

JAMAICA

No. 8 – 2010

I assent,

[L.S.]

(Sgd) P. L. Allen
Governor-General

March 22, 2010

AN ACT to Amend the Labour Relations and Industrial Disputes Act.

[March 23, 2010]

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1. This Act may be cited as the Labour Relations and Industrial Disputes (Amendment) Act, 2010, and shall be read and construed as one with the Labour Relations and Industrial Disputes Act (~~hereinafter~~ referred to as the principal Act) and all amendments thereto.

Short title
and
construction.

Amendment
of section 2
of principal
Act.

2. Section 2 of the principal Act is amended—

- (a) by deleting the definition of “industrial dispute” and substituting therefor the following—

““industrial dispute” means a dispute between one or more employers or organizations representing employers and one or more workers or organizations representing workers, and—

- (a) in the case of workers who are members of any trade union having bargaining rights, being a dispute relating wholly or partly to—

(i) terms and conditions of employment, or the physical conditions in which any workers are required to work;

(ii) engagement or non-engagement, or termination or suspension of employment, of one or more workers;

(iii) allocation of work as between workers or groups of workers;

(iv) any matter affecting the privileges, rights and duties of any employer or organization representing employers or of any worker or organization representing workers; or

(v) any matter relating to bargaining rights on behalf of any worker;

- (b) in the case of workers who are not members of any trade union having bargaining rights, being a dispute relating wholly to one or more of the following:

(i) the physical conditions in which any such worker is required to work;

- (ii) the termination or suspension of employment of any such worker; or
- (iii) any matter affecting the rights and duties of any employer or organization representing employers or of any worker or organization representing workers;”.

3. Section 11A of the principal Act is amended—

Amendment
of section
11A of
principal Act

- (a) in subsection (1), by deleting the words “and should be settled expeditiously”;
- (b) by inserting the following as subsection (3)—

“ (3) Nothing in this section shall be construed as requiring that it be shown, in relation to any industrial dispute in question, that—

- (a) any industrial action has been, or is likely to be, taken in contemplation or furtherance of the dispute; or
- (b) any worker who is a party to the dispute is a member of a trade union having bargaining rights.”.

4. Section 28(1) of the principal Act is amended by deleting the words “and Fifth Schedules” and substituting therefor the words “, Second or Fifth Schedule”.

Amendment
of section 28
of principal
Act.

5. The Second Schedule to the principal Act is amended in paragraph 1(1)(a) by inserting next after the words “a chairman and” the words “not less than”.

Amendment
of Second
Schedule to
principal Act

Amendment
of the Labour
Relations and
Industrial
Disputes
Regulations,
1975.

6. The Labour Relations and Industrial Disputes Regulations, 1975, are amended in regulation 6(4) by deleting the word “time” and substituting therefor the word “name”.

Passed in the House of Representatives this 6th day of October, 2009.

MARISA DALRYMPLE PHILIBERT
Deputy Speaker.

Passed in the Senate this 26th day of February, 2010 with one (1) amendment.

OSWALD G. HARDING, OJ, CD, QC
President.

On the 3rd day of March, 2010 the House of Representatives agreed to the amendments made by the Senate.

DELROY CHUCK
Speaker.

This printed impression has been carefully compared by me with the authenticated impression of the foregoing Act, and has been found by me to be a true and correct printed copy of the said Act.

Clerk to the Houses of Parliament.