

CHAPTER 11

AGRICULTURAL WORKERS (AMENITIES) ACT

• Act • Subsidiary Legislation •

ACT

Act No. 18 of 1969

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Lunch rooms and lunch lockers.
4. Supply of drinking water.
5. Accommodation for storage of clothing.
6. Facilities for washing.
7. Provision of sanitary facilities.
8. Ventilation.
9. Lighting.
10. Safe means of access to place of employment.
11. Lifting, etc., excessive weights.
12. First-aid facilities and equipment.
13. Notification of accidents.
14. Appointment of inspectors.
15. Duties and powers of inspectors.
16. Power of inspector to conduct proceedings.
17. Offences and penalties.
18. Court may order cause of contravention to be removed.
19. Power to make rules.
- Schedule Form of Notification of Accidents Involving more than Three Days' Disablement or Loss of Life

CHAPTER 11

AGRICULTURAL WORKERS (AMENITIES) ACT

An Act to provide for the promotion of the health, safety and welfare of persons employed in the agricultural industry, and for other related matters.

[Act No. 18 of 1969.]

[13th September, 1969.]

1. Short title

This Act may be cited as the Agricultural Workers (Amenities) Act.

2. Interpretation

In this Act—

“agricultural worker” or “worker” includes every cartman, herdsman, muleteer, stockman and every skilled worker employed in or about any farm or in the preparation of local agricultural produce for export or for sale within Grenada;

“employer” includes any person, firm, company, society or other body of persons employing five or more agricultural workers;

“farm” includes agricultural holding or estate;

“inspector” means any public officer designated under section 14 to be an inspector;

“Minister” means the Minister for the time being responsible for labour.

3. Lunch rooms and lunch lockers

(1) Every employer shall provide and maintain on his or her farm suitable premises for use as a lunch room by agricultural workers employed by him or her. The lunch room shall be adequately furnished with a sufficient number of chairs or stools, tables and lunch lockers or lunch cupboards for use by the workers, and shall be kept separate and apart from all workrooms and storerooms.

(2) An employer may designate a portion of the lunch room to be used by the workers for the purpose of storing clothing not worn by them during normal working hours.

4. Supply of drinking water

(1) Every employer shall provide and maintain at suitable points conveniently accessible to all agricultural workers employed by him or her, an adequate supply of drinking water which shall at all times be clean and wholesome.

(2) A supply of drinking water which is not pipe borne from the water supply system provided and maintained by the National Water and Sewerage Authority or by such other body or authority responsible for the time being for providing and maintaining the supply of water to the public or from some other system shall be renewed at least once daily and shall be kept in suitable containers; and the employer shall cause all practicable steps to be taken to preserve the water and the containers in which it is kept in a clean and wholesome condition and free from any contamination.

(3) A supply of drinking water, whether the same be pipe borne or not shall, in such cases as an inspector may direct, be clearly marked “drinking water”.

5. Accommodation for storage of clothing

(1) Every employer shall provide and maintain for use by the agricultural workers employed by him or her adequate and suitable accommodation for the storage of clothing not worn by the said workers during normal working hours.

(2) The accommodation required to be provided under the provisions of subsection (1) shall be kept separate and apart from all workrooms or storerooms.

6. Facilities for washing

Every employer shall provide and maintain for use by the agricultural workers employed by him or her adequate and suitable facilities for washing (including an adequate supply of soap suitable for the purpose). The said facilities shall be conveniently accessible and the employer shall cause the same to be kept in a clean and tidy condition.

7. Provision of sanitary facilities

Every employer shall provide and maintain for use by the agricultural workers employed by him or her adequate and suitable sanitary conveniences; and every employer shall cause the sanitary facilities so provided to be kept clean and adequately lighted. Where workers of both sexes are, or are intended to be, employed, such facilities shall afford proper separate accommodation for persons of each sex.

8. Ventilation

Every employer shall provide and maintain adequate ventilation by the circulation of fresh air in each workroom; and all fumes, dust and other impurities which may be injurious to health shall be, so far as practicable, rendered harmless and removed, if necessary by mechanical means.

9. Lighting

(1) Every employer shall provide and maintain sufficient and suitable lighting, whether natural or artificial, in every workroom in which persons are working or through which they may pass.

(2) All glazed windows and skylights used for natural lighting of workrooms shall, so far as practicable, be kept clean on both inner and outer surfaces and free from obstruction, but nothing in this subsection shall be construed as prohibiting the whitewashing or shading of windows or skylights for the purpose of minimising heat or glare.

10. Safe means of access to place of employment

So far as may be reasonably practicable, every employer shall provide and maintain a safe means of access to every place at which any agricultural worker has to work at any time.

11. Lifting, etc., excessive weights

No agricultural worker shall be employed to lift, carry, drag, push or in any way to move any load which is so heavy as to be likely to cause injury to that worker.

12. First-aid facilities and equipment

(1) Every employer shall provide and maintain a first-aid box or cupboard which shall be made of durable material and shall be kept in a suitable place conveniently accessible to all workers employed by him or her.

(2) Where more than fifty workers are employed at any one time by the employer, the employer shall provide and maintain an additional first-aid box or cupboard in respect of the workers so employed by him or her in excess of fifty.

