

**BELIZE**  
**STATUTORY INSTRUMENT**  
**No. 145 of 1992**

**GOVERNMENT WORKERS REGULATIONS**

1. Short Title
2. Interpretation
3. Classification of workers
4. Engagement of workers
5. Medical examination
6. Wages
7. Hours of work
8. Overtime
9. Holidays
10. Stoppage of work
11. Wet work, dirty work and heights work
12. Accommodation
13. Rates, subsistence allowance, other allowances
14. Medical supplies
15. Infectious diseases
16. Illness
17. Injuries
18. Leave
19. Transportation
20. Transfers
21. Employment of children, women and young persons
22. Employment of aliens
23. Sale of goods
24. Termination of services
25. Dismissal
26. Representation of workers
27. Trade Union and Credit Union contributions
28. Layoffs and re-engagement

- 29. Retirement benefits
- 30. Maternity Benefits
- 31. Annual increments
- 32. Resignation
- 33. Amendment of Appendices
- 34. Commencement and repeal

---

APPENDIX 1

APPENDIX 11

APPENDIX 111

APPENDIX 1V

APPENDIX V

APPENDIX V1

---

**BELIZE**



**STATUTORY INSTRUMENT**

**No. 145 of 1992**

---

**MINITA E. GORDON**  
*Governor-General*

***REGULATIONS made by her Excellency the Governor-General in exercise of the powers conferred upon the Governor-General by section 106 (3) of the Belize Constitution and all other powers thereunto her enabling.***

*(Gazetted 28th November, 1992.)*

---

1. These Regulations may be cited as the

**Short Title.**

**GOVERNMENT (OPEN VOTE) WORKERS  
REGULATIONS, 1992.**

2. In these Regulations, unless the context otherwise requires—

**Interpretation.**

"Head of Department" means—

- (i) an officer authorized by Treasury warrant to incur expenditure under the Estimates on the employment of any Government Workers; and
- (ii) any senior officer or foreman to whom a Head of Department as defined in (i) above may from time to time have delegated all or any of the powers under these Regulations.

"open vote worker" means an employee of any Government Department whose post is not provided for under any Personal Emoluments item of any Head of Expenditure in the Estimates;

"worker" means an open vote worker as defined above.

**Classification of workers.**

3. —(1) Workers shall be divided into two categories:—

Category A:

(i) Workers engaged for any permanent "round the year service", or

(ii) workers who have service for 5 years or more and whose employment is not intended to be permanent round the year service, including workers whose employment is intended to be for a particular project only.

Category B:

Workers with less than five years' service whose employment is not intended to be permanent "round the year service", including workers whose employment is intended to be for a particular project only.

(2) For the purpose of *Category A* (ii) above, where the service is not continuous, it shall be the aggregate of all interrupted periods of service between which there is a break of not more than three months' duration unless such break followed voluntary termination of his services by the worker himself, dismissal under regulation 25 or other default attributable to the worker himself.

**Appendix 1.**

(3) Heads of Departments shall keep in the form of Appendix 1, service records of workers clearly showing their dates of engagement and re-engagement, periods of service and rates of wages.

**Engagement of workers.**

4. —(1) A Head of Department shall engage all workers through the employment exchange of the Labour Department where such a service exists.

(2) No fee, gratuity or other form of reward shall be either asked for or received from a worker as a condition of his being offered employment.

(3) A Head of Department engaging workers shall make the terms of employment clear to each of them by a notification in the form of Appendix 11 by explaining the following points:

Appendix II.

- (i) the nature of the work and the method of payment i.e. whether by time rates, task rate or piece rates;
- (ii) the rate of wages and of overtime;
- (iii) the approximate duration of the employment;
- (iv) the place of work;
- (v) the normal working hours per week;
- (vi) the first two weeks of employment shall be deemed to be probationary employment and may be terminated at will by either party without notice;
- (vii) the period of notice as provided under regulation 24;
- (viii) the worker's classification; and
- (ix) that these Regulations will apply to the employment.

5.—(1) *Category A* workers shall be required to take a medical examination which shall include a drug test.

Medical examination.

(2) *Category B* workers may at the discretion of the Head of Department be required to take a medical examination.

(3) If the nature of the employment is likely to mean continuous absence for more than a month in areas beyond the ready services of a medical practitioner, a worker shall be examined free of charge by a Government Medical Officer. The examining Medical Officer shall send to the Head of Department a certificate in duplicate in the form set out in Appendix 111.

Appendix III.

6.—(1) All categories of workers shall normally be paid at daily rates at such pay periods as the Head of Department may determine.

Wages.

(2) Payment for incomplete hours of work shall be made at the following rates:—

15 minutes or less	—	15 minutes pay
16 — 30 minutes	—	30 minutes pay
31 — 60 minutes	—	60 minutes pay

(3) Piece work and task work will be used whenever possible. Rates for tasks and piece rates should be set, as far as possible, so that employment on these conditions would enable an average worker to earn half as much again as the time rate for the job. Task and piece rates may only be altered after consultation with the appropriate Union Representative where one has been elected in accordance with regulation 26.

**Payment of wages.**

(4) Wages will normally be paid weekly, but in some circumstances where a worker is required to camp away from his station or in remote areas it may be paid fortnightly or monthly at the discretion of the Head of Department.

**Advances of wages.**

(5) Advances of wages may be made to a worker at the discretion of the Head of Department concerned. An advance may not exceed six weeks' wages on any one occasion and the total of advances outstanding to a worker at any one time may not exceed six weeks' wages. An advance shall not be granted as a matter of course but only after careful inquiry to make certain that it will be used by the worker for one of the following purposes:

- (a) to buy articles for use at work;
- (b) to meet expenditure for replacement of property lost or irreparably damaged due to fire, hurricane, flood, earthquake, or other act of God;
- (c) to meet medical expenses for himself or a member of his immediate family but only on presentation of the necessary medical certificate; or
- (d) to meet funeral expenses for a member of his immediate family.

