



## TRINIDAD AND TOBAGO.

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[L.S.]

I ASSENT,

J. HUGGINS,  
*Acting Governor.*  
13th April, 1939.

AN ORDINANCE relating to the Employment of Women  
during the night in Industrial Undertakings.

[20th April, 1939.]

Commencement.

**E**NACTED by the Governor of Trinidad and Tobago with  
the advice and consent of the Legislative Council  
thereof.

1. This Ordinance may be cited as the Employment of Short title.  
Women (Night work) Ordinance, 1939.

Interpretation.

**2.** In this Ordinance—

“ women ” includes all persons of the female sex, without distinction of age ;

“ industrial undertaking ” includes—

- (a) mines, quarries, and other works for the extraction of minerals from the earth ;
- (b) industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including ship-building, and the generation, transformation, and transmission of electricity or motive power of any kind ;
- (c) construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, water work, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure ;

“ night work ” means work in an industrial undertaking during any portion of a period of eleven consecutive hours including the hours of ten o'clock in the evening and five o'clock in the morning.

Power to vary the period constituting night work in exceptional cases.

**3.** Where there are exceptional circumstances affecting the workers employed in a particular industry or area, the Governor in Executive Council may, by proclamation, after consultation with the employers' and workers' organisations concerned, declare that in the case of women employed in that industry or area, the interval between eleven o'clock in the evening and six o'clock in the morning may be substituted for the interval between ten o'clock in the evening and five o'clock in the morning, specified in the definition of night work.

4. In such industrial undertakings as are influenced by the seasons of the year, and in all industrial undertakings in the case of exceptional circumstances demanding it, the Governor in Executive Council may, by proclamation, declare that the prohibition of night work shall extend to a period of ten hours only instead of eleven hours on sixty days of the year.

Industries affected by seasons or exceptional circumstances.

5. It shall not be lawful, except as expressly provided in this Ordinance, to employ women in night work in the Colony.

Prohibition of night work.

6. The provisions of section 5 of this Ordinance shall not apply—

Exemptions from the general prohibition of night work.

- (a) to an industrial undertaking in which only members of the same family are employed ;
- (b) to women holding responsible positions of management who are not ordinarily engaged in manual work ;
- (c) to a case where it is shown to the satisfaction of the Court trying any proceedings brought under this Ordinance that the night work complained of was due to a cause beyond control bringing about an interruption of work which it was impossible to foresee and which is not of a recurring character, or where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration and when such night work is necessary to preserve the said materials from certain loss ;
- (d) to the preparation and packing of fresh fruit for immediate shipment.

7. The proprietor, owner, or manager of any industrial undertaking in which any woman is employed in night work contrary to the provisions of this Ordinance shall be guilty of an offence and liable, on summary conviction before a Magistrate, to a penalty not exceeding fifty dollars for every woman so employed.

Penalties.

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Regulations.    **8.** The Governor in Executive Council may make regulations for the carrying out of this Ordinance and for defining the line of division which separates industry from commerce and agriculture.

Repeal  
Cap. 154.        **9.** The Employment of Women Ordinance is hereby repealed.

Passed in Council this 24th day of March, in the year of Our Lord one thousand nine hundred and thirty-nine.

W. E. BOARDMAN,  
*Clerk of the Council.*