

LEGAL NOTICE No. 159

REPUBLIC OF TRINIDAD AND TOBAGO

THE MINIMUM WAGES ACT, CHAP. 88:04

ORDER

MADE BY THE MINISTER UNDER SECTION 3 OF THE MINIMUM WAGES ACT

THE MINIMUM WAGES (SHOP ASSISTANTS) ORDER, 1991

Citation

1. This Order may be cited as the Minimum Wages (Shop Assistants) Order, 1991.

Interpre-  
tation

2. In this Order—

“cashier” means a shop assistant whose principal duties consist of receiving, accounting for and issuing receipts for cash received in the course of business;

“clerical worker” means a shop assistant employed wholly or mainly in clerical work;

“cleaner” means a shop assistant who is responsible for cleaning and keeping business premises in an orderly condition;

“driver/loader” means a shop assistant who is employed as a light motor vehicle driver and who is also required to load or off-load goods of a weight and size which are reasonably manageable by a single person and who may also be required to assist a loader/porter;

“loader/porter” means a shop assistant who is wholly or mainly employed in one or more of the following duties, that is to say, taking messages, collecting or delivering mail, portering goods or supplies, packing or unpacking goods, and loading or unloading vehicles;

“medical certificate” means a medical certificate prepared by a registered medical practitioner;

“messenger/driver” means a shop assistant who is employed as a light motor vehicle driver and who is also required to collect or deliver mail, messages, packages and other items within business premises or elsewhere;

“part-time shop assistant” means a shop assistant whose weekly hours of work are less than forty hours;

“pay” means in the case of a full-time shop assistant the weekly rate of pay that a shop assistant usually receives and in the case of a part-time shop assistant the hourly rate of pay that such a shop assistant usually receives;

“receptionist” means a person who receives callers, ascertains their needs and assists accordingly, receives and relays telephone calls, assists with typing and other pertinent clerical duties;

“sales clerk” means a shop assistant who displays, explains and sells merchandise to customers;

“shop assistant” means any one of the categories of persons listed in the First Schedule employed in a hardware store, grocery, supermarket, drug store, jewellery store, dry goods store, pawn shop, provision shop, agricultural store, flower shop, boutique, furniture store, stationery and book store, or such other similar undertaking, whether employed on a full-time basis or part-time basis;

“stock replenisher” means a shop assistant who is responsible for monitoring the state of the stock and replenishing as necessary;

“supervisor” means a shop assistant who is in charge of sales clerks and who is responsible for the proper care of stock and for service to the general public;

“telephone operator” means a person who operates a telephone switchboard and routes incoming and outgoing calls;

“window dresser” means a shop assistant who is responsible for the arrangement and display of merchandise or other commodities;

“wrapper” means a shop assistant who attends to the wrapping of goods in business premises for delivery to purchasers.

3. The minimum remuneration payable to a shop assistant shall be as set out in the First Schedule and shall not in any way be abated by reason of a public holiday falling within the work week referred to in paragraph 4. Minimum remuneration

4. The weekly hours of work applicable to a full-time shop assistant shall be forty hours, inclusive of lunch break and rest period spread over six days, Mondays to Saturdays inclusive. Hours of work

5. A full-time shop assistant who works overtime on his normal working day and who works on days off or on public holidays, shall be paid at the rate set out in the Second Schedule. Overtime

6. (1) A shop assistant shall be entitled to two weeks vacation leave annually with pay on completion of twelve months service from the date of his employment subject to having worked a minimum of two hundred and twenty days within that period. Vacation leave

(2) In the case of a part-time shop assistant pay shall be calculated on the basis of the average remuneration for the preceding three months or the pay immediately preceding vacation leave, whichever is the higher rate.

(3) Where a public holiday falls within the period of vacation leave of a shop assistant he shall be granted one additional day's leave with pay for every such public holiday.

(4) Where a shop assistant becomes sick during his period of vacation leave, then subject to paragraph 7 he shall be granted one additional day's leave with pay for every such day of sick leave once the sick leave is certified by a registered medical practitioner.

7. (1) A shop assistant shall be entitled to fourteen working days sick leave annually with pay subject to— Sick leave

(a) his being continuously employed for a period of at least six months; and

(b) his production of a medical certificate in respect of any period of illness in excess of two days.

Chap. 32:01 (2) Payment for sick leave shall amount to the difference between a shop assistant's pay and his entitlement to sickness benefit under the National Insurance Act.

Maternity leave

8. (1) A pregnant shop assistant shall be granted maternity leave with pay.

(2) At least one hundred and fifty days prior to confinement a shop assistant shall produce a medical certificate stating the probable date of delivery.

(3) A shop assistant shall be entitled to proceed on leave six weeks prior to the delivery date as stated on the medical certificate, and shall not be required to return to work sooner than seven weeks after the birth of the child.

(4) At least two weeks prior to her intended return to work, a shop assistant shall submit to her employer a medical certificate stating the actual date of birth of the child, certifying her fitness to return to work, and indicating the intended date of return.

Chap. 32:01 (5) During the period of maternity leave, a shop assistant shall be entitled to pay calculated by computing the difference between her pay and any maternity benefits she may be entitled to under the National Insurance Act.

#### FIRST SCHEDULE

##### MINIMUM WEEKLY REMUNERATION FOR SHOP ASSISTANTS

Category of Shop Assistant	Weekly Wages for	Hourly Rate for
	Full-time Shop Assistant	Part-time Shop Assistant
	\$	\$
Supervisor ... ..	280 00	7 70
Window Dresser ... ..	225 00	6 20
Driver/Loader ... ..	225 00	6 20
Messenger/Driver ... ..	225 00	6 20
Clerical Worker ... ..	200 00	5 50
Telephone Operator ... ..	195 00	5 36
Cashier ... ..	210 00	5 80
Sales Clerk ... ..	200 00	5 50
Loader/Porter ... ..	190 00	5 25
Stock Replenisher ... ..	190 00	5 25
Wrapper ... ..	185 00	5 10
Messenger ... ..	185 00	5 10
Cleaner ... ..	185 00	5 10
Receptionist ... ..	200 00	5 50

SECOND SCHEDULE

OVERTIME PAY FOR FULL-TIME SHOP ASSISTANTS

(1) *For overtime worked beyond eight hours on a working day*

First four hours	...	...	one and one-half times hourly pay
Second four hours	...	...	two times hourly pay
Thereafter...	...	...	three times hourly pay

(2) *For time worked on day off*

First eight hours	...	...	two times hourly pay
Thereafter...	...	...	three times hourly pay

(3) *For times worked on Sunday*

First eight hours	...	...	two times hourly pay
Thereafter...	...	...	three times hourly pay

(4) *For time worked on public holiday*

First eight hours	...	...	three times hourly pay
Thereafter...	...	...	four times hourly pay

For the purposes of this Schedule "hourly pay" means in the case of a full-time shop assistant, his pay divided by forty.

Made this 28th day of October, 1991.

A. RICHARDS  
*Minister of Labour, Employment  
and Manpower Resources*

Laid before the House of Representatives this 4th day of November, 1991.

N. COX  
*Acting Clerk of the House*

Laid before the Senate this 29th day of October, 1991.

R. CUMBERBATCH  
*Acting Clerk of the Senate*