

THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1950—51

HOUSE OF ASSEMBLY

Tuesday, 14th November, 1950.

Pursuant to adjournment, the House of Assembly met at 12 o'clock noon on the abovementioned date.

Present.

His Honour Mr. K. N. R. HUSBANDS (*Speaker*),
His Honour Mr. A. E. S. LEWIS (*Deputy Speaker*),
Mr. L. E. SMITH (*Chairman of Committees*), Dr.
H. G. CUMMINS, Messrs. D. A. FOSTER, R. G. MAPP,
M. E. COX, J. E. T. BRANCKER, G. H. ADAMS, B. A.,
E. D. MOTTLEY, F. C. GODDARD, and J. H. WILKIN-
SON, O.B.E.

Prayers are read.

Mr. GARNER enters the House and takes his seat.

MINUTES.

The Minutes of the meetings which were held on the 24th and 31st October, 1950, respectively, having been circulated are taken as read and confirmed.

DOCUMENTS.

Mr. SPEAKER: I have the honour to inform the House that I have received the following documents:—

Statement of Revenue and Expenditure from the Highway Commissioners of the Parish of St. Philip for the half year ended the 30th September, 1950.

Statement of Revenue and Expenditure from the Highway Commissioners of the Parish of Christ Church for the half year ended the 30th September, 1950.

Statement of Revenue and Expenditure on tenantry roads from the Highway Commissioners of the Parish of Christ Church for the half year ended the 30th September, 1950.

Statement of Revenue and Expenditure from the Highway Commissioners of the Parish of St. Joseph for the half year ended the 30th September, 1950.

Statement of Revenue and Expenditure from the Highway Commissioners of the Parish of St. Joseph

on tenantry roads for the half year ended the 30th September, 1950.

Statement of Revenue and Expenditure from the Highway Commissioners of the Parish of St. Thomas for the half year ended the 30th September, 1950.

Statement of Revenue and Expenditure on tenantry roads from the Highway Commissioners of the Parish of St. Thomas for the half year ended 30th September, 1950.

Mr. BRYAN enters the House and takes his seat.

PAPERS LAID:

Mr. ADAMS: Mr. Speaker,—I have the honour to lay on the table of the House the following Papers:—

Statement of the sums of money paid over to the Colonial Treasurer by the Commissioner of Police during the quarter ended 30th September, 1950.

Report of the Auditor General on the Audit of the Accounts of the colony for the year 1948—49.

PETITION.

Dr. CUMMINS: Mr. Speaker,—I beg to present a petition from the Vestry of the Parish of St. Thomas praying the House to pass a Bill to authorize them to sell the house occupied by the Parochial Medical Officer of that parish. The petition is respectfully worded and I ask that it be taken as read.

The petition is taken as read.

NOTICES.

Government Notices are given as follows:—

Mr. ADAMS: Resolution to place the sum of \$600 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1950—51, Part I, Current, as shown in the Supplementary Estimates 1950—51, No. 31, which form the schedule to this Resolution.

Mr. ADAMS: Resolution to place the sum of \$21,600 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1950—51, Part I, Current, as shown in the Supplementary Estimates 1950—51, No. 32, which form the schedule to this Resolution.

Mr. ADAMS: Of my intention to move the House into Committee of Supply at the next meeting to consider the Resolutions of which notice has just been given.

Other Notices are as follows:—

Mr. MOTTLEY: Bill to amend the law relating to jurors.

Dr. CUMMINS: Bill to authorize the Vestry of the Parish of St. Thomas to sell the house occupied by the Parochial Medical Officer of that parish and to apply the nett proceeds in erecting a new building.

QUESTIONS

Mr. MOTTLEY: To enquire of the Senior Member of the Executive Committee present at the next meeting of the House:—

Is Government aware that there is great dissatisfaction existing on the part of Butchers carrying on their trade in the Public Market in respect of the Cold Storage and the General Storing of Butchers' meat in the Cold Storage Plant of the said Market?

2. If the answer to the above is "yes," will Government take immediate steps to remedy the same effectively?

3. If the answer to the first Question is in the negative, will Government cause an immediate inquiry to be made in respect of the same Department with a view to ascertaining the cause of such dissatisfaction?

Mr. MOTTLEY: To enquire of the Senior Member of the Executive Committee present at the next meeting of the House:—

Is Government aware of the unsatisfactory manner in which the Local Food Production (Defence) Order 1942, in so far as the slaughter of pigs all over the Island is concerned, is being carried out, and more especially as it affects butchers who carry on business in the Public Market?

2. If the answer to the above is "yes", will Government take immediate steps to remedy the same effectively.

3. If the answer to the first Question is in the negative, will Government cause an immediate inquiry to be made in respect of the same Department with a view to ascertaining the cause of such dissatisfaction?

Mr. MAPP: To enquire of the senior member of the Executive Committee present at the next meeting of the House:—

1. Will Government state (a) the number of prisoners treated in the Hospital at Glendairy Prison for each month of the year 1949 and for each month of 1950 up to October 31st (b) the nature of the diseases treated?

2. Will Government state the amount of penicillin and alcohol ordered from the dispensary at the General Hospital by the Prison Authorities for each month of 1949 and for each month of 1950 up to October 31st?

3. Who is the officer at the Prison responsible for the requisitioning of such supplies?

BILLS READ A FIRST TIME.

On the motion of Dr. CUMMINS, seconded by Mr. Cox, a Bill to authorize the Vestry of the Parish of St. Thomas to sell "Glendale", the Parochial Medical Officer's house, and to apply the nett proceeds in erecting a new building is read a first time.

On the motion of Mr. MOTTLEY, seconded by Mr. GARNER, a Bill to amend the law relating to jurors is read a first time.

Mr. MILLER enters the House and takes his seat.

THE HOLIDAYS WITH PAY BILL

Mr. ADAMS: Mr. Speaker,—I beg to move that Order No. 5 be taken as the first Order.

Dr. CUMMINS: I beg to second that.

MR. SPEAKER: The first Order stands in the name of the honourable senior member for St. Thomas,—Second reading of a Bill to make provision for holidays with pay for employees.