(6) An exceptional advance of wages may be made at the discretion of the Head of Department concerned to a worker who has served for not less than one year to enable either the worker, himself or a member of his immediate family:

- (a) to purchase necessary household items such as refrigerator, stove and furniture, bathroom fixtures;
- (b) to obtain medical treatment abroad which is specifically recommended by a registered medical practi-

tioner as not available in Belize. Such an advance shall be limited as follows and must have the prior approval of the Ministry of Finance:—

1 to 5 yrs. service	—	8 weeks' wages
5 to 10 yrs. service	—	12 weeks' wages
over 10 yrs. service	—	16 weeks' wages

(7) All advances must be repaid by reasonable installments according to the probable duration of employment and as directed by the Head of Department. The installments to be deducted from wages should normally be not less than one quarter nor more than one-third of the wages of the worker due for any wage period. Unless the Ministry of Finance approves for any particular case a longer period for repayment, an advance must be repaid in full within the following limits:

<u>AMOUNT OF ADVANCE</u>		<u>LIMITATION</u>
	8 wks. wages or less	32 wks. ✓
over	8 wks. up to 12 wks. wages	48 wks.
over	12 wks. up to 16 wks. wages	64 wks.

(8) New workers recently employed will only be entitled to an advance of no more than two weeks' wages to assist them in purchasing tools.

(9) The following deductions only may be made from the wages of a worker:

**Wage deductions.**

- (a) sums paid out by the Department in respect of the pay period for any family allotment authorized by the worker;
- (b) the value of any food supplied by any restaurant or any service for the supply of cooked food operated by the Department for workers, if the worker has previously granted authority in writing for such deduction;
- (c) the reasonable cost of replacing or repairing any accommodation or tools or equipment supplied to any worker for his work which is lost or damaged by him through his wilful intent, carelessness or neglect;

- (d) repayment of any advance made by the Government;
- (e) the amount of any contribution to a provident fund, sickness benefit fund, credit union, or trade union if such deduction has been previously authorised in writing by the worker (subject to regulation 27);
- (f) deductions for lateness on the following basis:—
 

15 mins. late or less	—	15 mins. pay
16 mins. to 30 mins. late	—	30 mins. pay
31 — 60 mins. late	—	1 hr's pay;

(These deductions shall not prejudice the right of a Head of Department to discharge any worker for persistent lateness, provided that the worker has first been warned verbally and on a second occasion in writing by a senior officer.)

- (g) Other deductions as may be required by law such as income tax and social security.

**Wages on discharge.**

(10) A worker discharged during the pay period shall be paid not later than the next working day after such discharge, the balance of wages due to him.

**Hours of work.**

7.—(1) Subject to the provisions of regulation (2) below, no worker shall be obliged to work more than five days in any week or for more than nine hours of actual work in any day or **FORTY-FIVE** hours of actual work in any week.

(2) The provisions of regulation (1) above shall not apply to:—

- (a) workers employed in the rearing and/or tending of animals and poultry, in cases where a higher or specific scale of wages is paid;
- (b) workers who are employed on piece work and are not continuously supervised, or on task work;
- (c) workers engaged in meeting natural disasters such as forest fire or hurricane emergency provided that overtime rates are paid for hours of actual work in excess of the hours of work prescribed in sub-regulation (1) of this regulation.



(3) The hours of work of workers referred to paragraph (2) (a) above shall be so arranged that workers have two days each week free. If they are required to work on a free day, overtime shall be paid in accordance with regulation 8 (1).

(4) During each morning and afternoon of work a ten minute break shall be allowed at such times as the Head of Department in his discretion may consider fit.

8.—(1) Work done during hours exceeding those specified in regulation 7 shall be paid for at half as much again as ordinary rates (time and a half).

Overtime.

(2) All work done on Christmas Day, Good Friday and Easter Monday shall be paid for at double rates, in addition to any payment to which the worker may be entitled under regulation 9:

Provided that workers who are employed on piece work and are not continuously supervised, or on task work, shall in addition to any payment under regulation 9 be paid at double the ordinary piece rate or task rate for work done on Christmas Day, Good Friday and Easter Monday only where such work has been specifically required by the Department to be done on any of these days and only for the amount of work so required.

(3) All work done on Saturdays, Sundays or the holidays set out in regulation 9 other than Christmas Day, Good Friday and Easter Monday shall be paid for half as much again as ordinary rates in addition to any payment to which the worker may be entitled under regulation 9:

Provided that workers who are employed on piece work and who are not continuously supervised, or on task work, shall in addition to any payment under regulation 9 be paid at half as much again as the ordinary piece rate or task rate for work done on Saturdays, Sundays or holidays (other than Christmas Day, Good Friday and Easter Monday) only when such worker has been specifically required by the Department to be done on any of these days and only for the amount of work so required.

9.—(1) Subject to these Regulations, public holidays for workers shall be as set out in Appendix IV.

Holidays.  
Appendix IV.

(2) Only essential work will normally be performed on public holidays.

(3) No deduction shall be made from the wages of workers paid by the month or by the week from time not worked on these holidays.

(4) Each worker paid by the day or by the hour, or by piece-rates, or by task-rates, shall be paid holiday pay for each of these holidays equal to the wages for a normal working day, provided that he has been employed on the day immediately preceding the holiday and was at work on the day following the holiday or, where he has been laid off within a week before, if he is re-employed within 6 days after the holiday.

(5) In a week in which a public holiday falls the workers referred to at (3) in regulation 7 shall be given their day off on the public holiday. All workers (including watchmen) who are required to work on a public holiday shall be paid overtime as provided in regulation 8 in addition to any payment provided by this regulation.

**Stoppage of work.**

10.—(1) No deduction shall be made from the wages of any worker paid by the month or by the week for time lost through rain or through work not being available for reasons beyond the control of the worker, provided that he has reported for work at the beginning of the work period in question, and is available at the work site throughout the period, and further provided that the work site is accessible.

