

SAINT VINCENT AND THE GRENADINES

STATUTORY RULES AND ORDERS

2008 NO. 31

(Gazetted 1st July, 2008)

IN EXERCISE of the powers conferred by section 10 (5) of the Wages Council Act, 1953 (No. 1 of 1953) the Governor-General makes the following Order:

WAGES REGULATION (DOMESTIC WORKERS) ORDER, 2008

1. This Order may be cited as the Wages Regulation (Domestic Workers) Order 2008, and comes into operation on the 1st day of July, 2008. **Citation and Commencement**

2. In this Order:

Interpretation

"day" means a period of time beginning on Monday morning and ending on Sunday evening, subject to the rest periods specified in the Schedule to this Order;

"domestic worker" means a person employed wholly or partly:

- (a) in a private household;
- (b) in a nursing home;
- (c) in the tuck shop of an educational institution such as a primary school or secondary school;
- (d) in a pre-school, kindergarten, or day-care center;
- (e) as a cook;
- (f) as a cleaner;
- (g) as a child's care-giver;
- (h) as an adult care-giver; or
- (i) as general household help.

3. (1) An employer shall pay to a domestic worker the minimum wages which are specified in the Schedule to this Order.

Conditions of employment

(2) The hours of work, rest period, overtime wages, vacation, sick leave or maternity leave of a domestic worker shall be as specified in the Schedule to this Order.

Non-application

4. This Order shall not apply to a domestic worker employed in an undertaking operated by the Government of Saint Vincent and the Grenadines.

Repeal

5. The Wages Regulation (Domestic Workers) Order 2003 (No. 13 of 2003) is hereby repealed.

SCHEDULE

(section 3)

1. Minimum wages.

Domestic Workers	Rate
Worker with living-in accommodation	\$400.00 per month with meals
Worker without living-in accommodation	\$450.00 per month with meals
Adult care-giver	\$500.00 per month
Worker in a nursing home	\$500.00 per month
Child's care-giver at day-care center	\$500.00 per month
Worker employed on a day-to-day basis	\$25.00 for an eight hour day or part thereof

2. Hours of Work.

(1) The hours of work of a domestic worker provided with living-in accommodation shall not exceed eleven hours in any one day of which two hours shall be for rest and for meals except that on Sundays or on Saturdays, as the case may be for religious purposes, or on public holidays, the hours of work shall not exceed six hours.

(2) The hours of work of a domestic worker who is not provided with living-in accommodation shall not exceed ten hours in any one day, of which two hours shall be for rest, except that on Sundays or on Saturdays, as the case may be for religious purposes, or on public holidays, the hours of work shall not exceed six hours.

(3) The hours of work of a domestic worker who works in a nursing home shall be eight hours per day and forty-eight hours per week.

(4) The hours of work of a child's care-giver shall be eight hours per day for five days per week.

3. Rest Periods.

(1) Subject to sub-item (2), an employer shall give a domestic worker one afternoon off each week beginning at one o'clock in the afternoon and all Sundays off or all Saturdays off, depending on the religion of the domestic worker.

(2) An employer shall give a domestic worker who works in a nursing home one day off per week.

(3) Sub-item (1) shall not apply to a domestic worker who works on a day-to-day basis.

4. Overtime Wages.

Where a domestic worker works in excess of the hours of work specified in item 2, the employer shall pay overtime wages at time and half for every hour or part thereof.

5. Vacation.

(1) A domestic worker, except a domestic worker who is employed on a day-to-day basis, shall be entitled to holidays as follows:

Period of Work	Vacation
1 to 5 years service	14 calendar days
6 to 10 years of service	21 calendar days

(2) Where the service of a domestic worker is terminated during the second or subsequent year of employment, the employer shall pay the domestic worker for the proportionate part of the vacation due to him at the time of termination.

6. Sick Leave.

(1) A domestic worker who has six months continuous service with an employer shall be entitled to fourteen days sick leave with pay in any one year.

(2) A domestic worker who receives surgical care, therapeutic care or is otherwise requested to be confined for medical purposes by a duly qualified medical practitioner is entitled to a maximum of thirty calendar days sick leave.

(3) A domestic worker shall present to his employer a medical certificate relating to his illness by the third day of absence from work.

(4) For the avoidance of doubt, a domestic worker who presents to his employer a medical certificate by the third day of absence from work and who otherwise qualifies for sick leave in accordance with this Order, shall be entitled to full pay which shall be inclusive of any benefits received from the National Insurance Services.

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7. Maternity Leave.

A domestic worker who has two years continuous service with an employer shall be entitled to maternity leave for the aggregate period of four weeks confinement, during which time the employer shall pay not less than thirty-five percent of wages to the domestic worker.

Dated the 04th day of June, 2008.

BERNARD MORGAN
Secretary to the Cabinet (Ag.)

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