
of wages
council.

2. There shall be established in respect of the workers to whom this Order applies as set out in the Schedule, and their employers, a Wages Council to be known as the Printing Trade Wages Council.

SCHEDULE

1. This Order shall apply to all workers who are employed in Guyana by any person or persons carrying on a printery and who are engaged mainly or wholly in any capacity in connection with the operation of a printery.

2. For the purpose of this Schedule "printery" means any place or premises in which printing by letterpress, lithography, photogravure, or other similar process, or bookbinding is carried on by way of trade or for purposes of gain or incidental to another business so carried on but shall not include copying by office typewriter or office duplicating machine.

O.9/1967

**WAGES COUNCIL (BUILDING OPERATION AND
WORKS OF ENGINEERING CONSTRUCTION) ORDER**

made under section 3

Citation.

1. This Order may be cited as the Wages Council (Building Operation and Works of Engineering Construction)

[Subsidiary] *Wages Council (Building Operation and Works of Engineering Construction) Order*

Order.

Establishment
of wages
council.

2. There shall be established in respect of the workers to whom this Order applies as set out in the Schedule, and their employers, a Wages Council to be known as the Building Operation and Works of Engineering Construction Wages Council.

SCHEDULE

1. This Order shall apply to all workers who are employed in Guyana by any person or persons carrying on any building operation or works of engineering construction and who are engaged mainly or wholly in any of the following capacities in connection with such building operation or works of engineering construction:

1. Clerk (including material checker and time checker)
2. Carpenter
3. Joiner
4. Mason
5. Steel Bender and Fixer
6. Plumber
7. Electrician
8. Painter
9. Wood Machinist
10. Rigger
11. Fitter
12. Welder
13. Burner
14. Splicer
15. Operator of Concrete Mixer
16. Operator of Terrazo Grinder
17. Pump Operator
18. Greaser
19. Water Boy

20. Labourer
21. Dragline Operator
22. Bulldozer Operator
23. Grader Operator
24. Winch Operator
25. Crane Operator
26. Roller Driver
27. Chainman
28. Driller
29. Scaffolder
30. Structural Steel Erector
31. Transit Man
32. Level Man
33. Blacksmith
34. Blacksmith's Striker
35. Tiler
36. Pipe Fitter
37. Bricklayer
38. Plasterer
39. Glazier
40. Sign-writer
41. Air conditioning mechanic
42. Refrigeration mechanic

2. In this Order—

"building operation" means the construction, structural alteration, repair, or maintenance of a building (including repointing, redecoration and external cleaning of the structure), the demolition of a building and the preparation for, and the laying of the foundation of, an intended building;

"works of engineering construction" means the construction of any railway line or siding (otherwise than on an

[Subsidiary] Wages Council (Building Operation and Works of Engineering Construction) Order
Timber Grant Wages Council Wages Regulation Order

existing railway) and the construction, structural alteration, repair, or demolition of any dock, harbour, inland navigation, tunnel, bridge, viaduct, waterworks, reservoir, pipeline, aqueduct, sewer, sewage works or gasholder, except where carried on upon a railway. It also includes the construction, structural alteration, repair, repointing, repainting or demolition of any steel or reinforced concrete structure other than a building, any road, airfield, sea defence works or river works, and shall include such other civil or constructional engineering works of a similar nature, as may from time to time be specified by order of the Minister.

O.25/1961
22/2008

**TIMBER GRANT WAGES COUNCIL WAGES
REGULATION ORDER**

made under section 10

Citation. 1. This Order may be cited as the Timber Grant Wages Council Wages Regulation Order and shall come into operation on the 4th May, 1961.

Interpretation. 2. In this Order—

“timber grant” means any portion of land which is subject to a lease under the Forests Act, or any other Act, for the purpose of obtaining timber therefrom;

“timber grant worker” means any person employed to perform manual labour in connection with the operation of a timber grant or who is engaged mainly or wholly in any capacity in connection with the operation of a timber grant.

Minimum wage. 3. Subject to this Order, the minimum rate of wages at

which a timber grant worker shall be paid shall be as set out in the Schedule:

Provided that where upon the commencement of this Order a timber grant worker is in receipt of a wage greater than that prescribed in this Order, the employer shall nevertheless continue to pay the said worker wages at the higher rate.