(2) Any worker paid by the day or by the hour shall be allowed the full time wage for his work for time lost through rain or through work not being available for reasons beyond the control of the worker, provided that he has reported for work at the beginning of the site throughout the period and further provided that the work site is accessible.

(3) If workers are prevented by reason of continuous and heavy rain from reaching the work site at the beginning of the work period, the head of section concerned after consultation with the Union Representative, shall set a time when it would be reasonable to expect the workers to be able to reach the work site, and a period of fifteen minutes grace thereafter shall be allowed for workers to report to work.

11.—(1) Allowances for wet work and dirty work may be made as follows:—

**Wet work, dirty work and heights work.**

- (a) the hours of work or the size of the task may, in consultation with the appropriate Union Representative if one has been elected, be reduced in proportion to the unpleasantness of the work without deduction from a normal day's pay; but,
- (b) if to ensure early completion of the work full hours are necessary, a special rate of wages may be paid after consultation with the appropriate Union Representative if one has been elected.

(2) An allowance in addition to normal hourly rates shall be paid for all work performed at a height of 25 feet or more above ground level in consultation with the appropriate Union Representative if one has been elected.

12. Workers employed away from their homes, except those who are obliged to shift continuously from one site to another, shall be given adequate accommodation which include:—

**Accommodation.**

- (a) sufficient and hygienic house accommodation;
- (b) a sufficient supply of wholesome water; and
- (c) sufficient and proper sanitary arrangements, for every worker who resides at the place of employment. Such house accommodation, water supply and sanitary arrangements shall conform to such requirements and standards of health and hygiene as may be prescribed.

13.—(1) The rates, subsistence allowance and other allowances shall be those set out in Appendix V as may be revised from time to time and issued by the Ministry of Finance.

**Rates, subsistence allowance, other allowances. Appendix V.**

(2) As long as accommodation is not provided, workers who are moved away from their normal homes shall be paid a lodging allowance of \$7.00 a day in Belize City or District town and \$5.00 a day in all other places, provided that payment of a lodging allowance shall cease under expiry of a worker's eligibility to be paid subsistence allowance under subregulation (1) of this regulation.

(3) For the purpose of this regulation, an Agricultural Station or a Forestry Station shall be deemed to be the home of a worker employed there or therefrom.

(4) If a worker is moved from his normal home under circumstances which make him eligible to receive subsistence and/or lodging allowances under the provisions of this regulation, a Head of Department may, if he considers it essential, make advances to the worker not exceeding in total outstanding at any time the amount of the subsistence and lodging which he estimates will become payable in respect of the current pay period. Any amounts so advanced shall be recovered from subsistence and lodging allowances actually payable but any excess which cannot be recovered in this way shall be treated as if it had been an advance of wages granted under regulation 6 (5) and recovered from wages due to the worker accordingly.

**Medical supplies.**

14. Medical supplies, first aid dressings and appliances and, where possible, trained staff shall be provided and maintained. No charge whatever shall be made for any first-aid dressings or medicines supplied to a worker.

**Infectious diseases.**

15.—(1) Officers in charge of camps shall take such measures for the prevention of malaria and infectious diseases including routine administration of preventive drugs, as the Medical Officer of Health may from time to time prescribe.

(2) Officers in charge of camps shall at once report to the nearest Medical Officer any outbreak or any suspected outbreak of any contagious or infectious disease.

**Illness.**

16.—(1) If a worker falls ill during his employment he shall receive free medical treatment, in hospital if necessary, otherwise as an outpatient. If he is in *Category A* or had worked for Government for at least 30 consecutive working days during the twelve months preceding his illness, and the illness is not due to the worker's own default or misconduct, he may be granted sick leave on full pay for not more than 28 days in any one calendar year:

Provided that in cases meriting special consideration and where a period of treatment longer than 28 days is required, application may be made to the Ministry of Finance for additional paid sick leave. The granting of sick leave shall normally be conditional

on the production of a medical certificate, but this condition may be waived for an absence of not more than one day provided not more than six days of paid leave shall be allowed without a medical certificate in any one year.

(2) Any illness which is certified by a registered medical practitioner to be directly attributable to and brought about solely through the nature of the work e.g., the water itch experienced by men working in streams clearing channels, shall be regarded as if it were an occupational disease under the provisions of the Workmen Compensation Act and the workmen afforded compensation benefits in accordance with regulation 17, unless the worker qualifies for such benefits under the Social Security Scheme.

CAP. 240.

(3) If a worker is given notice of the termination of his service and becomes ill before such termination, he shall continue to be eligible for the benefits of the provisions of subregulation (1) of this regulation. The service shall be deemed to be terminated at the expiry of the period of notice or at the expiry of the full pay sick leave granted, whichever date is later.

(4) The service of any worker suffering from sustained illness may be terminated by the giving of notice after the expiry of full pay sick leave for which he is eligible under the provisions of subregulation (1) of this regulation.

17.—(1) Where a worker does not qualify under the Social Security Scheme for injury benefits, the provisions of the Workmen's Compensation Act, shall be applied to all workers in case of personal injury by accident arising out of and in the course of the employment or of scheduled occupational diseases contracted during the employment, provided that:

Injuries.

CAP. 240.

(a) paragraph (a) of subsection (3) of section 3 of the Workmen's Compensation Act, which states that an employer shall not be liable under this Act for such compensation if the injury does not incapacitate the workman whether totally or partially for a period of more than three days', shall not apply;

CAP. 240.

(b) during the first 28 days of any period of total or partial temporary incapacity the injured worker may be granted either periodic payments in accordance with

CAP. 240.

the Workmen's Compensation Act, or full pay as if he were on sick leave under regulation 16, whichever is the greater, so that in either case—

(i) his eligibility for sick leave under regulation 16 is not affected;

CAP. 240.  
CAP. 34.

