

LEGAL NOTICE No. 160

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 (HOUSEHOLD ASSISTANTS) ORDER, 1991

Citation

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

Interpre-
tation

2. In this Order—

“full-time household assistant” means a household assistant who normally works with an employer for the period set by paragraph 5 as a work week;

“household assistant” means a full-time or part-time household assistant employed in the carrying out of any or all household duties;

“household duties” means all those duties that are inherent in the normal functioning of a household, such as cooking, cleaning, washing or ironing;

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

“part-time household assistant” means a household assistant whose work week with an employer does not equate with the work week of a full-time household assistant;

“pay” means, in the case of a full-time household assistant, the weekly remuneration received by such an assistant and in the case of a part-time household assistant the hourly rate of pay received by such an assistant.

Minimum
remuneration

3. (1) No household assistant shall be paid less than the minimum remuneration set out in the First Schedule.

(2) A full-time household assistant’s pay shall not in any way be abated by reason of a public holiday falling within the work week referred to in paragraph 6.

Minimum
remuneration
for overtime

4. (1) Where a full-time household assistant works more than the work week prescribed by paragraph 5, the minimum remuneration payable for such overtime work shall be at the rate set out in Part I of the Second Schedule.

(2) A household assistant, who by mutual agreement with his employer, works on a public holiday, shall be paid at a rate no less than that set out in Part II of the Second Schedule.

Hours of
work

5. The weekly hours of work applicable to a full-time household assistant shall be forty-four hours, exclusive of lunch or other rest period, spread over a period of six days per week.

6. (1) An employer of a full-time household assistant shall grant the said household assistant one day off each week, such day off to be the subject of agreement between them. Days off

(2) A full-time household assistant shall not accumulate more than four weekly days off.

(3) Where a full-time household assistant has accumulated four weekly days off, his employer shall grant him and he shall take four days immediately after the end of the week in which the fourth day off was earned.

7. (1) A full-time household 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 in that period. Vacation leave

(2) In the case of a part-time household 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 household assistant, the household assistant shall be granted one additional day's leave with pay for every such public holiday.

(4) Where a household assistant becomes sick during his period of vacation leave, then subject to paragraph 8 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.

8. (1) A household assistant shall be entitled to fourteen working days sick leave per year with pay subject to— Sick leave

- (a) his being continuously employed for a period of at least six months;
- (b) his production of a medical certificate in respect of any period of illness in excess of two days.

(2) The pay to which a household assistant is entitled shall be the difference between his pay and his entitlement to sickness benefit under the National Insurance Act.

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9. (1) A household assistant shall be entitled to maternity leave and to resume work after such leave. Maternity leave

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

(3) A household assistant shall be entitled to proceed on leave six weeks prior to the probable delivery date stated in 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 household assistant shall give 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.

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

Chap. 32:01

Duties to be
set out

10. The duties, hours of work and rest periods of every household assistant shall be clearly set out in writing by his employer when the household assistant first assumes duty.

FIRST SCHEDULE

MINIMUM WEEKLY REMUNERATION FOR HOUSEHOLD ASSISTANTS

Full-Time Household Assistant	...	...	...	...	\$150.00 per week
Part-Time Household Assistant	...	...	...	...	\$3.75 per hour

SECOND SCHEDULE

PART I

Minimum Remuneration for Household Assistants

(Overtime)

Full-Time Household Assistant	\$5.10 per hour
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PART II

Minimum Remuneration for Household Assistants

(Public Holidays)

Additional hourly rate

Full-Time Household Assistant	...	...	...	...	\$6.80 per hour
Part-Time Household Assistant	...	...	...	...	\$7.50 per hour

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