Payment of higher wages for work done in a higher category.

4. Where a timber grant worker habitually performs work in a category higher than the category to which he properly belongs in accordance with the classification prescribed in the Schedule to this Order he shall be paid at the rate of wages payable in respect of the higher category as prescribed by the said Schedule.

Payment of wage at date of commencement of training and thereafter.

5. (1) Where a timber grant worker undergoes training in a category higher than the category to which he properly belongs in accordance with the classification prescribed in the Schedule, he may be paid at the rate of wages applicable to his proper category for a period of four months after the date of the commencement of his training and thereafter he shall be paid at the rate of wages applicable to the higher category aforesaid.

c.39:04

(2) Paragraph (1) shall not apply to a timber grant worker undergoing training under the Industrial Training Act with a view to qualifying as a tradesman.

SCHEDULE

Category of worker

Daily rate

[Subsidiary]

Timber Grant Wages Council Wages Regulation Order
Sawmill Workers Wages Council Wages Regulation Order

Labourers	\$1,000.00 per day
Skilled Labourers	\$1,200.00 per day
Headrig (Bandmill) Operators	\$1,500.00 per day

**SAWMILL WORKERS WAGES COUNCIL WAGES
REGULATION ORDER**

O. 26/1961
18/1966B
21/2008

made under section 10

Citation.

1. This Order may be cited as the Sawmill Workers Wages Council Wages Regulation Order and shall come into operation on the 4th May, 1961.

Interpretation.
[O. 18/1966B]

2. In this Order —

"sawmill" means any place where wood is prepared by mechanical process for building purposes, but does not include a place where the work carried on there consists essentially of cabinet making or the manufacture of sash windows or ornamental work in wood;

"sawmill worker" means any person employed to perform manual labour in connection with the operation of a sawmill or who is engaged mainly or wholly in any capacity in connection with the operation of a sawmill.

Minimum
wage.

3. Subject to this Order, the minimum rate of wages at which a sawmill worker shall be paid shall be as set out in the Schedule:

Provided that where upon the commencement of this Order a sawmill worker is in receipt of a wage at a rate

greater than that prescribed in this Order the employer shall nevertheless continue to pay the said worker wages at the higher rate.

Payment of higher wages for work done in a higher category.

4. Where a sawmill worker habitually performs work in a category higher than the category to which he properly belongs in accordance with the classification prescribed in the Schedule he shall be paid at the rate of wages payable in respect of the higher category as prescribed by the said Schedule.

Payment of wages at date of commencement of training and thereafter.

5. (1) Where a sawmill worker undergoes training in a category higher than the category to which he properly belongs in accordance with the classification prescribed in the Schedule he may be paid at the rate of wages applicable to his proper category for a period of four months after the date of the commencement of his training and thereafter he shall be paid at the rate of wages applicable to the higher category aforesaid.

c.39:04

(2) Paragraph (1) shall not apply to a sawmill worker undergoing training under the Industrial Training Act with a view of qualifying as a tradesman.

SCHEDULE

Category of worker	Daily Rate
Labourers	\$1,000.00 per day
Skilled Labourers	\$1,200.00 per day
Headrig (Bandmill) Operators	\$1,500.00 per day

[Subsidiary]

*Aerated Water Factories Wages Council Wages Regulation Order*O.11/1963
20/2008**AERATED WATER FACTORIES WAGES COUNCIL
WAGES REGULATION ORDER***made under section 10*

Citation.

1. This Order may be cited as the Aerated Water Factories Wages Council Wages Regulation Order and shall come into operation on the 9th March, 1963.

Interpretation.

2. In this Order—

"aerated water factory" means any place where soft drinks or other carbonated beverages are manufactured by power driven or manually operated mechanical processes by way of trade or business;

"aerated water factory worker" means any person employed to perform manual labour in connection with the operation of an aerated water factory;

"Christmas period" means the eight working days immediately preceding Christmas Day;

"commission" means extra remuneration, usually on a percentage basis paid to a salesman or driver-salesman, in addition to his wages;

"earnings" means the regular amounts paid by an employer to an aerated water factory worker in respect of the worker's service but does not include any amount paid in respect of overtime work or by way of bonus or commission unless such bonus or commission forms part of such regular amounts;

c.134
1953 Ed.