(3) Only articles, appliances and requisites for first-aid shall be kept in the first-aid boxes or cupboards provided and maintained by an employer pursuant to this section and every such box or cupboard shall be plainly marked "first-aid".

(4) Each first-aid box or cupboard shall be placed under the charge of a responsible person who shall be readily available during working hours; and, in the case of a farm on which more than twenty persons are employed, the person under whose charge the first-aid box or cupboard is placed shall be suitably trained to administer first-aid treatment.

(5) Every employer shall at his or her expense provide and maintain all necessary tools and equipment required by him or her to be used by the workers in his or her employment.

13. Notification of accidents

(1) Where any accident occurs on a farm which either—

- (a) causes loss of life to any worker employed on that farm; or
- (b) disables any such worker for more than three days from earning full wages at the work on which he or she was employed,

the employer shall forthwith send or cause to be sent to the Labour Commissioner written notification of the accident in the form specified in the Schedule, setting out the prescribed particulars of the accident.

(2) Where any accident causing disablement is notified under the provisions of subsection (1) and after the notification thereof such accident results in the death of the person disabled, the employer shall, as soon as reasonably possible thereafter, send or cause to be sent to the Labour Commissioner a notification in writing of the death of such person.

14. Appointment of inspectors

(1) The Minister may, by Order, designate any one or more public officers to be inspectors for the purposes of this Act.

(2) Notice of the appointment of every inspector shall be published in the *Gazette*.

15. Duties and powers of inspectors

(1) Every inspector shall, for the purpose of enforcing the provisions of this Act, have power to—

- (a) enter, inspect and examine at all reasonable times, by day and by night, any farm and every part thereof whenever he or she has reasonable cause to believe that any agricultural worker is employed thereon;
- (b) take with him or her a police officer if he or she has reasonable cause to apprehend any serious obstruction in the execution of his or her duties under this Act;
- (c) require the production of any register, certificate, notice or document kept, given or made in pursuance of this Act or any rules made thereunder, and to inspect, examine and make copies of all or any of them;
- (d) make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act and of any rules made thereunder are being complied with as respects any farm and any agricultural workers employed thereon;
- (e) require any person whom he or she finds on a farm to give information relating to the ownership of that farm;
- (f) exercise such other powers as may be necessary for carrying this Act into effect.

(2) The owner of every farm, his or her agents and employees shall, whenever required to do so by an inspector, furnish to the inspector the means of entry to the said farm and shall provide facilities for his or her inspection, examination and inquiry.

(3) If any person wilfully and maliciously delays an inspector in the exercise of his or her duties or fails to comply with any requirement of an inspector pursuant to this section or fails to produce to an inspector any register, certificate, notice or document which that person is required by or in pursuance of this Act or the rules made thereunder to produce, or wilfully withholds any information relating to the ownership of any farm, or conceals or prevents or attempts to conceal or prevent any other person from being questioned by an inspector, that person shall be deemed to have obstructed the inspector in the execution of his or her duties under this Act.

(4) A person who wilfully obstructs an inspector in the execution of his or her duties under this Act shall be guilty of an offence and on summary conviction liable to a fine of one thousand dollars and to imprisonment for one month.

16. Power of inspector to conduct proceedings

An inspector may undertake and conduct any proceedings under this Act before a magistrate's court for breach of any of the provisions of this Act.

17. Offences and penalties

(1) An employer who fails to comply with any of the provisions of sections 3 to 13 shall be guilty of an offence and liable, on summary conviction, to a fine of two thousand five hundred dollars and to imprisonment for three months.

(2) A person who, in furnishing any information for the purposes of this Act or rules made thereunder, makes any statement which he or she knows to be false in a material particular or recklessly makes any statement which is false in a material particular shall be guilty of an offence and liable, on summary conviction, to a fine of two thousand five hundred dollars and to imprisonment for three months.

18. Court may order cause of contravention to be removed

(1) Where an employer is convicted of an offence under this Act the court may, without prejudice to any penalty which it may impose in respect of the offence, order him or her within such time as the court may specify to take such steps as the court may specify to remedy the matter in respect of which the contravention occurred; and the court may, on application made in that behalf by the employer, extend the time specified.

(2) Where the court makes an order under subsection (1), the employer shall not be liable under the provisions of this Act in respect of the continuation of the contravention to which the order relates during the time allowed by the court for remedying the cause of the contravention; but if, at the expiration of the time originally specified or enlarged by a subsequent order, the cause of the contravention is not remedied the employer shall be liable to a fine of two hundred and fifty dollars for each day on which the contravention continues.

19. Power to make rules

The Minister may make rules to provide for any matter or thing which may be required to give effect to the provisions of this Act.

Schedule
AGRICULTURAL WORKERS (AMENITIES) ACT

Form of Notification of Accidents Involving more than Three Days' Disablement or Loss of Life

[Section 13(1).]

- 1. Date of notification
- 2. Date of accident
- 3. How caused
- 4. Name of person injured
- 5. Sex of person injured
- 6. Age of person injured
- 7. Nature of usual employment
- 8. Precise occupation at time of accident
- 9. Nature of injury and whether fatal or not
-
- 10. Period of disablement

.....
(Signed)

CHAPTER 11
AGRICULTURAL WORKERS (AMENITIES) ACT

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
