

LEGAL NOTICE NO. 170

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 (NO. 2) ORDER, 1998

PART I

NATIONAL MINIMUM WAGE

1. This Order may be cited as the Minimum Wages (No. 2) Order, Citation 1998.

2. (1) Subject to paragraph 7 on the coming into force of this National minimum wage Order, the national minimum wage for workers in Trinidad and Tobago, shall be seven dollars per hour.

(2) A worker who completes a normal working day or a normal working week, shall be paid no less than the amounts set out in the First Schedule.

3. (1) The normal working day for non-shift workers shall consist of eight hours and during those hours a worker shall be entitled to a meal break and a rest period.

(2) The normal working week shall consist of forty hours.

4. (1) Where a worker continues to work after eight hours on a normal working day, he shall be entitled to a meal break and a rest period for each additional four hours in excess of the normal working day.

(2) A worker shall be entitled to a paid—

- (a) meal break, only where such meal break is not more than twenty minutes in a normal working day and the worker is required to be available for work at the workplace; or
- (b) rest period, only where such rest period is not more than ten minutes in a normal working day.

Overtime
rates

5. (1) Subject to paragraphs (2) to (5), a worker who works overtime—

(a) on a normal working day or on off days, Sundays or public holidays; or

Second
Schedule

(b) for any period beyond the normal working week,
shall be paid overtime at the rates set out in the Second Schedule.

(2) The overtime rates set out in the Second Schedule, shall apply only to those workers receiving an hourly rate of ten dollars and fifty cents or less or the equivalent thereto.

(3) A worker whose work schedule requires him to work in continuous or non-continuous shifts during a normal working week as a result of which every day of the week is a normal working day, shall be paid overtime rates in the Second Schedule, for work performed beyond eight hours on a working day, on off days, and public holidays.

(4) A worker who works in rostered shifts of twelve hours per day, shall be paid overtime in accordance with the Second Schedule for work performed beyond twelve hours on a rostered day, off days and public holidays.

(5) A temporary or part-time worker who works in rostered shifts of twelve hours per day shall be paid overtime in accordance with the Second Schedule, for work performed beyond the rostered twelve-hour shift on a rostered day, off days and public holidays, and for work performed beyond a normal working week.

PART II

SAVINGS AND EXCEPTIONS

Saving of
terms and
conditions in
certain Orders

6. (1) Except for the national minimum wage payable to all workers and the overtime formulae the provisions relating to other terms and conditions stated in the following Orders shall continue in force:

Gazette No.
3112 of 1982
L.N. 158 of
1991
L.N. 159 of
1991
L.N. 10 of
1995

(a) Petrol Filling Station Employees Order, 1982;

(b) Minimum Wages (Catering Industry) Order, 1991;

(c) Minimum Wages (Shop Assistants) Order, 1991; and

(d) Minimum Wages (Security Industry Employees) Order,
1995.

(2) The national minimum wage, hours of work and provisions relating to overtime in this Order shall be applicable to household assistants, save however that the other terms and conditions established in the Minimum Wages (Household Assistants) Order, 1991 shall continue in force.

7. (1) This Order does not apply to—
- Non application of this Order
- (a) trainees in training schools approved by appropriate Government Agencies such as the—
- (i) Youth Training and Employment Partnership Programme (YTEPP);
 - (ii) National Energy Skills Centre;
 - (iii) Schemes developed from time to time by other Government Agencies; or
 - (iv) other schemes submitted to and approved by the Minister to whom responsibility for labour is assigned;
- (b) apprentices;
- (c) persons who volunteer services to registered charitable organisations and social service agencies registered with the Ministry with responsibility for social services or community development.
8. This Order shall not be construed as authorising—
- Alteration of wages, and other terms and conditions not authorised
- (a) the reduction of wages paid to those employees who already receive wages in excess of the minimum wage; and
- (b) changes to existing terms and conditions of any worker to effect a lowering of such terms and conditions.

[Paragraph 2]

FIRST SCHEDULE

MINIMUM WAGES FOR ALL WORKERS

Weekly Rated Workers (40 hour week)	Daily Rated (8 hour day)	Hourly Rate
\$280.00	\$56.00	\$7.00

[Paragraph 5]

SECOND SCHEDULE

OVERTIME PROVISIONS

1. For overtime worked beyond eight hours on a normal working day—
- First Four Hours one and one half times hourly rate
 - Second Four Hours two times hourly rate
 - Thereafter three times hourly rate

2. For time worked on an off day—

First Eight Hours two times hourly pay

Thereafter three times hourly pay

3. For time worked on a Sunday or on a Public Holiday—

First Eight Hours two times hourly rate

Thereafter three times hourly rate.

Made this 3rd day of June, 1998.

H. PARTAP

Minister of Labour and Co-operatives