

CAYMAN ISLANDS



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**THE LABOUR (AMENDMENT) (TRIBUNALS) LAW, 1999**

**(Law 10 of 1999)**

**THE LABOUR (AMENDMENT) (TRIBUNALS) LAW, 1999**

**ARRANGEMENT OF SECTIONS**

1. Short title.
2. Amendment of section 26 - Overtime pay not necessary if parties agree to the contrary.
3. Amendment of section 37 - All gratuities to be distributed.
4. Amendment of section 53 - Remedies for unfair dismissal.
5. Repeal of section 72 - Labour Relations Board.
6. Repeal of section 73 of the Labour Law and substitution - Labour Tribunals.
7. Amendment of section 74 - Procedure to be followed on a complaint to Director.
8. Amendment of section 75 - Enforcement of award of Director.
9. Amendment of section 76 - Establishment of Appeals Tribunal.
10. Amendment of section 77 - Appeals from decision of Labour Tribunal.
11. Repeal of the Labour Relations Board Regulations, 1997.

CAYMAN ISLANDS

Law 10 of 1999.

I Assent

P J SMITH

Governor.

17 June, 1999

**A LAW TO AMEND THE LABOUR LAW (1996 REVISION) TO  
ABOLISH THE LABOUR RELATIONS BOARD AND TO AMEND THE  
PROVISIONS RELATING TO LABOUR TRIBUNALS; TO PROVIDE  
FOR THE PAYMENT OF GRATUITIES TO EMPLOYEES BY  
EMPLOYERS TWICE PER MONTH; TO PROVIDE FOR THE  
REMUNERATION OF THE MEMBERS OF THE LABOUR TRIBUNALS;  
AND FOR INCIDENTAL AND CONNECTED PURPOSES.**

ENACTED by the Legislature of the Cayman Islands.

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| 1. | This Law may be cited as the Labour (Amendment) (Tribunals) Law, 1999.   | Short title   |
| 2. | Section 26 of the Labour Law (1996 Revision) ("the principal Law") is amended by repealing "the" wherever it appears before "Labour Tribunal" and by substituting "a" and by substituting "itself" and "it" for "himself" and "he" respectively. | Amendment of section 26 - Overtime pay not necessary if parties agree to the contrary |
| 3. | Section 37 of the principal Law is amended-  | Amendment of section 37 - All gratuities to be distributed                            |
|    | (a) in subsection (1) by inserting "twice monthly on the day that service employees' wages or salaries are paid" after "service employees"; and  |   |
|    | (b) by repealing subsection (3).   |   |

Amendment of section 53 - Remedies for unfair dismissal	4. Section 53 of the principal Law is amended in subsections (1), (2) and (4) by repealing “the” wherever it appears before “Labour Tribunal” and by substituting “a”.
Repeal of section 72 - Labour Relations Board	5. Section 72 of the principal Law is repealed.
Repeal of section 73 of the Labour Law and substitution - Labour Tribunals	<p>6. Section 73 of the principal Law is repealed and the following is substituted-</p> <p>“73. (1) There are established Labour Tribunals for the purpose of hearing complaints from employers and employees.</p> <p>(2) The members of a Labour Tribunal shall be selected from a panel of persons appointed by the Governor.</p> <p>(3) The person or persons constituting a Labour Tribunal shall be appointed by the Governor and where the Labour Tribunal consists of more than 1 person, the Governor shall designate which of them is to be chairman and deputy chairman.</p> <p>(4) Members of panels appointed under this section shall hold and vacate office under the terms of the instruments under which they are appointed, but may resign office by notice in writing to the Governor; and any such member who ceases to hold office shall be eligible for re-appointment.</p> <p>(5) A member of the panel who is a member of a Labour Tribunal when his membership of the panel ceases under the terms of the instrument appointing him shall remain a member of the Labour Tribunal until all of the complaints before the Labour Tribunal at that time have been dealt with by the tribunal.</p> <p>(6) The Governor may, by regulations, provide for the constitution, procedure, staffing and expenses of the Labour Tribunals.”.</p>
Amendment of section 74 - Procedure to be followed on a complaint to Director	<p>7. Section 74 of the principal Law is amended-</p> <p>(a) by repealing subsection (2);</p> <p>(b) in subsections (3), (4) and (5) by repealing “Board” wherever it appears and substituting “Director” and by repealing “the” where it appears before “Labour Tribunal” and substituting “a”;</p> <p>(c) in subsections (8), (9),and (10) by repealing “the” where it appears before “Labour Tribunal” and substituting “a”; and</p>

(d) by repealing subsection (7).	
8. Section 75 of the principal Law is amended by repealing “the” wherever it appears before “Labour Tribunal” and substituting “a”.	Amendment of section 75 - Enforcement of award of Director
9. Section 76 of the principal Law is amended by-	Amendment of section 76 - Establishment of Appeals Tribunal
(a) repealing “the” wherever it appears before “Labour Tribunal” and substituting “a”; and	
(b) inserting the following new subsection -	
“(4) The Governor may, by regulations, provide for the constitution, procedure, staffing and expenses of the Appeals Tribunal.”.	
10. Section 77 of the principal Law is amended by repealing “the” wherever it appears before “Labour Tribunal” and substituting “a”.	Amendment of section 77 - Appeals from decision of Labour Tribunal
11. The Labour Relations Board Regulations, 1997 are repealed.	Repeal of the Labour Relations Board Regulations, 1997

Passed by the Legislative Assembly the 23rd day of April, 1999.

Mabry S Kirkconnell

Speaker.

Georgette Myrie

Clerk of the Legislative Assembly.