

DOMINICA
EMPLOYMENT AND TRAINING ACT
CHAPTER 90:01

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AN ACT to provide for the employment and the training of persons for employment and for purposes connected therewith.

Commencement: 1st July, 1976

Short title.

1. This act may be cited as the Employment and Training Act.

Interpretation.

2. In this Act -

“Board” means the Employment Advisory Board established under section 13;

“exchange” means an employment exchange established under section 4;

“Minister” means the Minister responsible for Labour;

“training” means a course of instruction approved by the Minister;

“young person” means a person between the ages of fifteen and eighteen years.

Duty of the Minister under this Act.

3. The Minister shall provide such training facilities and services as he considers expedient for the purposes of the assisting persons to select, fit themselves for, and obtain and retain employment suitable to their ages and capacity, for the purpose of assisting employers to obtain suitable employees, and generally for promoting employment in accordance with the development requirements of the State.

Employment exchanges.

4. In order to carry out the provisions of this Act, the Minister shall establish and maintain in Roseau, and thereafter in such other places as he thinks fit, employment exchanges, that is to say, offices for the collection and furnishing of information by the keeping of registers or otherwise respecting persons who seek to engage employees and other persons who seek employment.

Employment Officer.

5. (1) The Minister shall appoint, on such terms and conditions as may appear to him to be proper, a suitable person to be the Chief Employment Officer and the other persons to be employment officers.

5. (2) The Chief Employment Officer shall be responsible for the day to day management and control of all employment exchanges established under the provisions of this Act.

Duties of the Employment Officer.

6. The Chief Employment Officer shall, in addition to the responsibility set out in section 5(2), have the following duties:

- (a) to prepare and maintain registers of employable persons in the State, setting out their ages, their skills and other qualifications;
- (b) to prepare and maintain a register of workers who have left the State with the assistance of the exchange;
- (c) to submit to the Minister not later than 30th November in each year an estimate of the jobs that need to be provided to obtain satisfactory levels of employment in the State in the coming year;
- (d) to prepare a register of employment opportunities in the State together with the remuneration of each category of employment available;

- (e) to make recommendations to the Minister regarding the content of training programmes;
- (f) to obtain information for the use of the Minister of suitable opportunities for the employment of workers abroad;
- (g) to make recommendations to the Minister with regard to the assistance that should be provided to workers to enable them to undertake employment in Dominica or abroad;
- (h) to assist workers who are proceeding abroad to take employment offered to them;
- (i) to collect information from employers regarding vacancies in their establishment;
- (j) to perform such other duties as may be required of him by the Minister or the Labour Commissioner in connection with the employment of persons.

Duties of employment officer.

7. Every employer shall give notice to the Chief Employment Officer containing full particulars of any vacancies in their establishment as soon as possible after such vacancies arise.

Minister may provide assistance.

8. Subject to the approval of the Minister for Finance, the Minister may, in such cases and subject to such conditions as he considers fit, make payments by the way of grant or loan to persons seeking employment outside the State.

Training for employment.

9. (1) The Minister may provide training courses for young persons and other persons whether employed or not for the purposes of section 3.

9. (2) For the purposes aforesaid, the Minister may, in such cases and subject to such conditions as he may with the approval of the Minister of Finance determine, defray or contribute towards the cost of training courses mentioned in subsection (1).

Principals of schools to supply particulars of school leavers.

10. (1) The principals of schools in the State shall supply the Chief Employment Officer in such manner as may be prescribed particulars with respect to pupils leaving school or who while attending school attain the age of eighteen years.

10. (2) The particulars referred to in subsection (1) shall be such particulars relating to the health, ability, educational attainments and aptitudes of the persons to whom they relate as appear to the Minister to be required for enabling adequate advice and assistance to be given those persons for employment purposes.

Expenses.

11. Any expenses incurred by the Minister in carrying out the provisions of this Act shall be paid out of the Consolidated Fund.

Apprenticeship courses.

12. (1) Young persons in employment shall be allowed by their employers to attend apprenticeship courses provided by the Minister, or provided by any other person or undertaking in the State and approved by the Minister for training in the various skills from time to time required in the State.

12. (2) The Minister shall prescribe the periods of apprenticeship training that may be required of young persons in respect of the acquisition of various types of skills.

12. (3) A period of training prescribed under this section shall not exceed two years.

Employment Advisory Board.

13. (1) The Minister shall appoint an Employment Advisory Board which shall consist of -

- (a) the Chief Technical Officer;
- (b) the Chief Agricultural Officer;
- (c) the Chief Medical Officer;
- (d) the Chief Education Officer; and
- (e) three other persons with knowledge of industrial management, business administration and industrial relations.

13. (2) The persons appointed under subsection (1) (e) shall hold office for three years unless their appointment is sooner determined, and shall be eligible for re-appointment.

Function of Board.

14. The Board shall from time to time -

- (a) prepare and submit reports on employment trends in the State and on measures needed to correct any adverse trends;
- (b) make a report to the Minister on the creation of employment opportunities;
- (c) report on the adequacy of apprenticeship schemes;
- (d) submit reports on the opportunities for employment outside Dominica; and
- (e) make reports on the measures needed to be taken to secure higher levels of employment.

Regulations

15. The Minister may make Regulations with respect to –

- (a) prescribing anything needed to be prescribed under this Act;
- (b) the functions of the Employment Advisory Committee;
- (c) the collection and furnishing of information to the Chief Employment Officers and workers;
- (d) the management of employment exchanges; and
- (e) his function under this Act.

Offences and penalties.

16. Any person who, for the purpose of obtaining employment or of procuring financial or assistance or for the purpose of procuring employees, knowingly makes any false statement or false representation to the Minister or to the Chief Employment Officer or to an officer of the employment exchange provided by the Minister, is guilty of an offence and liable on summary conviction to a fine of one hundred and fifty dollars.