Dr. CUMMINS: Mr. Speaker,—In moving the second reading of this Bill I will say that this is the Bill that was before this House and was passed last year. The Government feels that this Bill should come back to the Legislature in its original form, consequently nothing has been done to alter the original Bill. This Bill was passed by the House last year and was rejected by the Other Place. When this Bill was dealt with last year there was no objection of any sort by any member of this House,—in fact, as far as I can remember, the Bill was unanimously passed by this House. I think that it was the junior member for St. Philip—he is not in his place at the present moment—who expressed the opinion that the Bill did not go far enough, that is to say, the period of holidays with pay was not long enough and I think that he mentioned Martinique where the period of holidays with pay depended on the period of employment; that, as far as I remember, was the only point raised, not in opposition to the Bill but simply because the honourable member felt that it did not go far enough as far as the period of holidays with pay is concerned. The public in general was, and still is, as far as casual employees and domestic servants are concerned, somewhat doubtful as to the application of the Bill to them, if it should become law. Casual employees, Sir, in the Government's employ have to work 250 days a year to qualify for sick leave and holiday, so as far as casual employees in the Government's employ are concerned there is no uneasiness about them. But what most people have in mind is casual agricultural employees. As far as casual employees engaged in agriculture are concerned most of them do work for at least six months in the year particularly in the crop season and if they do work for six months of the year, according to this Bill they would qualify for one week's holiday with pay. With regard to domestic servants, the Government feels that they should be given some consideration under a Bill of this sort. We are all acquainted with the fact that domestic servants work late and consequently, in view of their long hours of employment, they should be given some consideration, as far as holidays with pay are concerned. The point has been made that in the case of small people who employ domestic servants and those who employ only one servant, it may cause some interruption in the smooth running of the family affairs if such a servant or servants were given holidays with pay, but the Bill provides for that by stating that the two weeks may be given in two periods,—one week after the completion of each six-month period of employment. It must be borne in mind that most of the small people who employ one domestic servant enjoy holidays with pay. Some of such employers are in the Government Service, others are employed by business houses, others again are in private employment; they in some cases enjoy the benefit of holidays with pay and

the Government feels that it is only natural that this consideration should be passed on to the most lowly of the employees. As I said in my opening remarks, this is a Bill with which the House is fully conversant. We have discussed it on a previous occasion and it was unanimously passed. Consequently there is nothing further which I can add and I beg to move that this Bill be now read a second time.

Mr. COX: In seconding the motion I should like to say that I think that honourable members welcome the return of this Bill to the House. We all feel, Mr. Speaker, that the people who work, more particularly throughout the year, should have a holiday and it cannot be truly described as a holiday unless and until the workers are more or less compensated. It has been argued in many quarters that private individuals—at least some of them—give holidays with pay without compulsion. We all appreciate that that is true but, on the other hand, it is equally true to say that there are many who do not subscribe to that view and, as a result it is necessary to pass legislation to compel them to do what, we feel, is just and right and, in keeping with the view and the action of the others who willingly appreciate the scheme. For that reason, Mr. Speaker, this Bill was passed by the House and, as you know, unhappily the Other Place did not see its way to agree to the passing of it. The Government has decided that it should be sent back to the Legislature because the Government feels that it is in the interest of the community that a Bill of this sort should be placed on the Statute Book. I think the senior member for St. Thomas has outlined pretty clearly the principal provisions of the Bill and I do not think it is necessary for me to speak at any length on it, since we all agreed to the principle of the Bill when we passed it on the last occasion. I, therefore, without much more ado, second the motion for the passing of the second reading of this Bill.

Mr. WARD enters the House and takes his seat.

Mr. BRANCKER: Mr. Speaker,—The principle of this Bill is one with which any reasonable person should agree, and that is why, so far as I can recall, it had little difficulty in being passed by this House when it was before us on the previous occasion. But there are just one or two aspects of the matter that are causing me some concern and these may be dealt with while we are in Committee on the Bill. For instance, it is stated in the Objects and Reasons that the Government proposes to give every employee in regular employment the legal right to two weeks' holiday with pay each year. Several persons have been to me since the Bill was passed by this Chamber and told me that it caused them a certain amount of worry because they used to get three weeks' holiday with pay and we know what is likely to happen if legislation is enacted fixing the minimum less than what it is in certain cases. The Barbadian employer is a law unto himself. The Barbadian employer is in a law unto himself. The Barbadian employer is in the majority of cases either a merchant or a planter and the tendency of the merchants and the planters—I am glad that we have representation of both in this House to hear what is being said—will be to give only two weeks' holiday with pay if the law says that the period must be two weeks. We are making provision in this Bill for the minimum period of holidays with pay but it is expected that those employers who give more than two weeks' holiday with pay will continue to give the same, if not more, vacation leave with pay as they have been giving in the past and not take advantage of this Bill which provides for only two weeks' holiday with pay. We know

what happened sometime ago when we attempted to fix a minimum price for canes; those who paid a little more for canes threatened that they would take advantage of the minimum price fixed by law and as a result nothing was done in the matter of fixing a price for canes. That is what we have to contend with in this island in matters of this sort—the mentality of the merchants and the planters. There is one thing, I hope, that will not be done in connection with this Bill and it is that no attempt will be made to confuse sick leave with holiday leave. I hope that we will not hear of any employer or employers whose employees became ill and were told that they could take their holiday at the time of their illness. I did not receive a copy of this Bill but I understand that it is the same as the last one. I hope that when we are in Committee we will leave no loophole whereby an employer could take advantage of the illness of his employee and give the vacation leave at the time of such illness. I repeat that the principle of the Bill is one with which no one could find absolutely any fault but I hope that there will be no loophole in it which an employer or employers will be able to get through.

Mr. WILKINSON: Mr. Speaker,—I think that last year when this Bill was discussed, the junior member for St. Lucy raised the same point. I wonder if the honourable member sleeps at night! He always seems to note the reverse side of human nature. I can assure the honourable member, Mr. Speaker, as I did on the last occasion, that those employers who have been in the habit of giving three weeks' holiday to their employees—and there is a great number of them who do—will continue to give three weeks' holiday in spite of the fact that legislation has been introduced to limit the period to two weeks. The honourable member need not have any fear on that point whatsoever and I believe that he honestly does not have any fear on it. Now, Sir, as regards this Bill, on the last occasion I said that we on this side of the House entirely agree to the principle of holidays with pay; a holiday without pay is no holiday at all; it is an imposition. But we feel that some of the clauses of the Bill may be ineffective and after reading the debate of the Other Place on it I would like the honourable member who introduces this Bill to allow us to carefully consider its clauses. This Bill meets the case of a person who is employed for a whole year and, as I have said, in many cases persons who are employed for a whole year get more than this Bill provides for. But the difficulty arises in the case of seasonal employment. I think it is clause 6 which provides that a person who is employed for a period of three months would get holiday with one-twenty sixth of his total remuneration during the period that he has been in employment. Now, Sir, does that clause really cover the situation properly? In my opinion we should refer this Bill to a Select Committee, not with the idea of blocking the passage of the Bill at all but with the idea of making it workable. We have heard the views on both sides of the House. This Bill would not be workable in its entirety, as far as agricultural workers are concerned and I think that we should examine that phase of the matter much more closely. We do not want to pass a Bill which would not be effective to all workers. It was suggested that domestic servants might suffer because there is a large number of homes—it was estimated that there are about 12,000 such homes—who employ one domestic servant for the simple reason that they cannot afford to employ any more and it is feared that those domestic servants may be dismissed rather than their employers be compelled to give them a fortnight's holiday with pay. Of course, where more than one servant is employed by