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

"stoppage of work" means any cessation of work at an aerated water factory occasioned by shortage of materials, breakdown of mechanical plant or equipment, or failure of power supply where the source of that power supply is owned or operated by the occupier of an aerated water factory or where the cessation of work is due to any circumstances whatever over which the employer has control, but shall not include cessations of work occasioned by strikes or lockouts arising out of an industrial or trade dispute.

Minimum wage.

3. Subject to this Order, the minimum rate of wages at which an aerated water factory worker shall be paid shall be as set out in the Schedule;

Provided that where upon the commencement of this Order an aerated water factory worker is in receipt of a wage greater than that prescribed in this Order, the employer shall nevertheless continue to pay the said worker wages at the higher rate.

Payment of higher wages for work done in a higher category.

4. Where an aerated water factory worker habitually performs work in a category higher than the category to which he properly belongs in accordance with the classification prescribed in the Schedule, he shall be paid wages at the rate payable in respect of the higher category as prescribed in the said Schedule.

Payment of wages at date of commencement of training and thereafter

5. (1) Where an aerated water factory worker undergoes training in a category higher than the category to which he properly belongs in accordance with the classification prescribed in the Schedule, he may be paid at the rate of wages applicable to his proper category for a period of four months after the date of the commencement of his training and thereafter he shall be paid at the rate of

[Subsidiary]

Aerated Water Factories Wages Council Wages Regulation Order

wages applicable to the higher category aforesaid.

(2) Paragraph (1) shall not apply to an aerated water factory worker undergoing training under the Industrial Training Act with a view to qualifying as a tradesman.

Normal
working hours,
overtime rates,
commission,
etc

6. (1) The normal hours of work of aerated water factory workers mentioned in the Schedule shall be eight hours on each day and forty-four hours in each week.

(2) Aerated water factory workers employed in excess of the hours mentioned in paragraph (1), shall be paid wages at the rate of one and a half times the appropriate minimum rates as set out in the Schedule, provided that where a commission is paid to a salesman or driver-salesman, the commission paid shall not be less than wages paid at the rate of one and a half times the minimum rate.

(3) Any aerated water factory worker who at the request of his employer, reports for duty on any public holiday or between the hours of midnight on any day and 6 a.m. on the following day, shall be paid a minimum of two dollars for any period worked up to the first two hours, and thereafter, at twice the appropriate minimum rate as set out in the Schedule.

(4) A worker who on any day, at the request of his employer, reports for duty at an aerated water factory, and who fails to obtain work during the whole or part of such day, on account of the shortage of material, or stoppage of work at such factory, shall nevertheless be entitled to the payment of wages in accordance with the appropriate category of work to which he belongs in respect of the whole of such day.

HOLIDAYS WITH PAY

Holiday with
pay.

7. (1) Every aerated water factory worker 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 commencement of the said Order.

(2) Every aerated water factory worker 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 his engagement.

Conditions relating to holidays with pay on completion of twelve months' service.

8. (1) No employer shall require an aerated water factory worker to take his holidays with pay in periods of less than twelve consecutive days and no such worker shall require his employer to allow him such holidays with pay prior to the completion of twelve consecutive months' service or during the Christmas period:

Provided that any of the days which are public holidays for the time being in force shall not be computed as holidays with pay under this Order.

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

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

Holidays with pay on completion of six months'

9. Notwithstanding clause 8 (1), an employer and a worker may agree that such worker shall take his holidays with pay in periods of not less than six consecutive days upon

[Subsidiary]

Aerated Water Factories Wages Council Wages Regulation Order

service. the completion of six consecutive months' service in which case such holidays with pay shall be given by the employer and taken by the worker before the expiration of three months after each period of six consecutive months' service aforesaid:

Provided that no such holidays with pay shall be taken during the Christmas period.

Computation of holiday pay.

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

Payment of wages in lieu of holiday on termination of employment.

11. When the employment of an aerated water factory worker is terminated, either by such worker or by the employer, the employer shall pay to such worker, in lieu of such period of holidays with pay that 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.

Meaning of "continuous employment"

12. 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 periods of illness certified by a medical practitioner not exceeding fourteen days shall not be deemed to be a break in employment for the purposes of this Order.

