

Dominica

Selection of documents concerning International Labour Standards



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Ratifications for Dominica

26 Conventions

- Fundamental Conventions: **8 of 8**
- Governance Conventions (Priority): **2 of 4**
- Technical Conventions: **16 of 177**
- Out of **26** Conventions ratified by Dominica, of which **26** are in force, **No** Convention has been denounced; **none** have been ratified in the past 12 months.

See also

[Conventions not ratified](#)

Display the list by: Type Number Subject Status

Fundamental

Convention	Date	Status
C029 - Forced Labour Convention, 1930 (No. 29)	28 Feb 1983	In Force
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	28 Feb 1983	In Force
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	28 Feb 1983	In Force
C100 - Equal Remuneration Convention, 1951 (No. 100)	28 Feb 1983	In Force
C105 - Abolition of Forced Labour Convention, 1957 (No. 105)	28 Feb 1983	In Force
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	28 Feb 1983	In Force
C138 - Minimum Age Convention, 1973 (No. 138) <i>Minimum age specified: 15 years</i>	27 Sep 1983	In Force
C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)	04 Jan 2001	In Force

Governance (Priority)

Convention	Date	Status
C081 - Labour Inspection Convention, 1947 (No. 81)	28 Feb 1983	In Force
C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	29 Apr 2002	In Force

Technical

Convention	Date	Status
C008 - Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)	28 Feb 1983	In Force
C011 - Right of Association (Agriculture) Convention, 1921 (No. 11)	28 Feb 1983	In Force
C012 - Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)	28 Feb 1983	In Force
C014 - Weekly Rest (Industry) Convention, 1921 (No. 14)	28 Feb 1983	In Force
C016 - Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)	28 Feb 1983	In Force
C019 - Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)	28 Feb 1983	In Force
C022 - Seamen's Articles of Agreement Convention, 1926 (No. 22)	28 Feb 1983	In Force
C026 - Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)	28 Feb 1983	In Force
C094 - Labour Clauses (Public Contracts) Convention, 1949 (No. 94)	28 Feb 1983	In Force
C095 - Protection of Wages Convention, 1949 (No. 95)	28 Feb 1983	In Force
C097 - Migration for Employment Convention (Revised), 1949 (No. 97) <i>Has excluded the provisions of Annexes I to III</i>	28 Feb 1983	In Force
C108 - Seafarers' Identity Documents Convention, 1958 (No. 108)	28 Feb 1983	In Force
C135 - Workers' Representatives Convention, 1971 (No. 135)	06 Jan 2004	In Force
C147 - Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)	06 Jan 2004	In Force
C150 - Labour Administration Convention, 1978 (No. 150)	26 Jul 2004	In Force
C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169)	25 Jun 2002	In Force

Freedom of Association and the Right to Collective Bargaining



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Observation (CEACR) - adopted 2011, published 101st ILC session (2012)

*Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - **Dominica** (Ratification: 1983)*

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Article 3 of the Convention. Right of organizations to freely organize their activities and to formulate their programmes. The Committee recalls that it has been referring, for a number of years, to the need to take the necessary measures so as to exclude the banana, citrus and coconut industries as well as the port authority, from the schedule of essential services annexed to Act No. 18 of 1986 on industrial relations, which makes it possible to stop a strike in these sectors by compulsory arbitration. The Committee recalled that the right to strike may be restricted or prohibited only for public servants exercising authority in the name of the State or in essential services in the strict sense of the term (that is, services the interruption of which would endanger the life, personal safety or health of the whole or part of the population). Nevertheless, the Committee recalled that in order to avoid damages which are irreversible or out of proportion to the occupational interests of the parties to the dispute, as well as damages to third parties, namely the users or consumers who suffer the economic effects of collective disputes, the authorities could establish a system of minimum service in services which are of public utility rather than impose an outright ban on strikes, which should be limited to essential services in the strict sense of the term (see General Survey on freedom of association and collective bargaining, 1994, paragraph 160).

The Committee had also requested the Government to amend sections 59(1)(b) and 61(1)(c) of the Act that empowers the minister to refer disputes to compulsory arbitration if they concerned serious issues in his or her opinion. The Committee recalled that compulsory arbitration to end a collective labour dispute and a strike is acceptable only if it is at the request of both parties involved in a dispute, or if the strike in question may be restricted or prohibited (as mentioned above, that is, for public servants exercising authority in the name of the State or in essential services in the strict sense of the term).

The Committee notes that the Government indicates in its report that there has been no change in the legislation since its last report. The Government further indicates that the Committee's comments have been discussed by the Industrial Relations Advisory Committee and that the latter is in the process of formulating its decision and reporting its recommendations to the Minister of Labour.

The Committee hopes that the Government will take the necessary measures to amend the legislation so as to bring it into conformity with the principles of freedom of association and requests it to provide information on developments in this regard.

