

CHAPTER 5.



LABOR (MINIMUM CONDITIONS) INQUIRY

ARRANGEMENT OF SECTIONS

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An Act to establish a Board of Inquiry into minimum conditions of employment and related matters, and for matters connected therewith.[Section numbering style modified to conform to new Code format (Rev.2003)]

Commencement: October 17, 1983
Source: P.L. 1983-30

§501. Short title.

This Chapter may be cited as the "Labor (Minimum Conditions) Inquiry Act 1983". [P.L. 1983-30, §1]

§502. *Reserved.*

§503. Establishment of the Board of Inquiry.

A Board of Inquiry (hereinafter "the Board") to inquire into minimum conditions of employment for workers in the Republic is hereby established. [P.L. 1983-30, §3.]

§504. Membership of the Board.

(1) The Board shall be comprised of members appointed by the Cabinet, with the approval of the Nitijela signified by resolutions.

(2) The membership shall include representatives of the Government of the Marshall Islands as an employer, of Government employees, of employers in the private sector and of employees in the private sector, and there shall be equal representation of each of those categories.

(3) The compensation (if any) of members of the Board is as determined by the Cabinet. [P.L. 1983-30, §4.]

§505. Consultant.

(1) The Cabinet shall arrange for the appointment of at least one consultant to the Board, who shall be a person of wide experience with the economic, social and development needs of smaller developing countries.

(2) Before making an appointment under Subsection(1) of this Section the Cabinet may seek the advice and assistance of the International Labor Organization and any other interested specialized agencies of the United Nations. [P.L. 1983-30, §5.]

§506. Terms of reference of the Board.

(1) The precise terms of reference of the Board are such as are, consistent with Subsection (2) of this Section, determined by the Cabinet, with the approval of the Nitijela signified by resolution.

(2) In particular, the Board:

(a) shall take into account both the cost of living and methods of alleviating it, and the capacity of the economy to pay;

(b) may recommend for a range of minimum wages;

(c) shall make recommendations concerning the number of working hours and payments of overtime;

(d) shall make recommendations with respect to dangerous work and the payment of penalty rates for such work;

(e) shall make recommendations concerning minimum ages for employment, taking into account not only age but the nature of the work concerned;

(f) shall recommend ways in which minimum conditions may be introduced and revised from time to time; and

(g) may make recommendations and suggestions related to, though not strictly within its terms of reference, as it thinks proper.

(3) In dealing with its terms of reference, the Board shall take fully into account any International Labor Organization conventions that are, or should be, binding on the Republic.

[P.L. 1983-30, §6.]

§507. Powers of the Board.

The provisions of the Legislative Procedure Act 1968 shall apply to and in relation to the Board as if it were a committee of the Nitijela. [P. L. 1983-30, §7.]

§508. Procedures of the Board.

(1) The Board shall appoint one of its members to be the Chairman.

(2) The Board shall meet in public and hold public hearings, except that it may meet privately in executive session for the purpose of discussion and deliberation.

(3) The Board shall keep minutes of its proceedings.

(4) Subject to this Chapter, the Board shall determine its own procedure (including the quorum). [P.L. 1983-30, §8]

§509. Report of the Board.

(1) Subject to Subsection (2) of this Section, at the conclusion of the inquiry the Board shall

report its conclusions and recommendations, together with minutes of its meetings and any comments that it cares to make, to the Speaker, for presentation to the Nitijela, and to the Cabinet.

(2) Any member of the Board may dissent from a report of the Board, or may make a minority report, and a minority report may be presented to the Speaker and to the Cabinet in the same way as the majority report. [P.L. 1983-30, §9]

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