SCHEDULE

Category of Worker	Minimum Rate of Wages
Supervisors week	\$7,000.00 per
Machine Attendants week	\$4,600.00 per
Crowners Bottle week	\$5,000.00 per
Washers week	\$4,600.00 per
Labourers week	\$4,600.00 per
Mechanics week	\$7,000.00 per
Syrup Boiler/Mixer week	\$8,200.00 per
Assistant Mixers (and all others in Syrup room) per week	\$4,900.00
Sales Representative per week	\$5,000.00
Delivery Person	\$4,600.00

[Subsidiary]

Aerated Water Factories Wages Council Wages Regulation Order
Printing Trade Wages Council Wages Regulation Order

per week

Checkers
per week \$7,500.00

Sign Artists
per week \$6,000.00

O.19/1967
23/2008

**PRINTING TRADE WAGES COUNCIL WAGES
REGULATION ORDER**

made under section 10

Citation.

1. This Order may be cited as the Printing Trade Wages Council Wages Regulation Order and shall come into operation on the 17th July, 1967.

Interpretation.

2. In this Order —

"printery" means any place or premises in which printing by letter, press, lithography, photogravure, or other similar process, or bookbinding is carried on by way of trade or for purposes of gain or incidental to another business so carried on, but shall not include copying by office typewriter or office duplicating machine;

"printing trade worker" means any person employed in a printery.

Minimum wage.

3. (1) Subject to this Order, the minimum rate of wages at which a printing trade worker shall be paid, shall be as set out in the Schedule:

Provided that where upon the commencement of this Order a printing trade worker is in receipt of a wage greater than that prescribed in this Order, the employer shall

nevertheless continue to pay the said worker wages at the higher rate.

(2) A printing trade worker who is a casual employee and is required to work less than seven hours in any one day shall be paid for that day at the hourly rate prescribed in the Schedule for his category and he shall in addition receive twenty per cent of that rate.

Payment of higher wages for work done in a higher category

4. Where a printing trade worker habitually performs work in a category higher than the category to which he properly belongs in accordance with the classification prescribed in the Schedule he shall be paid wages at the rate payable in respect of the higher category as prescribed by the Schedule.

SCHEDULE

Category of Worker	Minimum Rates of Wages
Monotype Keyboard Operators	\$8,800.00 per week
Monotype Caster Operators	\$6,300.00 per week
Linotype Operators	\$11,000.00 per week
Letterpress Operators	\$9,800.00 per week
Offset Pressmen	\$9,500.00 per week
Machinist	\$11,000.00 per week
Wrappers, Packers and Checkers	\$5,500.00 per week
Janitor	\$5,300.00 per week
Proof Readers.	\$8,500.00 per week
Compositors	\$8,500.00 per week
Engravers	\$8,500.00 per week
Litho Plate Makers	\$8,500.00 per week

[Subsidiary]

Printing Trade Wages Council Wages Regulation Order

Camera Operators	\$9,600.00 per week
Newspaper Pressmen	\$8,500.00 per week
Stereotypes	\$7,300.00 per week
Rubber Stamp Makers:	\$7,000.00 per week
Binder	\$7,800.00 per week
Rulers	\$7,500.00 per week
Ludlow Operators	\$7,00.00 per Wages
Guillotine Operators	\$7,500.00 per week
Elrod Operators	\$5,600.00 per week
Metal Moulders	\$5,600.00 per week
Manglers	\$5,600.00 per week
Printery Assistants	\$4,700.00 per week

NOTICE

Gaz.Nt.
17/5/1975

made under section 17(1)

The following officers are hereby designated by the Ministry of Labour for the purposes of Part II of the Act—

- (a) Chief Labour Officer;
- (b) Chief Factories Officer;
- (c) Deputy Chief Labour Officer;
- (d) Assistant Chief Labour Officer;
- (e) Assistant Chief Factories Officer;
- (f) Senior Labour Officers;
- (g) Senior Factories Officer;
- (h) Labour Officers;
- (i) Factories Officers; and
- (j) Agricultural Assessors.