(ii) after the expiration of 28 days he is eligible for further benefits only under the Workmen's Compensation Act or Social Security Act;

(iii) for the purpose of calculating any balance of a lump sum payable in respect of death or permanent incapacity he shall be deemed to have received only the amount of periodic payments to which he is entitled under the respective Act.

(2) If the injury requires treatment in a hospital, the worker shall be removed to hospital at once, where he will be given free treatment either as an inpatient or outpatient.

CAP. 240.  
CAP. 34.

(3) Heads of Department are responsible, under the Workmen's Compensation Act and Social Security Act for ensuring that all accidents at work are reported forthwith in the proper form to the Labour Department and the Social Security Board respectively.

(4) Workers who receive any serious injury while in the employment of Government shall, provided they are capable of performing the work in question, be given preferential treatment when workers are laid off or engaged.

Leave.

18.—(1) *Category A* workers shall be eligible for leave at the following rates:

(a) Those with 5 years' service or more in *Category A*: 16 working days leave on full pay for every twelve consecutive months of employment.

(b) Those with less than 5 years' service in *Category A*: 14 working days leave on full pay for every 12 months of employment:

Provided that where on termination of any *Category A* employment there is outstanding a period of less than one year's service in respect of which leave has not been taken in full, a worker shall be granted leave on full pay calculated as follows:—

Leave due = outstanding period                      annual entitlement  
(in days)  $\frac{\text{of service in days X (i.e. 16 or 14 days)}}{365}$                       as the case may be

### NOTES

- (A) Any resulting fraction of a day's leave is to be disregarded.
- (B) Any leave actually taken in respect of the period is to be deducted.
- (C) For the purpose of this Regulation, "period of service" means the calendar period and includes Sundays (or other rest days), public holidays and all periods of leave except leave without pay.

### EXAMPLE

A *Category A (a)* worker who has taken all leave due to him for periods up to the 31st, December last and a further 4 days in the current year, resigns from Government employment with effect from the 18th August. Leave on full pay due to him for the current year is therefore—

$$\frac{229}{365} \times 16 = 10 \frac{14}{365}$$

Entitlement for the current year is therefore 10 days (fraction disregarded) and deducting the 4 days leave already taken there would be a balance of 6 days leave still due.

(2) Category B

(a) A *Category B* worker shall be eligible for two working weeks annual holiday on full pay, or wages in *lieu* thereof, in respect of every period of twelve consecutive months during which he has rendered services for the same Department for an aggregate of at least two hundred and fifty days in the case of a worker employed on a weekly, fortnightly, monthly or yearly basis or at least one hundred and fifty days in the case of a worker employed on any other basis.

(b) A *Category B* worker who has rendered services for the same Department over a total period of more than two months in respect of any periods of twelve consecutive months or less and does not qualify, owing to termination of his employment or otherwise, for annual holiday under the preceding subsection

(a) shall be granted proportionate holiday pay calculated as follows:—

$$\text{Holiday Pay} = \frac{\text{Total remuneration}}{26}$$

NOTES

(A) Any days of holiday on full pay, or wages in *lieu*, already granted in respect of the relevant period must be taken into consideration in deciding the amount of holiday pay due.

(B) In no case may the amount of holiday pay for twelve consecutive months or less exceed two weeks' pay at the average daily rate even though the worker may have rendered services for more than 250 or 150 days, as the case may be, or served in more than one Department.

(C) For the purpose of this regulation,

"full pay" means the normal basic wage for one day and in the case of workers employed on a weekly, fortnightly, monthly or annual basis is to be calculated by



dividing the normal wage for the period by six, twelve, twenty-six or three hundred and twelve, as the case may be;

"total remuneration" means all the basic wages payable to a worker in respect of the relevant period but does not include overtime payments.

(3) Leave is normally due after a worker has been employed for 12 consecutive months. A Head of Department may, however, grant leave to a worker who has been employed for a lesser period and shall so arrange that no worker shall work for a longer period than 18 consecutive months without being granted leave.

(4) The Head of Department shall determine the date on which a worker's leave shall commence and shall give the worker not less than 14 days' notice of such a date.

(5) If a worker becomes ill while on leave granted by his Head of Department, other than leave on termination of his employment, he may be treated as on sick leave for any period he is certified by a registered medical practitioner to be unfit for work and granted a corresponding number of extra days' leave either to follow the period of leave originally approved or at some other time as the Head of Department may decide.

19.—(1) A Head of Department who engages workers shall provide free transportation for such workers and, in cases where suitable family accommodation is available, for their families also, from the place of engagement to the site of the work and on return after completion of the whole project.

Transportation.

—on engagement and return home.

(2) Wherever practicable, a Head of Department shall provide weekend leave and free transport, for workers on long-term projects in remote areas and all projects in accessible places and at base camps and depots but this Regulation shall not apply unless the worker can be returned to his work site by the normal time of his commencement of work.

—on weekend leave.

20.—(1) As far as possible, transfers must be planned in such a way as not to disrupt officers with children attending school during the current school year.

**Transfers.**

(2) Transfers shall be for the benefit of the Public Service, as well as the workers and shall not be used as a punitive measure.

(3) Transfers shall not be arbitrary. Wherever practicable, a list of the posts and the names of workers who are likely to be transferred shall be drawn up and made known to such workers and they should be given adequate notice and allowed time to make proper arrangements for their families, especially where children in schools may be affected.

21.—(1) A Head of Department may not under any circumstances employ a child under the age of 14.

**Employment of children, women and young persons.**

**CAP. 234.**

(2) The provisions of Part IV of the Labour Act shall be applied to the employment of women and young persons (i.e. over 14 but under 18 years of age). The main provisions are:

(a) Women and young persons may not be employed in an industrial undertaking at night between the hours of 10 p.m. and 6 a.m. except,

(i) in an emergency which must be reported to the Labour Commissioner immediately;

(ii) women may be employed at night in responsible positions of managerial or technical character or in health and welfare services.