a family, the practice exists to-day of giving a fortnight's holiday with pay. I strictly think that domestic servants are most deserving of holiday with pay but I do not want to do anything that would cause the employment of a less number of domestic servants than are employed to-day; that is a further point which we have to carefully consider. I do not think we should rush this Bill through and not give that real assistance eventually to the workers which I know the senior member for St. Thomas wishes they should be given in this respect. I want to assure the honourable member that we want to do the right thing; we want to see everybody who is employed for a period of time get holiday with pay and it is for that reason that I am suggesting that this Bill be referred to a Select Committee. There is no law to the effect but there is an Agreement between the Barbados Workers' Union and the Sugar Producers' Federation that every worker who works for a number of days—I think it is 260 days a year—in Agriculture must have holiday with pay. It frequently happens that the crop season is of a short duration and it may be impossible, particularly in a dry year, for employers to employ these people out of the crop season. All that wants going into. We on this side are not opposing the Bill but we want to get it straight; we want to help the people whom the senior member for St. Thomas wants to help.

Mr. CRAWFORD enters the House and takes his seat.

Mr. MOTTLEY: Mr. Speaker, — On the last occasion when this honourable House dealt with this Bill I happened to be unfortunately absent. This Bill is one which both political Parties in this House pledged to give their support during their campaign for the last election and I take it that having pledged oneself to support a Bill of this nature one is morally bound to put that pledge into effect. Like my colleagues on this side of the table I am desirous of seeing this Bill become law. There is a number of persons in this Country to-day who realize that it is an honest thing to give persons employed annually a holiday but it is also true to say that there are still some people in this Country who are so shortsighted, who are so inhuman that they do not consider that a worker is as entitled to a certain amount of recreation as he is entitled to work for his living. There are still some people in this Country who feel that it is not necessary to give workers holiday and it seems to me that it is for that reason—because we still have some of those people existing in our midst—that we are compelled to pass this legislation. There could hardly be in this democratic age any decent-minded, any social-minded person who could say that a person after working for a whole year or for a period of a year should not have a holiday with pay. "Charity begins at home" and I take it that if not all, nearly every member of this House has actually put into practice what we are going to pass here to-day, that is, legislation to the effect that everybody who is employed must be given a holiday with pay. We are passing this legislation, principally for the benefit of those people who are unfortunate enough to be employed by persons who seem to think that they are still living in the 17th or 18th Century; nevertheless I am sure that every thinking member of this House having read the Bill must think and ponder carefully over it. While we in Barbados always have to follow big Countries, so to speak, as far as social legislation is concerned, I have always said from the floor of this House that whenever you are adopting legislation that is in operation in other Countries, it seems to me that the right thing always

to do is to take such legislation and go very carefully into it and make sure that you have your Bill so worded that the people who are likely to benefit from it in this island will really benefit. On the last occasion there seemed to have been little discussion—judging from the official debate which I have read—on the Bill; honourable members seemed to think that in its present form it would have been workable in Barbados. Well, Sir, as I have said I was not here at the time and since I have read the Bill I have tried to apply my knowledge of local conditions to its clauses and I think I can say that as far as I can see, it would be much better to have an Act to provide holidays with pay that could suit local conditions. The argument may be used that if any of us suggest to send this Bill to a Select Committee, the idea is to kill it. That may have been the idea behind the sending of Bills to Select Committees in years gone by but it is not so to-day. Surely every honourable member must appreciate that the idea of sending a Bill to a Select Committee is to hear the pros and cons and get the best possible advice in the matter. I say that for this reason: The Bill is drafted from legislation that is operating in some other Country; the members of the Government have discussed and approved of it. Surely no one in this Country would say that all the commonsense is to be found among the members of the Government or the legal luminaries who draft these Bills and that is why I say that matters of this sort should be discussed in Select Committee before they are dealt with by this House. For instance, Sir, this Bill provides that all workers should have annual holidays with pay. I am thinking first and foremost of domestic servants. If any type of worker in this colony should have annual holidays with pay, domestic servants should be considered first. I see some honourable members smile but if they have any knowledge at all about housekeeping they would appreciate that a domestic servant is actually the heart of a household. What is worrying me about this Bill, Sir, is this. As this Bill stands at present, the number of domestic servants whom we would like to see get the benefit of it will in truth and in fact be not getting the real benefit of this Bill. In this Country the great majority of the people who employ domestic servants are employees themselves and from my limited knowledge, these domestic servants who are so employed and are the majority of servants are not offered sufficient protection by this Bill. I had hoped that the honourable Leader of the House would have spoken on the matter and I am still waiting to hear him speak because his knowledge of how these things are worked in other Countries must be greater than that of any other honourable member of this House; so I hope that he will enlighten us on the question of giving domestic servants in other Countries holidays with pay. Now, Mr. Speaker, there is another type of worker in this island who will not benefit but who should benefit from this Bill. I refer to the artisan. I have read and re-read this Bill and I cannot for the life of me find where artisans—carpenters, masons, painters—who work for contractors or builders for periods varying from about seven weeks to a year are afforded any protection as far as giving them holidays with pay is concerned. Is it not also the wish of this House that persons of the artisan type should enjoy the right of holidays with pay? If this Bill is passed as it stands, unless I can be convinced to the contrary by those persons who know more about it than I do, I cannot see persons of the artisan type coming under it at all. I think every honourable member who has read Clause 6 of the Bill appreciates that point which I have made. I am suggesting that