LAWS OF GUYANA

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Cap. 98:04

Wages Councils

[Subsidiary]

*Printing Trade Wages Council Wages Regulation Order
Wages Councils Regulations*

Gaz.Nt.
02/10/1976
09/10/1976

NOTICE

made under section 17(1)

The following officers are hereby designated by the Ministry of Labour for the purposes of Part II of the Act—

- (a) Chief Labour Officer;
- (b) Deputy Chief Labour Officer;
- (c) Assistant Chief Labour Officer;
- (d) Senior Labour Officers;
- (e) Labour Officers;
- (f) Agricultural Assessors
- (g) Senior Factories Officer;
- (h) Chief Factories Officer;
- (i) Assistant Chief Factories Officer;
- (j) Senior Factories Officers; and
- (k) Factories Officers

Reg. 25/1962

WAGES COUNCILS REGULATIONS

made under section 19

Citation.

1. These Regulations may be cited as the Wages Councils Regulations.

Publication of notices by commissions of enquiry.

2. (1) Every notice required by section 9(2) of the Act to be published by a commission of enquiry shall be published in the *Gazette*, and, during a period of two consecutive weeks, in three issues of at least one daily newspaper circulating in Guyana.

[Subsidiary]

Wages Councils Regulations

(2) The date of the publication of the notice referred to in paragraph (1) shall, for the purposes of the Act, be the date of the *Gazette* in which it is published.

Publication of
notices by
wages councils

3. (1) Every notice required by section 10(3) of the Act to be published by a wages council shall be published in the *Gazette*, and, during a period of two consecutive weeks, in three issues of at least one daily newspaper circulating in Guyana.

(2) The date of publication of the notice referred to in paragraph (1) shall, for the purposes of the Act, be the date of the *Gazette* in which it is published.

Publication of
wages council
order.

4. A wages council upon receiving notice in accordance with section 10(5) of the Act that a wages regulation order has been made, shall cause a notice to be published in the *Gazette* and in the three consecutive issues of a daily newspaper circulating in Guyana—

- (a) stating the fact that the wages council has received notice that a wages regulation order has been made by the Minister under the Act;
- (b) setting forth the text of the order so made;
- (c) specifying a place or places where copies of the notice, including the text of the order, may be obtained, and the price, if any, to be paid for such copies.

Wages
regulation
proposals
and orders to

5. (1) The employer of any workers to whom wages regulation proposals or a wages regulation order apply or applies shall post a copy of such proposals or order as the

be displayed
by employer.

case may be in a conspicuous position where such proposals or order may be readily read by employees on all premises at which he employs workers to whom the proposals or order apply or applies and shall keep a copy of the order so posted for as long as it remains in force.

(2) It shall also be the duty of the employer to bring to the attention of every worker employed by him and to whom wages regulation proposals or a wages regulation order apply or applies, by adequate notice in writing at one of the times at which wages are paid, that such wages regulation proposals or wages regulation order as the case may be are or is posted at certain places mentioned in the notice, on the premises for the information of the worker.

Meetings and
procedure of
wages councils.

6. (1) Notice of a meeting of a wages council shall be deemed to be sufficiently given to a member thereof, if sent by ordinary post to his usual or last known address, but the accidental omission to give notice of a meeting to, or the non-receipt of the notice of a meeting by, a member shall not invalidate the proceedings at such a meeting.

(2) No meeting of a wages council shall be held unless there shall be present at least one of the members appointed by the Minister as being independent persons (in this regulation referred to as "independent members"), and at least one-third of the number of members appointed by the Minister as representing employers and workers (in this regulation referred to as "representative members").

(3) Every member of a wages council shall have one vote: Provided that the Chairman, or, in his absence, the Deputy Chairman, may, if he thinks it desirable, and shall, at the request of not less than one-half of the members present representing employers or of not less than one-half of the

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members representing workers take the vote of the representative members by sides, and in such a case the vote of the majority of members on either side present and voting, shall be the vote of that side. In such division the independent members shall not vote, but in the event of the division resulting in a disagreement between the two sides, the question may be decided by the majority vote of the independent members, or, if one only is present by the vote of that independent member.

Meetings and procedure of commissions of enquiry.

7. (1) Notice of the meeting of a commission of enquiry shall be deemed to be sufficiently given to a member thereof, if sent by ordinary post to his usual or last known address, but the accidental omission to give notice of a meeting to, or the non- receipt of notice of a meeting by, a member shall not invalidate the proceedings at such meeting.