(b) There are restrictions on the employment of young persons on vessels engaged in maritime navigation.

(c) Prohibitions and restrictions may be relaxed under certain circumstances for the purpose of apprenticeship and vocational training.

(3) Where women or young persons are employed, they shall be given work which is not physically harmful to them and paid

wages on the basis of "equal pay for equal work", i.e., they shall be paid at the same rate which would be paid to an adult male if they can perform the amount of work of the same quality. Their employment shall not be resorted to simply to reduce labour costs.

**Employment of  
aliens.**

22. Aliens, that is, persons who are not Belizean nationals, shall not be employed unless they possess some special skill or qualification not available in Belize. Their employment shall receive the prior consent of the Minister of Labour. Their employment shall be limited to the time necessary to train local workers to the necessary standard of skill or qualifications in the particular trade of work. This restriction shall not apply to those aliens who have lived in Belize for at least five years and have families in Belize dependent on them for support, provided that the prior consent of the Minister of Labour has been obtained.

**Sale of goods.**

23. Gang captains, foremen, and other officers in charge of workers shall not participate nor have any interest either directly or indirectly in any cookshop or other arrangement whereby food, tobacco, cigarettes, liquor, or any other articles are sold to workers under their charge:

Provided that senior officers may obtain specific goods for and at the request of workers but shall not make a profit or charge commission thereon.

**Termination of  
services.**

24.—(1) Notice of termination of a contract of service for an indefinite time given either by the Head of Department or the worker, shall be of the following respective durations, if the worker has been in the employment of the Department continuously —

(a) for more than two weeks but not more than six months — three days;

(b) for more than six months but not more than one year — one week;

(c) for more than one year but not more than two years — two weeks;

(d) for more than two years — four weeks.

(2) Notice shall take effect on the day following that in which it is given, provided that in the case of weekly or monthly rated workers, the period of notice shall commence on the first day of the pay period next following that during which it is given.

(3) If a worker under an oral contract of service for an indefinite time fails to give notice as in accordance with the provisions of this regulation, he shall be liable to pay the Government a sum equal to half the wages that would be payable in respect of the period of notice, provided that the Head of Department may in his own discretion and under special circumstances waive this obligation on the part of the worker. If the Head of Department fails to give the said notice, he shall be liable to pay to such worker a sum equal to the wages that would be payable in respect of the period of notice.

(4) In the event of termination of employment on the grounds of redundancy, a worker who has served a minimum of five years shall be entitled to one week's wages for each year of service as severance pay.

25.—(1) The Head of Department may dismiss the worker and the worker may abandon service of the Department without giving notice and without any liability to make payment as provided in regulation 24 if there is good and sufficient cause for dismissal or abandonment of service.

**Dismissal.**

(2) Good and sufficient cause for dismissal without notice shall include dismissal:

- (a) when a worker is guilty of misconduct, whether in the course of his duties or not, inconsistent with the fulfillment of the expressed or implied conditions of his contract of service;
- (b) for wilful disobedience to lawful orders given by a Head of Department;
- (c) for lack of skill which the worker expressly or by implication warrants himself to possess;
- (d) for habitual or substantial neglect of his duties;
- (e) for absence from work without permission of the Head of Department or without other reasonable excuse.

(3) A worker dismissed for any of the abovementioned reasons is entitled to payment of wages due up to the time of his dismissal; the worker may in the first instance appeal to the Permanent Secretary of the Ministry in which he was working, and then if necessary, to the Labour Commissioner against dismissal for any of those reasons.

In any such appeal the decision of the Labour Commissioner shall be final and the Head of Department shall comply with the ruling of the Labour Commissioner. In every appeal under this Regulation, the Labour commissioner shall give reasons for his decision.

(4) A worker alleged to have committed a criminal offence of such nature that it may interfere with the safe and proper conduct of the work may be suspended from duty provided that the alleged offence is reported to the Police. Payment of wages may cease or be reduced during such suspension at the discretion of the Head of Department, provided that the worker shall have the right to be heard with a Legal or Union Representative if he so wishes. The worker may be dismissed without notice with effect from the date of suspension, only in the event of his being convicted of the offence. If he is not convicted of the offence he shall be paid full wages for the period of suspension without prejudice to the right of the Head of Department to give due notice of termination of his services at any time.

(5) Where a worker is guilty of an act or omission which could warrant his dismissal under subregulation (1) and (2) above, a Head of Department may in his own discretion, as an alternative to dismissal, suspend such worker as a disciplinary measure without any liability to pay wages during the period of suspension which shall not in any case exceed 14 working days. Suspension under the regulation shall not constitute a break in service for the purpose of regulation 29.

**Representation  
of workers.**

26.—(1) Representation by workers about their wages or conditions of employment, either direct or through their Union, shall be given prompt and courteous attention and receive careful consideration provided they are forwarded in a proper manner.

(2) Heads of Department shall report promptly to their Ministry who will inform the Minister of Labour of the circumstances of any wage claim made by or on behalf of any workers or of any disputes which may lead to a stoppage of work.

(3) In any work place where a substantial proportion of the workers are members of a Trade Union, they shall be permitted to elect one of their members as a Union Representative to represent them in matters connected with their Union or with their working conditions. The name of the Union Representative so elected shall be notified in writing by the Trade Union to the Head of Department.

(4) A Union Representative who has elected and whose name has been so notified shall be allowed reasonable time off from work to discuss with a foreman or other higher authority, grievances or any matters in dispute, and in connection therewith to visit all sections of the workplace. In cases of urgency he may also be allowed to communicate with the Head Office or Branch Office of his Union, whichever shall be the nearer. But in all other respects, Union Representatives shall conform to the same working conditions as their fellow workers.

27.—A Head of Department with the prior approval of the Accountant General shall cause the contributions of members of Trade Unions or Credit Unions to be deducted from wages due upon presentation by the Union concerned of the member's authority in writing to make such deduction.