just to take legislation as it operates in another Country and actually introduce it here without taking into consideration local conditions is not good enough. We should pass legislation which would benefit the great majority, if not all, of the people. Mr. Speaker, I think that a Bill of this sort is absolutely necessary. I feel that it is necessary and that is why I pledged myself to support it. There are a lot of honourable members who might say "Enact this legislation" but I am hoping that honourable members would appreciate that if they are enacting this legislation they would let it be as wide as possible. I cannot see how domestic servants such as those to whom I referred and artisans would benefit from this Bill unless it is gone into very carefully and certain amendments are made. People of affluence keep their servants for very long periods—sometimes for twenty years let alone three months—and such servants will benefit from this Bill but I cannot see how servants who work for persons for short periods will benefit. I come now to the agricultural labourer. I do not claim to have much experience in dealing with the agricultural labourer but I will say this: If you are attempting to pass legislation to provide for all workers holidays with pay I wonder if this is the best type of legislation to pass for the agricultural worker. I should prefer to see legislation enacted that would compel employers of agricultural labourers to give them, in a particular month of the year, a stipulated percentage of their income annually. It might not suit a lot of people; it might not suit some of my friends but I have always considered the agricultural labourers to be the backbone of this country. This Bill provides that every worker will get two weeks' holiday with pay. Let us be practical. In this Country there are agricultural workers who do task work; it is one of the few jobs, like rock-cutting and fishing, for which no recommendation is needed; their recommendation is their strength and their tools. This is legislation to compel an employer to give an agricultural labourer two weeks' holiday with pay when he himself takes whatever vacation he wants. I want to be practical. I would prefer legislation stating that as far as an agricultural labourer is concerned, if he works for a certain period of the year steadily with a plantation owner, that employer is compelled to give him a certain percentage of his wages at the end of the year; that in my opinion would be of greater benefit to him than two weeks' holiday with pay. I counsel honourable members to think about that. If you want to pass legislation to benefit the agricultural labourer, pass something that would really benefit him. I repeat that the agricultural labourer takes whatever vacation he likes. Let us pass something to give him a percentage of what he works for in a year, say, in the month of December. I repeat that the Party of which I am a member, pledged themselves in the last election campaign—it was in our manifesto—to support a Bill to provide holidays with pay and having pledged ourselves to support such a Bill I for one would like to see a Bill that would benefit also the three types of workers whom I have mentioned. Not one artisan would benefit from this Bill; from the way in which artisans work to-day I cannot see one of them benefiting from this Bill. I hope that although I have read every clause of this Bill as carefully as I could, the honourable Leader will convince me that there is no loophole in it. Before I sit down I should also like to draw to the attention of this honourable House a clause of this Bill which, I consider, should be amended if I stand alone of that opinion because I do not like to see legislation enacted which is merely a farce. As I have pointed out, there are thousands of persons in this island who employ domestic servants and who are them-

selves employees. You are asking such employers, by means of this Bill, to keep books in connection with the employment of their servants. I think it is the right thing for an employer of a number of servants to be compelled to keep books to furnish the Labour Commissioner with the necessary particulars but just imagine the wife of a policeman being asked to keep a book for this purpose and if she fails to do so being taken before a Police Magistrate and fined \$100! That convinces me that sufficient thought is not given to all the clauses of this Bill. Someone has suggested that the fine should be not exceeding \$100. In my opinion it should not be even not exceeding 100 cents. The majority of the people whom really and truly we would like to help by this Bill are really employed by other employees so to speak; unless the statistics of this Country are wrong, that is a fact. Clause 7 of the Bill provides that every employer shall keep such records of the remuneration, periods of employment and holidays of every employee employed by him as may be necessary for the purpose of enabling him to comply with the provisions of this Act. That requirement, I suggest, is correct, when you come to deal with business places who employ several persons. But, Mr. Speaker, this Bill is passed. Every member goes home and calls upon his wife to keep a book showing these particulars. Someone asks "Why not?" You know that it is not practical. I challenge the honourable member who asks "Why not?" to deny that fifty days after this Bill becomes law his wife or housekeeper would not be keeping any books for this purpose. Why then expose several people to a conviction in respect of something that you know that you yourself are not going to do? It is not practical. Therefore I hope, sir, that when honourable members come to that clause they would see to it that it is amended. Mr. Speaker, I repeat that this is a Bill which deserves the support of every human being. The principle of the Bill is supported by all of us but we should pass a Bill that would benefit the large majority of the workers in this island. It would appear that on the last occasion this Bill was passed without much comment, and on reflection, it is now being suggested by some honourable members that it be referred to a Select Committee of this House. A Select Committee would be able to take evidence from persons outside. We do not know everything about everybody in this Country. The present Government can claim that it represents the great majority of workers in this colony but although that is so, I still offer them as a challenge this: If to-day they pass this Bill stating that agricultural workers should be given holidays with pay I challenge them to say that it would not suit the agricultural workers better if they were given at the end of the year a percentage of their wages instead. I repeat that only the insane would consider that the agricultural workers are not the backbone of this Country. Who else could be the backbone of this Country but the agricultural labourers? They are the people who should benefit from legislation of this sort and I contend that they would benefit to a greater extent if you pass legislation which would entitle them to a percentage of their earnings at the end of the year. I have much pleasure in supporting this Bill. While I am on my feet let me say this: If anybody says that somebody is trying to get this Bill sent to a Select Committee with the idea of holding it up, I say that that is not true. Those of us who are members of the Select Committee appointed to consider and report on the Public Utilities Bill were only too willing to turn up and get the matter through—

Mr. SPEAKER: The honourable member is quite away from the subject-matter before us.

Mr. MOTTLEY: I appreciate the latitude which Your Honour has given me and I must apologize if it should appear that I am taking advantage of that latitude. But I was trying to make the point lest an honourable member on that side should attempt to quote the delay on the part of the Select Committee to report on the Public Utilities Bill as an instance of someone wanting to hold up the passing of this Bill by suggesting that it be sent to a Select Committee. Some of us on that Select Committee were only too willing to serve and always turned up when we were summoned to a meeting. Mr. Speaker, I am perfectly willing to be guided on parliamentary procedure but when it comes to the question of applying my knowledge and commonsense to matters, I shall apply them, regardless of the result. I have much pleasure, Sir, in supporting the principle of this Bill and I reserve the right, after hearing a person who is more acquainted with its working in other places than I am, to say whether it should be referred to a Select Committee.