(2) No meeting of a commission of enquiry shall be held unless there shall be present at least one of the members appointed by the Minister as being independent persons, at least one of the members appointed by the Minister to represent employers and at least one of the members chosen by the Minister to represent workers.

(3) Every member of a commission of enquiry shall have one vote and where the votes are equally divided, the Chairman, or in his absence, the Deputy Chairman shall have, in addition to his original vote, a casting vote.

Powers to summon and examine Witnesses.

8. (1) Any person may, by notice in writing signed by the Chairman of a wages council or of a commission of enquiry, as the case may be required—

- (a) to attend any meeting of a wages council or a commission of enquiry and give evidence before the said council or commission; or

- (b) to attend any meeting of a wages council or a commission of enquiry and produce any document which, in the opinion of the council or of the commission, is relevant to the subject matter being considered by the council or the commission; or
- (c) to furnish in such manner as may be specified such particulars as may be required by the council or commission.

(2) Any person who fails to comply with the provisions of any notice given under paragraph (1) shall be liable on summary conviction to a fine of forty dollars:

Provided always that, if any witness objects to answer any question or to produce any document on the ground that the answer or production will tend to incriminate him or subject him to any penalty, he shall not be required to answer the question or produce the document.

Conditions of office of members of wages councils.

9. Any person appointed as a member of a wages council shall hold office subject to the following conditions:

- (a) The Minister may determine the appointment of any such member appointed as being an independent person if in the opinion of the Minister he has ceased to be an independent person.
- (b) The Minister may determine the

appointment of any member appointed to represent employers or workers, if in the opinion of the Minister he has ceased to be so representative.

- (c) If a member fails to attend one-half of the meetings of a wages council in any period of six months, or should only one meeting be held during any period of six months, two consecutive meetings, the Minister may, after giving such member an opportunity to be heard, determine his appointment.
- (d) If the Minister is of the opinion that any member is incapable for any reason of acting as a member, he may determine the appointment of such member.
- (e) Every member shall notify the secretary of the wages council of which he is a member of any change of his address. If the secretary does not receive such notification and by reason thereof is unable to summon such member to attend meetings of the wages council, he shall notify the Minister, who may, after making such enquiries as he may deem necessary, determine the appointment of such member.

[Subsidiary]

Wages Council (Rice Factory Workers) Order

O. of 1977

WAGES COUNCIL (RICE FACTORY WORKERS) ORDER

made under section 3

Citation.

1. This Order may be cited as the Wages Council (Rice Factory Workers) Order

Interpretation.

2. In this Order —

"rice factory" means any premises in which padi is manufactured into rice by mechanical power, and place, building, machinery, or equipment used in connection with or in relation to such premises for the storage of padi or rice or the manufacture of rice.

Establishment of Wages Council.

3. There is hereby established in respect of workers to whom this Order applies and their employers, a Wage Council to be known as a Wage Council for Workers in Rice Factories.

Application of this Order.

4. This Order applies to all workers employed by any person wholly or mainly in any of the following capacities in or about any work "in connection with the operations of a rice factory:—

- (a) labourer;
- (b) concrete attendant;
- (c) huller attendant;
- (d) porter;

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Wages Council (Rice Factory Workers) Order
Wages Council (Mechanical Transport Workers) Order

- (e) fireman;
- (f) mechanic; and
- (g) bookkeeper.

O.30/1978

**WAGES COUNCIL (MECHANICAL TRANSPORT
WORKERS) ORDER**

made under section 3

Citation.

1. This Order may be cited as the Wages Council (Mechanical Transport Workers) Order, 1978.

Interpretation.

2. In this Order-

“motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads, and includes an articulated vehicle as defined in regulation 2 of the Motor Vehicles and Road Traffic Regulations.

Cap 51:02

“trailer” means a vehicle of any kind used on a road without independent motive power intended to be drawn by a motor vehicle.

Establishment
of Wages
Council.

3. There is hereby established in respect of workers to whom this Order applies and their employers, a Wage Council to be known as a Wage Council for Mechanical Transport Workers.

Application of
this Order.

4. This Order applies to all workers employed by any person wholly or mainly in any of the following capacities in connection with a motor vehicle:—

- (a) driver of a motor vehicle;

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Wages Council (Mechanical Transport Workers) Order
Sawmill Workers Wages Council Wages Regulation Order

- (b) conductor;
- (c) porter; and
- (d) delivery man.