**Trade Union  
and Credit  
Union contribu-  
tions.**

28.—(1) Whenever a reduction in the number of workers employed becomes necessary, the selection of workers to be laid off shall, subject to regulation 17 (4), accord as far as possible with the principle of "last in first out" — within the particular place or project of employment and within the appropriate trade category. ("Continuous service" as defined in regulation 3 shall be used for the purposes of this regulation).

**Layoffs and re-  
engagement.**

(2) Whenever the number of workers employed is to be increased, workers who have previously been employed shall as far as possible be selected, and their selection shall accord with the principle of "last out first in" within the particular place or project of employment and within the appropriate trade category.

29.—(1) A *Category A* worker who has continuously served the Government in one or more Departments for ten years or more and retires on or after attaining the age of 55, or on medical grounds (i.e. certified by a Medical Board appointed by the Director of Health Services to be medically unfit for further service) before attaining that age, may be granted a monthly retirement allowance at the rate of 3/16th of the worker's basic monthly wage immediately prior to retirement on account of his first ten years of service plus an additional 1/80th of such basic monthly wage for every additional completed year of service:

**Retirement  
benefits.**

Provided that the maximum rate of retirement allowance shall not exceed one-half of the worker's basic monthly wage immediately

prior to retirement even though his service may have exceeded thirty-five years.

- (2) The basic monthly wage of a worker on an hourly, weekly or fortnightly wage basis shall be deemed to be his normal wage for a week multiplied by  $4 \frac{1}{3}$ . The basic monthly wage of a worker who is employed on piece or task rates at the time of his retirement and has been so employed for more than one year immediately preceding the date of retirement shall be deemed to be one-twelfth of his total remuneration for the year excluding any enhanced remuneration he may have received under the *proviso* to regulation 8 (3) and the basic monthly wage of a worker who has not been so employed for more than one year shall be deemed to be his basic monthly wage at the time he was last employed on an hourly, daily, weekly, fortnightly or monthly wage basis.
- (3) A worker who is eligible to receive a monthly retirement allowance may elect to receive, in *lieu* of such allowance, a gratuity equal to the amount of sixty such monthly payments.
- (4) Only actual service (including all paid leave) shall be taken into account as qualifying service for the purpose of this regulation.
- (5) Where a worker retires on medical grounds, he may exercise the option as to whether he wishes to be paid a monthly sum or to receive his entitlement in a lumpsum.
- (6) A worker may opt to retire at the age of fifty years providing his employer has no objection.

Maternity benefits.

30.—(1) A female worker shall be entitled to eighty-four days maternity leave as follows:

- (a) Six weeks before and six weeks after the expected date of parturition on half pay.
- (b) Provided a medical certificate stating the expected date of delivery is submitted at least six weeks before leave is

due a worker may elect not to take the six weeks before but the six weeks after parturition shall be mandatory and shall be on full pay if six weeks before delivery is not taken.

(2) A worker may, if she so wishes, use all or part of her vacation leave to replace any portion of the leave allowed on half pay:

Provided that the provisions of this subregulation shall not apply to a female worker unless during the twelve months immediately preceding her confinement she was employed in the service of Government for a total of not less than one hundred and fifty days.

(3) Any payments made under subregulation (1) of this regulation shall be made to the worker in the normal pay periods applicable to her.

(4) A female worker who is entitled to the benefits set out in subregulation (1) of this regulation shall be entitled to free attendance by a Government Medical Officer and/ or a certified Public Health Nurse during her pregnancy and confinement. The term "confinement" shall, for the purpose of this sub-regulation, include any illness which can be attributed to the confinement.

(5) No female worker shall be given notice of dismissal during, or to expire during, any period of absence from work in accordance with the provisions of subregulation (1) of this regulation or any further period of absence, not exceeding thirty days, due to illness certified by a qualified medical practitioner, to arise out of the worker's pregnancy or confinement.

31.—(1) Workers employed in the typing, clerical and regulatory grades shall be entitled to annual increments, subject to satisfactory performance.

Annual increments.

(2) An assessment form as set out in Appendix V shall be used for assessing the performance of workers for the purpose of awarding annual increments.

Appendix V.

32.—(1) A worker with a minimum of ten years continuous service who resigns his employment and whose resignation is accepted, shall be eligible for a gratuity in accordance with Regulation 29.

Resignation.



**Amendment of  
Appendices.**

33. The Appendices to these Regulations may, from time to time, be amended by the Permanent Secretary, Establishment, with the approval of the Minister responsible for the Public Service.

**Commencement  
and repeal.**

34.—(1) These Regulations shall come into force on the 1st day of December, 1992.

(2) With effect from the date of commencement of these regulations, the Government Workers Rules, 1964 shall stand repealed.

**MADE BY HER EXCELLENCY the GOVERNOR-GENERAL**  
this 13th day of November, 1992.

**(DR. DAME MINITA E. GORDON)**  
*Governor-General*





**APPENDIX 11****GOVERNMENT WORKERS' REGULATIONS, 1992****TERMS OF ENGAGEMENT**

\_\_\_\_\_ Department

Date: \_\_\_\_\_

TO: MR. / MRS. / MISS: \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
\_\_\_\_\_

The following are basic particulars of employment as Government worker which is hereby offered to you in the \_\_\_\_\_ Department:-

Section \_\_\_\_\_ Place \_\_\_\_\_

Trade Classification \_\_\_\_\_ Grade \_\_\_\_\_ Category A/B

Nature of Work \_\_\_\_\_

Date of Commencement \_\_\_\_\_ Probable Duration \_\_\_\_\_

Wage Rate of \$ \_\_\_\_\_ cts per hour/day/week/month

Description of Task or Piece Unit \_\_\_\_\_

Normal Working hours \_\_\_\_\_

(N.B. Overtime is normally paid at half as much again as ordinary time i.e. time and a half).

