

LAWS OF DOMINICA

LABOUR CONTRACTS ACT

CHAPTER 89:04

Act
12 of 1983
Amended by
12 of 1990

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**Note
on
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

CHAPTER 89:04

LABOUR CONTRACTS ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 89:04

LABOUR CONTRACTS ACT

12 of 1983. **AN ACT to make provisions whereby every employer is required to provide each employee within the application of this Act with a written contract specifying certain particulars of his employment; to provide the contents of a basic labour contract, and for the purposes connected therewith.**

Commencement. [16th June 1983]

Short title. **1. This Act may be cited as the –**
LABOUR CONTRACTS ACT.

Interpretation and application. [12 of 1990]. **2. (1) In this Act –**
 “holiday” means a public holiday or a day which by agreement is a holiday with pay;
 “labour contract” means an employment contract prepared pursuant to section 3;
 “Labour Commissioner” means the public officer appointed to the office of Labour Commissioner in accordance with the Constitution.
(2) This Act does not apply to the State.
(3) This Act does not apply to an employer in respect of the employment of an employee –
 (a) who is included in a category of employees for which a trade union is recognised as the bargaining agent by the employer;
 (b) who normally works or is expected to work less than twenty-one hours in each week;
 (c) who is hired for a fixed term of two weeks or less;
 (d) who is employed by the employer on the date on which this Act comes into force;
 (e) who, having been a party to a labour contract with the employer pursuant to this Act, is re-engaged in the same or similar employment by the employer after an absence

from that employment of less than six months; who shall be presumed unless the contrary appears, to be employed on the same terms as his former contract;

- (f) who is the father, mother, husband, wife, brother, sister, son or daughter of the employer;
- (g) who is employed as a home assistant;
- (h) who is employed as an agricultural worker.

3. Any person who employs another shall, not later than fourteen days from the date on which the employment commences, prepare a labour contract in writing correctly describing the terms and conditions of employment that have been agreed upon by the employer and the employee.

Employer to
prepare labour
contract.

4. Where, pursuant to section 3, a labour contract has been prepared by an employer respecting the employment of an employee –

Signing of labour
contract.

- (a) a copy of the labour contract shall be delivered forthwith by the employer to the employee for his inspection;
- (b) the employer and employee shall sign the labour contract including any amendments agreed upon within three days of the date on which it was delivered to the employee; and
- (c) the employer shall give the employee a signed copy of the labour contract.

5. (1) A labour contract between an employer and an employee shall set out –

Contents of
labour contract.

- (a) the names of the employee and the employer;
- (b) the date on which the employment of the employee began or will begin;
- (c) a description of the duties of the employee;
- (d) the rate of pay that the employee is entitled to receive in respect of his employment, or the method to be used for calculating the pay of the employee;
- (e) the intervals at which the employee will receive his pay, being intervals not exceeding one month in duration;