Equality and non-discrimination

Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012)

*Equal Remuneration Convention, 1951 (No. 100) - **Dominica** (Ratification: 1983)*

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Legislation. The Committee previously noted that section 24 of the Labour Standards Act, 1977 is more restrictive than the principle of equal remuneration for men and women for work of equal value, as it prohibits differences in wages between male and female employees only where employed in the same business, and only when “performing, under the same working conditions, the same work or jobs regarding similar skill, effort and responsibility”, thus not permitting comparisons between work that is of an entirely different nature, which is nevertheless of equal value. The Committee notes the Government’s indication that the Industrial Relations Advisory Committee (IRAC) commenced discussions on this matter at its meeting of 18 August 2011, and that following discussions, it is expected that recommendations will be forwarded in line with the Caribbean Community (CARICOM) model legislation with respect to equal remuneration for work of equal value. ***The Committee expresses the hope that the amendments to the Labour Standards Act will be made in the near future, and asks the Government to continue to provide information on the progress made in giving full legislative expression to the principle of equal remuneration for men and women for work of equal value.***

Objective job evaluation. The Committee notes the Government’s indication that a job evaluation and classification exercise is being undertaken in the public service, and that any documentation used in this context will be forwarded. The Committee notes the importance of ensuring that the job evaluation and classification process is free from gender bias, and in particular that jobs predominantly held by women are not undervalued when compared with those undertaken by men. ***The Committee asks the Government to provide information on the measures taken, in the job evaluation and classification process for the public service, to ensure that the principle of equal remuneration for men and women for work of equal value is reflected, and that the process itself is free from gender bias. The Committee also again asks the Government to provide a copy of the job evaluation manual that was used by the Establishment, Personnel and Training Department. Please also provide information on any measures taken to promote objective job evaluation in the private sector.***

Awareness raising. The Committee notes the Government’s indication that it continues to sensitize the public on labour issues, but that no system has yet been developed to determine the impact of such activities. ***The***

Committee asks the Government to provide information on any training and awareness-raising activities undertaken related specifically to the principle of the Convention, and to provide information on any steps taken to be able to determine the impact thereof.



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Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012)

*Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - **Dominica** (Ratification: 1983)*

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Legislation. The Committee notes the Government's indication that one of the main priorities in the Decent Work Country Programme, launched in 2011, is a review of the labour legislation. The Committee notes that the Industrial Relations Advisory Committee (IRAC) is currently formulating recommendations for submission to the Minister of Labour which include the adoption of CARICOM model legislation on equal opportunity and treatment in employment and occupation, and sexual harassment. ***The Committee asks the Government to provide information on the progress made with regard to the adoption of legislation in conformity with the CARICOM model law on equal opportunity and treatment in employment and occupation, including with respect to sexual harassment.***

The Committee further notes that the Government's report does not contain a reply to its previous comments. The Committee hopes that in its next report the Government will provide full information on the matters raised in its previous direct request which read as follows:

Gender equality.

The Committee notes that the National Policy and Action Plan for Gender Equity and Equality in the Commonwealth of Dominica, 2006, indicates that men and women in the employment and occupational structure participate in the economy according to established gender roles, with a strong representation of women in the public service at junior and middle administrative ranks, and in sectors with lower earning potential than men. It goes on to highlight the importance of access to land as the primary factor in an agricultural economy, and notes that women have lower access to land and to credit than men. ***The Committee asks the Government to provide information on the specific measures taken to follow-up on the recommendations set out in the National Policy and Action Plan for Gender Equity and Equality to promote women's equality of opportunity and treatment in education, employment and occupation. The Committee also requests specific information on any measures taken to improve women's access to decision-making and management positions, and positions with improved career prospects, in both the public and private sectors. Noting that the National Policy refers to the need for sex disaggregated data to inform all economic policy actions, the Committee hopes that such data, including on the participation of women and men in employment and training, as well as in access to land and credit, will be collected and***

analysed, and asks that such statistical information be provided.

Ethnic minorities.

The Committee notes the Government's commitment to providing statistical information on the number of Caribs participating in training and employment. It states that there will be a meeting with the Statistical Department and the Carib Council and all institutions involved in vocational training and employment by the middle of 2010, to provide statistics disaggregated by sex and ethnicity. The Committee also notes from the Government's report under the Indigenous and Tribal Peoples Convention, 1989 (No. 169), that an Integrated Development Plan for Caribs has been developed. ***The Committee requests the Government to provide information on the implementation of the Development Plan for Caribs as it relates to promoting equality of opportunity and treatment in employment and occupation with a view to eliminating discrimination. The Committee also hopes that the Government will be able to provide statistical information on participation in employment and training, disaggregated by sex and ethnicity, with its next report. The Committee also requests the Government to provide any further information on measures taken to assess and address the situation of the Caribs and other ethnic minorities in respect of training and employment.***

Cooperation with workers' and employers' organizations.

The Committee notes the Government's statement that within the last year, the Department of Labour has received and accepted six invitations from employers' and workers' organizations to provide lectures and facilitate seminars on equality of opportunity and treatment in employment and occupation and other related employment issues. The Government also states that the Department of Labour, along with the social partners, was invited to form part of the committee responsible for the formulation of the National Policy and Action Plan. ***The Committee welcomes the cooperation between the Government and workers' and employers' organizations to raise awareness of the principles of the Convention, and requests the Government to continue to provide information regarding such initiatives. The Committee also asks the Government to indicate the role of the workers' and employers' organizations in the implementation of the National Policy and Action Plan for Gender Equity and Equality.***