The Government Workers Regulations 1992, as amended from time to time, will apply to this employment and contain the detailed terms and conditions thereof. You are particularly requested to note that in accordance with the said Government Workers Regulations, the first two weeks of the employment will be deemed to be probationary employment and may be terminated at will of either party without notice. Thereafter, notice of termination of employment for an indefinite period must be given in accordance with Reg. 25 of the Government Workers Regulations which lays down different periods of notice according to different periods of service.

If you decide to accept employment on the terms explained above, please sign and return the original copy of this offer; the duplicate copy is for your retention. Otherwise kindly return both copies unsigned.

I accept employment on the terms stated above:

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

\_\_\_\_\_  
DATE \_\_\_\_\_

FOR HEAD OF DEPARTMENT

(This form is to be used for the initial engagement of a Government Worker. It may also be used with slight modifications to notify a promotion or other changes in which notice ought to be given to the worker concerned.)

( \* - Delete where not applicable)

**APPENDIX 111**  
**GOVERNMENT WORKERS' REGULATIONS**  
**CONFIDENTIAL**

Form A

BELIZE

**MEDICAL EXAMINATION OF CANDIDATES FOR**  
**APPOINTMENT TO THE GOVERNMENT SERVICE (OPEN VOTE)**

Candidates for appointment to the Government Service (Open Vote) should complete this form and hand it to the Medical Officer when presenting themselves for examination.

2. The candidates will be held responsible for the accuracy of the statements in this form and any wilful with-holding or suppressing of any information will incur the risk of losing the appointment.
3. The Completed Form should be forwarded by the Medical Officer when he submits his report on the candidate on Form B attached.

Name of Candidate (in full) \_\_\_\_\_

Date of Birth \_\_\_\_\_

Married, Single, Widowed or Divorced \_\_\_\_\_

Countries of residence (with dates) \_\_\_\_\_

Have you been vaccinated? \_\_\_\_\_ If so, give the date \_\_\_\_\_  
 and result \_\_\_\_\_.

Have you, to your knowledge, suffered from any other disease or serious illness; especially Hernia, Pulmonary or Cardiac or Urinary Symptoms, Epilepsy or Mental Disease? If so, give details.

\_\_\_\_\_

Are you temperate in your habits? \_\_\_\_\_

To your knowledge, are any member of your family, or near relatives, subject to consumption or to any disease of the Lungs, or to insanity or fits or have they been so subject.

\_\_\_\_\_

If so, give details \_\_\_\_\_

Father \_\_\_\_\_ alive and aged \_\_\_\_\_ years/died at age \_\_\_\_\_

Mother \_\_\_\_\_ alive and aged \_\_\_\_\_ years/died at age \_\_\_\_\_

I certify that, to the best of my knowledge, the replies to the questions in this form are correct.

Signature \_\_\_\_\_

Date \_\_\_\_\_

**(DELETE WORDS WHICH ARE NOT APPLICABLE)**

CONFIDENTIAL

BELIZE

**REPORT ON MEDICAL EXAMINATION OF CANDIDATE  
FOR APPOINTMENT TO THE GOVERNMENT SERVICE**

To be completed by the Medical Officer examining the candidate and to be forwarded to the Permanent Secretary, Ministry of the Public Service, through the Chief Medical Officer, with Form A attached, which should be completed and signed by the candidate.

I have examined \_\_\_\_\_  
with the following results:-

1. General conditions \_\_\_\_\_

Height \_\_\_\_\_ Weight \_\_\_\_\_

External signs of diseases or injuries (including scalp, ear discharge,  
etc.)  
\_\_\_\_\_

2. Vision Right eye \_\_\_\_\_ Left eye \_\_\_\_\_

Colour Sense \_\_\_\_\_

3. Hearing \_\_\_\_\_

4. Teeth and Fauces \_\_\_\_\_

5. Pulse \_\_\_\_\_

6. Respiration \_\_\_\_\_

7. Lungs \_\_\_\_\_

8. Heart \_\_\_\_\_

9. Blood Pressure \_\_\_\_\_

10. Liver \_\_\_\_\_

11. Spleen \_\_\_\_\_

12. Groins \_\_\_\_\_

13. Legs & Feet \_\_\_\_\_

14. Nervous system \_\_\_\_\_

15. Skin \_\_\_\_\_

16. Mental Condition \_\_\_\_\_

17. Evidence of Alcoholism \_\_\_\_\_



18. Urine - S.G. \_\_\_\_\_ Sugar \_\_\_\_\_ Albumen \_\_\_\_\_

19. Is there any evidence of family sickness, such as Aphthisis, insanity, cancer, etc.? \_\_\_\_\_

If so, give details \_\_\_\_\_

20. Vaccinated on \_\_\_\_\_

21. Report of X-Ray of the Chest. (to be submitted separately, if necessary).

Remarks:-

---

**CERTIFICATE**

I certify that I have examined \_\_\_\_\_ and find him/her physically and mentally fit/unfit for appointment to the Government Service as

---

Signature \_\_\_\_\_

Date \_\_\_\_\_

**GOVERNMENT WORKERS' REGULATIONS**

**APPENDIX IV**

The Public Holidays prescribed by law are:

1. New Year's Day - 1st January
2. Baron Bliss Day - 9th March
3. Good Friday )
4. Holy Saturday ) as they fall each year
5. Easter Monday )
6. Labour Day - 1st May
7. Commonwealth Day - 24th May
8. National Day - 10th September
9. Independence Day - 21st September
10. Columbus Day - 12th October
11. Garifuna Settlement Day - 19th November
12. Christmas Day - 25th December
13. Boxing Day - 26th December

**NOTES:**

1. If any of the public holidays falls on a Sunday, the following Monday shall be observed as a public and bank holiday.
2. If any of the public holidays falls on a Tuesday, Wednesday or Thursday, the provisions contained in the Holidays Act (CAP. 227) shall apply.