Mr. ALLDER: Mr. Speaker,—I cannot see the reason for the senior member having those apprehensions which he has been expressing. He is making a mountain of a mole heap because Labour having become militant as it is I cannot see any member of this House not supporting the passing of this Bill whether he likes it or not. It should have been in existence many years ago. This Holidays with pay Bill is only—as I have been told—placing in Barbados a bit of social legislation which has already been put into effect in other Countries more advanced than we are. There is one point which I should like to make and it is as to how the Bill is going to be applied in regard to people in the various income groups. You may find that whilst people in the higher income group can give two weeks' holiday with pay the people in the lower brackets will not be able to do so. There are some employees who cannot be considered as getting very good incomes but who also have to employ domestic servants and who would be affected by this Bill. It calls for the exercise of a certain amount of discretion both by the employer and the employee. I am always fearful that any indiscretion may cause Labour to meet with a set back if they are not farsighted enough as to give and take. We have always fought for improved conditions for the workers and the time has come, Sir, when, due to the many criticisms which one bears in public about the worker not being willing to pull his weight, we have got to preach to them the fact that it is necessary, if their interests must be sustained, that they be discreet in their employment. I shall be willing to fight harder to bring about better social conditions if I were assured of the reasonableness of Labour in return. I do not want my statement to be misunderstood because I feel that if this situation is approached from a more discreet angle all sections of the community stand to benefit. As regards the point raised by the senior member for the City about paying a certain percentage of their wages to certain sections of Labour I feel that that matter could easily be handled by making it possible for a worker who has been employed for three months and upwards to be given an amount in proportion to his remuneration for the number of days or weeks or months that he has been employed. I feel that a point like that, if put into practice, would save much trouble. As regards asking a housewife to keep books in connection with the employment of her servant, that is also a small matter. A house-

wife, if she is the real type of housewife, already keeps books as regards her budget; so that the point which the senior member for the City made in that connection falls to the ground. I am sympathetic towards the agricultural workers. What I do feel, Sir, is that that section of labour is always difficult to organize, so that any benefit can be extended to them without much trouble. I have in mind not only the agricultural workers who are employed but also those thousands of agricultural workers who became incapacitated before the Workmen's Compensation Act was passed. There are many of them about the estate tenancies who cannot do any work at present, who have been forced to remain at home through heart failure or some other disease. I have met many of them who are suffering and who are unable to get any assistance from the local authorities in their parishes or the owners of estates on which they formerly worked; they are suffering without any means of existence; no particular quarter seems to think that it is responsible for taking care of them. I think that if we must advance as we are advancing, provision must be made to take care of these people of whom I have just spoken. Mr. Speaker, I am saying that due to the fact that this Bill was passed by this House sometime ago and was turned down by the Other Place I am hoping that when it does reach the Other Place again the honourable members of that Place will see the wisdom in doing an act of justice which, I feel, should have been done long ago.

Mr. WARD: I am going to support the principle of this Bill but, Sir, I feel that as the Bill stands now it does not cover everything that, we feel, it should cover. First of all, if we are going to do something to improve the social set-up we should pass laws which, we feel, would really benefit the community. It is no good taking an Act from one particular Country and applying it to this island where you know that conditions as they exist would not permit of the smooth working of that Act. At the present moment I cannot see how the passing of this Act would cover annual holidays with pay for all the individuals whom we are supposing to pass it to benefit. Now, Sir, what about the artisans? I feel that this Bill as it stands is useless, as far as the artisans are concerned because one knows that artisans are not regularly employed throughout the year. Clause 6 makes provision for a worker who has been employed for a minimum period of three months. Now, Sir, we know that an artisan may work at an individual for two and three weeks, then he goes and works at another individual for two or three weeks and so on. We know that the number of artisans in this island is four times as many as the island could support and if we bring them under this Bill it may mean that contractors will employ only certain men during a year and what then will become of the other artisans, who would be glad to work for two or three weeks only to get something to eat? We do not want to put people out of work and deprive them of bread. I feel that a Bill of this sort would be all right if we could get some of our people out of the island and have only as many as we are able to employ. I leave the artisans for the moment and come to the employees who employ people. We must remember that there are many persons in this island who employ people and who are themselves employees. We hear these employer-employees say all day that they cannot make ends meet because the standard of living is too high and that they want more wages and here you are by this Bill squeezing these persons who may be employing domestic servants. You are telling them that they must give servants two weeks' holiday with

pay and in all probability the servants might lose, as a result, their jobs which they would be glad to keep. There are many people in this island who employ servants, give them a few shillings and food and they are quite satisfied. All those things have to be taken into consideration and I think that we should carefully consider this Bill before we put it on the Statute Book. I feel that domestic servants are one of the groups that should be given holidays with pay because they are called upon to work even on Sundays and we know that they work for longer hours than other employees. Apart from that, some of them may have some private work to do at home and their holidays would give them the opportunity to remain at home for two weeks and help themselves. But to make it compulsory, as far as every domestic servant is concerned is, in my opinion, going a bit too far. When it comes to the agricultural worker I feel that he does not come under this Bill at all. As I have said on a previous occasion, the agricultural worker is in a precarious position. Everyone knows that he is the upkeep of the community and his position is growing worse everyday by not being able to get regular employment. If you bring the agricultural worker under this Bill, you are, in my opinion, doing him harm because if I were compelled, as an employer, to give agricultural workers holiday with pay I would employ only a certain number all through the year; instead of employing 50 I would employ 25. That is human nature. As far as the agricultural workers are concerned I prefer the suggestion of the senior member for the City to give them a bonus. I feel that at the end of the year if an agricultural worker worked for one day or two days or any number of days of that year he should be given a percentage, say 2 or 2½ per cent, of what he earned for the year and in so doing you may be doing him some good. An agricultural labourer may work for me for three weeks; he goes and works for another person for three weeks and I fail to see how he would come under the provisions of this Bill. If we are going to pass laws, let us pass laws that will be workable in the island. I understand that there are only two Countries in the world which have an Act like this. Because an Act of this sort operates in Canada, that is no reason why it should operate in Barbados; conditions in the two Countries are different. Canada is underpopulated, while Barbados is overpopulated and I do not see how we expect legislation that succeeds in that Country to succeed in a place like Barbados. To put something on the Statute Book which, we know, would hurt the majority of the people is simply trying to make them believe that we are doing something for them when we know that it will not be doing anything for them. I think that the Government being a Labour Government should feel that it is in the interest of the people to consider this Bill line by line and Clause by Clause, so as to eventually pass something that would be for the benefit of the people. As the Bill stands I do not feel that it is a Bill which would produce the results which we feel it should produce for the people.

