

Entitled: Inspection of Workplaces

Interviewer: Steve Stewart, Economist

Interviewee: Cherry-Ann Delpheche, Employment Officer

S.S: *Can you explain the general purpose of inspection of workplaces?*

C.D: The Department of Labour is charged with the administration of the Labour Laws in St. Vincent and the Grenadines and is therefore responsible for ensuring that these laws are adhered to. One way in which we do that is to conduct random visits to business houses throughout the year; these visits would help to alert us to any breaches of the labour laws.

S.S: *What authority does the department have to enter these workplaces?*

C.D: Under the Wages Council Act Cap 217 of the revised Laws of St.Vincent and the Grenadines, the authority for inspection of workplaces is set out in section 17 of this Act. This act gives the labour officers the authority to enter the premises of any business place to which the wages regulation apply and to inspect and copy wage records if deemed necessary, to obtain additional related information or to conduct interview with the workers.

S.S: *Can an employer then refuse entry to labour officers conducting inspections?*

C.D: Very rarely do we have employers refusing entry. However I would caution employers that to refuse entry to the Labour Inspectors is a criminal offence, which punishable by a fine of one thousand dollars.

S.S: *Is there any other legislation that applies?*

C.D: The factories Act Cap 467 of the Revised Laws of St Vincent and the Grenadines 2009, Sections 17 and 18 again give authority to the inspectors and detail the power of the inspector. The act states inter alia that an inspector has the power to:

- Enter, inspect and examine by day or night any factory (and the term-factory has a broad meaning)

- Take with him a police officer if he has reasonable cause to apprehend anyone who poses any serious obstruction in the execution of his /her duties
- Require the production of registers, certificates, notices or any document required to be kept in pursuance of the Act, and to
- Inspect, examine and copy any such documents.

In addition, the Protection of Employment Act CAP 212 allows for inspection of records and other documents specific to any dispute that may come to the attention of the Labour Department.

S.S: *What do inspectors look for?*

C.D: Well there are two aspects of inspections;

1. Social Aspect – where the inspectors check to determine whether the workers are being paid below the stipulated minimum wage, whether they are paid overtime when they work in excess of the required hours, whether they are allowed the stated vacation leave, lunch breaks, etc.
2. Then there is the Occupational Safety and Health Aspect- where the inspectors check to determine whether there is adequate lighting, provision for extinguishers, proper ventilation of rooms, proper toilet facilities, appropriate clothing and any necessary safety gears etc.