O.130/1978

**SAWMILL WORKERS WAGES COUNCIL WAGES
REGULATION ORDER**

made under section 10A

Citation and
commence-
ment.

1 This Order may be cited as the Sawmill Workers Wages Council Wages Regulation Order 1978 and shall come into operation on 19th December, 1978.

Interpretation.

2. In this Order —

"sawmill" means any place where wood is prepared by mechanical process for building purposes, but does not include a place where the work carried on there consists essentially of cabinet making or the manufacture of sash windows or ornamental work in wood;

"sawmill worker" means any adult person employed mainly or wholly in any capacity in connection with the operation of a sawmill.

Minimum wage
payable to a
worker.

3. (1) Subject to paragraph (2), the minimum rate of wage which shall be paid to a sawmill worker shall be eleven dollars per day.

(2) Where at the commencement of this Order a

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Sawmill Workers Wages Council Wages Regulation Order
Rice Factory Workers (Wages Regulation) Order

sawmill worker is in receipt of a higher rate of wage than that prescribed by paragraph (1), the employer shall continue to pay that worker wages at the higher rate.

Effect of the
Sawmill
Workers Wages
Council Wages
Regulation.
O 26/1961

4. The Sawmill Workers Wages Council Wages Regulation Order shall cease to have effect.

O.59/1980

**RICE FACTORY WORKERS (WAGES REGULATION)
ORDER**

made under section 10A

Citation.

1. This Order may be cited as the Rice Factory Workers (Wages Regulation) Order 1980.

Interpretation.

2. In this order -

“rice factory” means any premises in which paddy is - manufactured into rice by mechanical power, and includes any place, building, machinery or equipment used in connection with or in relation to such premises for the storage of paddy or rice or the manufacture of rice.

"rice factory worker" means any person employed in any work in connection with the operations of a rice factory.

Minimum
wage Schedule.

3. Subject to this order, the minimum rate of wages at which a rice factory worker shall be paid is set out in the Schedule hereto:

Provided that where upon the commencement of this

order a rice factory worker is in receipt of wages higher than that prescribed in this order, the employer shall nevertheless continue to pay the said worker wages at the higher rate.

Normal
working hours,
overtime rates.

4. (1) The normal hours of work of a rice factory worker mentioned in the Schedule shall be eight hours on each day and forty-four hours in each week.

(2) A rice factory worker who is employed in excess of the hours mentioned in paragraph (1) shall be paid wages at the rate of one and a half times the appropriate minimum rate as set out in the Schedule.

(3) A rice factory worker, who on any day at the request of his employer reports for duty at a rice factory and who on account of shortage of material or stoppage of work at the factory either obtains no work during that day or obtains work amounting in the aggregate to four hours or less, shall nevertheless be entitled to payment of wages in accordance with the appropriate category of work to which he belongs in respect of a half day.

(4) A rice factory worker, who on any day at the request of his employer reports for duty at a rice factory, and who on account of shortage of material or stoppage of work at the factory obtains less than eight hours but more than four hours work, shall be entitled to payment of wages in accordance with the appropriate category of work to which he belongs on a *pro rata* basis.

Holidays with
pay.

5. (1) Every rice factory worker employed on a monthly basis, being in employment at the date of 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

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Rice Factory Workers (Wages Regulation) Order

commenced on the date of the commencement of this order.

(2) Every rice factory worker, employed other than on a monthly basis, 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 every one hundred and sixty completed hours of work computed as though his employment commenced on the date of the commencement of this order.

Meaning of continuous employment.

6. For the purposes of this order a period of employment shall be deemed to be continuous even if it has been interrupted by absence from work due to the seasonal nature of work in the factory or in rice industry:

Provided that periods of illness certified by a medical practitioner not exceeding fourteen days shall not be deemed to be a break in employment for the purposes of this order

Cls 3 and 4

SCHEDULE

Category of worker	Daily	Job Work	Monthly
Labourer	\$ 9.00	25c per bag	
Concrete attendant	\$ 9.00		
Huller operator	\$12.00		
Fireman	\$11.00		
Mechanic	\$11.00		
Book-keeper	\$200.00		