Mr. DOWDING: Mr. Speaker, — There is no doubt whatsoever that everyone of us on this side of the table—in fact, everyone of us in this House—agrees to the principle of this Bill but whether a Bill of this sort is necessary under present conditions is another question. Existing in this island to-day we have Trade Unions—or I should say a Trade Union, (hear, hear), which has worked and done well, except in one phase and that, I make bold to say, is the reason why this Bill is before us to-day. That phase is that the Union has failed to secure a period of two weeks' holiday and has secured only a period of one week's holiday for the majority of the members of

its Union. We as members of this House, regardless of what Party to which we belong, should consider legislation from the point of view of every man, woman, and child in Barbados, not from the point of view of any particular group. And I personally am convinced that everything that this Bill seeks to obtain can be got by negotiation between employer and employee. On a previous occasion this Bill was passed by this House without much comment but I am suggesting that on this occasion it should be carefully considered from every angle. This Bill should be referred to a Select Committee who would hear the point of view of the Trade Union Officials on behalf of the workers as well as the point of view of the employers—the Chamber of Commerce and the Sugar Producers' Federation—with the view of trying to get on the Statute Book an Act that is workable rather than putting something on the Statute Book which would become somewhat similar to the Workmen's Compensation Act. The Bill has a number of points which, in my opinion, need clarification. Whether or not the qualifying period in Clause 6 is to be continuous employment I am not absolutely certain. According to my interpretation of the wording, it would be continuous employment and if that is the case I fail to see how, as other honourable members have said, this Bill can in any way help the agricultural labourer in the first place and the artisan in the second place. I have taken the trouble to discover from my books the days on which a woman or a man worked in a week for a number of weeks and if this Bill as it stands means that the employment must be continuous, then honourable members will see from these figures, taking the average number of days in two weeks in which the man or woman worked, that at no period whatsoever could either of these individuals have had 90 days' continuous employment. For instance, in the first week a woman worked 2 days; in the second, third and fourth weeks she worked 5 days each. In each of every four weeks there are breaks in her employment. In the fifth week, she worked 4 days; in the sixth, 5 days; in the seventh, 4 days; in the eighth, ninth, tenth, eleventh and twelfth weeks, 5 days each; in the thirteenth, fourteenth and fifteenth weeks, 4 days each; in the sixteenth, 2 days; in the seventeenth week, 6 days; in the eighteenth, nineteenth and twentieth weeks, 4 days each; in the twenty-first, 5 days; in the twenty-second and twenty-third weeks, 4 days each and in the twenty-fourth week, 3 days. In the case of the man, he worked during the first week for 4 days, during the second, 5 days; during the third, 4 days; during the fourth, 6 days; during the fifth, 5 days; during the sixth and seventh weeks, 2 days each; during the eighth, ninth, tenth, eleventh, twelfth and thirteenth weeks, 6 days each; during the fourteenth, 5 days; during the fifteenth, 4 days; during the sixteenth, 5 days; in the seventeenth, eighteenth and nineteenth weeks he did not work at all; in the twentieth, 4 days; in the twenty first, 6 days; in the twenty-second, 5 days; in the twenty-third and twenty-fourth weeks he did not work. So that it can be seen from these figures that these agricultural workers would not qualify under the provisions of Clause 6 of this Bill for holiday with pay, and I take it that Clause 6 was inserted particularly for the benefit of the agricultural labourer. I may be wrong but I deduce that from the period of three months which is the average period of the crop season. So I sincerely hope that that point will be carefully considered and that we will not be too hasty in our decision on this Bill. As has been explained by other honourable members, the case of the artisan, as far as this Bill is concerned, is somewhat similar.

While the agricultural labourer works according to how he feels, the artisan works according to the amount of work he can get to do. In some cases artisans are employed for periods of, say, 2 to 2½ months each but in the majority of cases they are not employed continuously for a period of three months. I agree with the senior member for St. Lucy who said that when one considers the amount of unemployment in this island, a Bill of this sort must be carefully studied. If this Bill becomes law, the owner of a plantation of 200 or 300 acres or whatever the average may be, instead of employing a large number of labourers seasonably, apart from the crop time when it is absolutely necessary to employ more people, he will pick out 10 or 15 or so of his best labourers and employ them for the whole year and in the majority of such cases much less satisfactory results would be obtained. Now, Sir, another thing which appears to me—

Mr. SPEAKER: I must apprise the honourable member that it is after 2 o'clock. Does the honourable member intend to speak much longer?

Mr. DOWDING: I am afraid so, Mr. Speaker.

Mr. SPEAKER: Then in that case I adjourn the House until 2.45 p.m. in accordance with the Rules.

SUSPENSION OF RULES 61(A) AND 61(B)

On re-assembling,

Mr. ADAMS: Mr. Speaker,— I beg to move that Rules 61 (a) and 61 (b) be now suspended so as to continue Government Business.

Dr. CUMMINS seconded the motion which was agreed to.

HOLIDAYS WITH PAY BILL, 1950

Mr. SPEAKER: On the adjournment, the hon. junior member for St. George was speaking on the motion for the second reading of a Bill to make provision for holidays with pay for employees.

Mr. DOWDING: Mr. Speaker,— When the House was adjourned I had pointed out that, in my opinion, many employers will, on account of this Bill, reduce the number of their transient employees and increase the small number of permanent employees; that, I feel, is a consideration which this House must carefully digest before finally passing this Bill. I again repeat that I am wholeheartedly in agreement with the principle of this Bill, and any criticism which I may offer is purely for the purpose of putting forward my views, looking at this Bill from the point of view of the public as a whole and not of any particular entity. If we study this Bill carefully, we will see that it will make null and void the present agreements between the Union and employers. Is the bringing forward of this Bill the right step to take? Would it not be better to cover permanent employees down to a certain category? We have to consider the overruling problem of unemployment; if we force people who employ one person whether it be in the home or in the shop or in whatever trade they may be carrying on, to do things which they cannot afford to do, we have to consider how many persons will be thrown out of employment. Even if we cover permanent employees down to a certain category, this Bill needs consideration. I say that this Bill might affect numbers of people and cause them to be unemployed. As I said at the beginning, this Bill should be put into operation by the Trade Union in agreement with employers, and I want those who are responsible for the Trade Union Movement in this Island to consider seriously whether are not taking a step which might be detrimental to the Trade Union Movement. As late as 1945 my former hon. colleague, Mr. H. W. Springer, submitted a Memorandum to Professor Shephard in connection with wages for

cane cutting, and in that Memorandum he made this statement: "The Union has no confidence in Ordinances as far as wages are concerned." I submit, Sir, that that is the best line which the Union could adopt, and that Clause 6 of this Bill is nothing more nor less than an agreement in so far as wages are concerned; it has nothing to do with holidays. I ask those who are responsible for bringing forward this Bill to study carefully the future developments of such a Bill. Under Clause 6 of this Bill an agricultural labourer will only be entitled to the amounts due to him after he has completed three months' employment; I should like to point out that there are agreements existing in this island between plantation owners and their employees—it is a rather traditional habit that at the end of the year an agricultural labourer is granted an amount of money, not according to the number of days on which he has worked, but according to the amount of money for which he has worked. Is there not a possibility of causing such persons to lose a certain amount of money by the passing of this Bill? Sir, I am of the opinion that there is such a possibility.