**APPENDIX V**  
**GOVERNMENT WORKERS' REGULATIONS**

**ALLOWANCES****(1) Subsistence:**

Workers who move away from their normal homes, shall, unless they are supplied with free rations, be paid during the period of their absence from home a subsistence allowance or where applicable a meal allowance as follows:-

- (a) Where the period of absence exceeds five (5) hours but does not exceed seven (7) hours, a meal allowance of \$7.00 shall be paid. Provided that where a worker's absence does not exceed five hours but covers the lunch period and is not less than four (4) hours, a meal allowance of \$7.00 shall be payable.
- (b) Where the period of absence exceeds seven (7) hours but does not exceed nine (9) hours, a second meal allowance of \$7.00 shall be paid.
- (c) Where the period of absence exceeds nine (9) hours, a full day's subsistence allowance of \$19.00 shall be paid.

Where a worker is away from his station on duty for more than 24 hours, the payment of subsistence allowance or, as the case may be, meal allowance for the period of absence in excess of 24 hours shall be calculated on a proportionate basis as set out above.

If a worker is away for more than 24 hours, any proportion of a day after the first 24 hours shall be treated similarly up to a period of ninety (90) days.

If a worker is again transferred to another place of employment other than his normal home, he shall again receive subsistence at the rate stated herein for a further period not exceeding ninety (90) days. After a worker has been living continuously at a station away from his normal home for one year or more without an absence of thirty (30) days or more at any one time except due to sick leave and during which time he has established permanent residence, then that station shall be deemed to be his normal home.

**(2) LODGING**

As long as accommodation is not provided, workers moved away from their normal homes shall be paid a lodging allowance of ~~\$20.00~~ a day in Belize City or District towns and ~~\$15.00~~ a day in all other places, provided that payment of a lodging allowance shall cease on the expiry of a worker's eligibility to be paid subsistence allowance under paragraph (1) of this Appendix.

For the purpose of this Regulation, an Agricultural Station or a Forestry Station shall be deemed to be the home of a worker employed there or therefrom.

**Nothing in this Regulation shall apply to workers employed by the Forest Department or the Survey Department to whom the equivalent of subsistence and lodging allowances is given in some other form.**

**If a worker is moved from his normal home under circumstances which make him eligible to receive subsistence and/or lodging allowances under the provisions of this Regulation, a Head of Department may, if he considers it essential, make advances to the worker not exceeding in total outstanding at any time the amount of the subsistence and lodging which he estimates will become payable in respect of the current pay period. Any amounts so advanced shall be recovered from subsistence and lodging allowances actually payable, but any excess which cannot be recovered in this way shall be treated as if it had been an advance of wages granted under Regulation 6 (5) and recovered from wages due to the worker accordingly.**

**APPENDIX VI**

**GOVERNMENT WORKERS' REGULATIONS, 1992**

**ASSESSMENT FORM**

NAME .....

STATUS .....

SALARY SCALE/WAGE RATE .....

PRESENT RATE OF SALARY/WAGE .....

INCREMENTAL DATE .....

AMOUNT OF INCREMENT DUE .....

DATE DUE .....

**PERFORMANCE**

- |  |   |   |   |   |   |
|--|---|---|---|---|---|
| 1. Performance in specific areas and assignments | a | b | c | d | e |
| 2. Punctuality                                   | a | b | c | d | e |
| 3. Attitude to job                               | a | b | c | d | e |
| 4. Attitude to other staff                       | a | b | c | d | e |

**RATINGS**

- |                       |             |
|-----------------------|-------------|
| a. Outstanding        | c. Good     |
| b. Very Good          | d. Adequate |
| e. Not quite adequate |             |

I certify that the abovenamed worker has discharged his/her duties with efficiency, diligence and fidelity, and to the best of my knowledge and belief is not indebted to the Government, and I recommend the increment as due.

\_\_\_\_\_

**I certify that the incremental increase shown herein is authorized and that the worker concerned has discharged his/her duties with efficiency, diligence and fidelity and to the best of my belief is not indebted to Government.**

**Date . . . . . \_\_\_\_\_**

**Head of Department**

# GOVERNMENT WORKERS' REGULATIONS, 1992

## INDEX

	<u>REG. NO.</u>
Accidents ..	17
Accommodation ..	12, 13
Advances ..	6
Allowances ..	11
Amendment of Appendices ..	33
Annual increments ..	31
Classification ..	3
Commencement of Regulations ..	34
Compensation ..	16
Continuous service ..	3
Definitions ..	2
Dirty work ..	11
Discharge ..	16
Dismissal ..	25
Engagement ..	4
Employment of aliens ..	22
Employment of children, women and young persons ..	21
Essential work ..	9
Heavy work ..	11
Holidays ..	9

# GOVERNMENT WORKERS' REGULATIONS, 1992 (cont'd)

## INDEX

	<u>REG. NO.</u>
Hours of work ..	7
Illness ..	16
Incomplete hours ..	6
Infectious diseases ..	15
Injuries ..	17
Lateness ..	6
Lay offs ..	28
Leave ..	18
Maternity benefits ..	30
Medical examination ..	5
Medical supplies ..	14
Notice ..	24, 25
Overtime ..	8
Pay days ..	6
Piece work ..	6, 7
Preferential treatment ..	17
Rain ..	10
Rates, subsistence allowances, other allowances ..	11, 13
Reengagement ..	28
Repeal of former Regulations ..	34



# GOVERNMENT WORKERS' REGULATIONS, 1992 (cont'd)

## INDEX

	<u>REG. NO.</u>
Representation of workers ..	26
Resignation ..	28
Retirement benefits ..	29
Sale of goods ..	23
Suspension from work ..	25
Task work ..	6, 7
Termination of services ..	24
Tools ..	6
Trade Union/Credit Union contributions ..	27
Transfers ..	20
Transport ..	19
Transportation ..	19
Union representatives ..	26
Wages ..	6
Wage deductions ..	6
Weekend leave ..	19
Wet work ..	11
Work stoppage ..	10