I have tried to cover extensively what I foresee in the future of this Bill, and finally, I shall reiterate a few of the points I have made. Firstly, although I think that this Bill is aimed at assisting the agricultural worker, I cannot see from the wording, any manner in which it can do so. Secondly, those people who are employed as artisans do not seem to me to be in any way covered by this Bill and thirdly, in view of the situation in this island as regards employment, would it not be better for the Union to make negotiations with employers? I would not suggest any way in which the negotiations should be made. I feel only too certain that those who are responsible in the Union are more than capable of making those negotiations. I again ask: Would it not be better for the Trade Union to make negotiations with the various employers concerned, thereby getting at a certain category where a Bill of this sort could be worked rather than have the Government putting this Bill on the Statute Book? Those are the main points which I have made, and I sincerely hope that I will hear a discussion on them.

Mr. GODDARD: One honourable member after another has said how thoroughly he is in agreement with the principle of this Bill; I am another member who is in agreement with that. The principle of this Bill is what we on this side of the House propounded at election time and we propound it again to-day. One of the main reasons why this Bill did not meet with the approval of the Other Place was because it was felt that the machinery available for the enforcement of the Bill was inadequate or it did not exist; it was felt that the provisions of the Bill would be adhered to primarily by those employers who today voluntarily give a holiday to their employees annually, but in respect of the vast number of employers who would have to conform to the provisions of the Bill and grant a holiday with pay to their employees, nothing would be done to see that they conform to that principle. I thought that in bringing forward this Bill again today, the Government would have paid some attention to that point so as to ensure an easy passage of the Bill if only on that ground. The Bill is identically the same one which was discussed during the last session.

In the "Objects and Reasons" it is stated that "at the International Labour Conference held in Paris in 1945 it was recommended that an annual holiday with pay should be granted to every worker. This

recommendation was adopted by the Conference Committee for Dependent Territories and maintained by vote in the plenary session of the Conference." For my information I would like to ask the Labour members who should be very familiar with this matter, how many countries have adopted that recommendation so far. Some people say that other colonies in the Caribbean have adopted that recommendation and I have been told that only two States—one in Canada and one in Australia—have seen their way to put such a provision on their Statute Books. I would like to know why other countries have not seen the wisdom of making such a Bill law. However, that is only by the way; that is not any argument against the Bill.

One honourable member suggested that some firms now give three or four weeks' holiday with pay annually to their employees and if this Bill is passed, there would be an encouragement given to those firms to reduce the amount of the holiday to two weeks. That honourable member has already been answered by the honourable junior member for St. James to the effect that those firms which now give three or four weeks' holiday to their employees will continue to give the same consideration to those employees when this Bill has been passed as they are giving to them now. There are many occasions when the length of holiday with pay varies, depending upon the circumstances. We have granted three or four weeks' holiday with pay to employees and if the employees have gone abroad, consideration is given to the fact that they may not get back here in time, or they will ask for an extension of the time and that is often granted. I am glad to say that many business houses in Bridgetown treat their employees very well indeed; I know of many business houses which also grant sick leave to their employees and some of them give free medical attention, let alone making loans and giving bonuses at the end of the year. Many concessions are given to employees, which go far beyond the mere granting of holidays with pay. I feel that this Bill falls short when it comes to casual employees particularly the agricultural workers and a Clause should be included in this Bill dealing specifically with these casual workers; if they work with any employer for 200 days they should be eligible for their holiday with pay. I do not think it is too late to put that provision in the Bill, and that strengthens the argument of the honourable junior member for St. James for the passing of the second reading of the Bill and referring it to a Select Committee so that employees in different categories can express their views on the Bill. If that is done I feel that we will be able to get a more workable Bill—one which we hope to see on the Statute Book in the near future.

Mr. GARNER: I believe that every honourable member is in favour of the principle of this Bill and I should say that I am very much in favour of it as well; but I have certain misgivings. I can well remember not so very long ago when I first became a member of this House, that we passed a certain piece of legislation which I have found out to be working to the detriment of a certain section of the community; and since then I have been very careful as to how I acquiesce in matters when my conscience does not support me. I have to speak my mind on this occasion because not only do I represent Labour but also all the inhabitants of Barbados. With regard to this Bill, the sentiment behind it is good; but the practicability of it is something else. Everybody wants people to have vacation leave with pay;

but to get an Act so working as to carry out our intention without disrupting society is another point. After all, legislation must be for everybody; it must not jeopardize one section of the community without jeopardizing the other section of the community. The Trade Unions of this colony have a lot to do with regard to the people whom they represent; they have to teach them a lot before they become proper unionists. People must become strong enough to do their work well. The employers will have to understand that they must pay adequately for the services which they want other human beings to give and we have to teach the workers to give an honest day's work for an honest day's pay. I am a matter-of-fact man. We cannot begin to work at the centre; when we talk about workers in Barbados we mean the Negro people. We have a race to build up and we have to build it up on sound lines, not on sentiment. This Bill is good in principle, but it is more sentimental than factual. Let us look at Clause 9; that Clause says that any employer who fails to do the things which are therein set out shall be guilty of an offence. This Clause does not differentiate; it includes everybody. Anybody who employs assistance comes within the category of an employer. There are a vast majority of people in this colony who employ one servant throughout the year; they have not got the means to employ anybody else. It is right that employees should have two weeks' holiday, but they get more than that perhaps, because of the goodwill between the parties. You cannot legislate for goodwill; the moment you legislate for certain things, unless you regiment, you are doing a bad job. You have to do like Russia; go the whole way or none. No half-way measures will do. If any officer of the law or any person feels that he has a grudge against another person who employs people, that person can be prosecuted. I know what I have suffered in respect of the Shops Act; there are measures which we cannot put on the Statute Book because that is done in other colonies; they must be justified by local conditions. We cannot put on the Statute Book measures which will penalise poor people. I counsel honourable members that while we have good intentions, we must not sit here and put on the Statute Book legislation which will endanger the happiness and goodwill of people. We put the Shops Act on the Statute Book and today people are suffering because of it. We must act as intelligent human beings; what is good for England or Canada is not always good for us. We have not got the resources which those countries have got and that is why I want a country where we can do what we want to do. At the present time we have not got either the tools or the conditions. I am willing to create a new set of people but we must create conditions for them. This Bill which we have before us is a laudable one, but I will not pass it with Clause 9 in it. If this Bill only affected the planters, factory owners and people like that, I would say: "Oh yes; let us hurry up and put it on the Statute Book." But when you come to the poor people, I say: "No, do not let us put on the Statute Book legislation which will not serve any useful purpose." You do not get every police officer who is reasonable; some police officers are very vindictive and you find the same thing in the higher brackets. While it is true that we have to force certain things down certain people's throats, yet we cannot forget the other group. I do not think that you should prosecute poor people; you have to take into consideration the poor woman who has to depend upon a girl to fetch her water, because under this Bill she will have to allow that girl to go off for two

weeks. I say, let us have a proper Bill before us. The Shops Act is quite all right for the big people but not for the small people. A group of shopkeepers came to me and asked me to get this Act amended. I raised the question here but up to now I have not heard anything about it. It is going to happen that Christmas will fall on a certain day and people will not be able to open their shops on the day before. (A MEMBER: That is happening this time). Well, I am a businessman and I will break the law. (Laughter). I am appealing to the Leader of the House; he understands my position and I understand his. As Leader of the Labour Movement in this colony, he must do something to justify his position; but this Bill is not what we would like. This Bill will penalise a certain section of the community and it is not right for us to pass it through sentiment because sentiment or emotion cannot make the law. You must adapt yourself to local conditions.

I think I have given this House the real essence of this case. I think that either this Bill should be referred to a Select Committee or something more practical should be brought down. I would like to see people get holidays with pay, but I will not pass this Bill with Clause 9 setting out the things that are set out therein. I cannot be in that at all; I came into this House to set captivity free. (Laughter). I want to help people but I want to help them in a tangible way; that is why I am so practical. I know that some of the members of the Labour Party have good intentions, but the sphere is so limited that we cannot get anything done: we must have more territory for our operations. Honourable members should see to that. We have a big problem before us; every now and then a piece of patch-work legislation comes before us and we forget the big issue. The destiny of a struggling people, a struggling race, is what we are dealing with today. I think I have said enough on this occasion; I have a lot more to say during this session.

Mr. CRAWFORD: This is the second occasion on which we are discussing this Bill and so far, there has been more or less complete unanimity as to the principle of the Bill although many honourable members see some difficulty with regard to its operation. From my own standpoint, I am inclined to the view that the Bill should not limit the number of weeks' holiday to which an employee is entitled. Under Clause 3 of the Bill an employee is entitled to an annual holiday of two weeks, but I would suggest that the Clause should read that an employee is entitled to an annual holiday of not less than two weeks; otherwise there may be employers who at present give their employees more than two weeks' holiday and who may be inclined to say that the law says that the employees are to be given only two weeks' holiday and they are giving two weeks' holiday. Furthermore, there are some employees who, by the length of the period of their employment with a particular employer, are entitled to more than two weeks' annual holiday. I suggest that in this Bill it should not be specifically stated that an employee shall be entitled to an annual holiday of two weeks, but rather that the employee shall be entitled to an annual holiday of not less than two weeks.

With regard to the question of employers being affected by the passing of this Bill, that may be a matter to which we should give a little further consideration. It is highly possible that in some instances a hardship might be created on employers. Generally speaking, employees in industrial establishments, agricultural enterprises, sugar plantations and so on, are entitled to their annual holiday with

pay. I know from my own experience how difficult, if not impossible, it has been in the past to get big employers of labour in this colony to agree to give holiday with pay to their employees; while it is easy to say that this provision should be established under a Trade Union Agreement and what not, it is much easier to say that than to get it done. Between 1946 and 1948 my colleagues and I negotiated on several occasions with the Sugar Producers' Federation with a view to obtaining for agricultural workers, two weeks' holiday with pay if they worked for a certain number of days at sugar plantations and, in the absence of legislation, excuses were advanced as to why that could not be done. In 1946 we were told that the matter would be considered in 1947, and then we were told that if there is granted an increase in the price of sugar in 1948, it would be done. Although there has been good acceptance of the Bill, I know that it will be absolutely impossible to get an Agreement put into force unless the principle is put into operation by the force of law. Therefore I am as anxious as anybody else to see legislation put on the Statute Book of the colony, which will compel employers in specified categories to give their employees annual holiday with pay.

The details of the Bill and some of the suggestions contained in the various Clauses of the Bill might be considered either in Committee of the whole House or by a Select Committee. The Bill is a fairly simple one, it is fairly short, and it may be possible in Committee to come to a decision which will be acceptable to all honourable members or to the majority of honourable members. The decision may be arrived at that the Bill will not work a hardship on employers when it is put into effect. If, on the other hand, it is felt that the Bill might be more appropriately considered if it is referred to a Select Committee, then no harm can be done by referring it to a Select Committee in the hope that there will evolve something which is practical and which will provide for the majority of workers in the colony, the benefit which the Bill seeks to confer. I have no hesitation in saying that none of us would want a Bill of this sort to work any hardship on any section of the community; but the primary aim of the Bill is to see that the establishments which can afford to provide this amenity for their employees are compelled to do so. If our experience has been that it is not easy to get this amenity provided without the law—and my experience has been equalled by that of other honourable members—then by all means let us pass the necessary legislation and provide adequate safeguards to ensure that no hardship is worked on people who should not be called upon to bear it, or who are not in a position to bear it.

Dr. CUMMINS: Apparently no other honourable member desires to speak on this Bill. I have the right of reply, but the honourable senior member for St. Joseph wants to make certain remarks in reply to certain criticisms which have been made, and I will give place to him.

Mr. ADAMS: I am speaking now in hope that every honourable member who intends to speak in connection with this Bill has spoken; because if a reply is wanted from the Government I cannot give it after I have sat down. If any other honourable member wishes to speak after me I can only speak again if the House will permit me to do so. I can see that the hon. senior member for St. Thomas took it for granted after the debate on the last occasion that honourable members knew exactly the Government's position and the reasons for bringing forward this Bill again. If he had not taken that for granted and

spoken more fully on this Bill, some of the things which have been said now could not have been said. I propose, Mr. Speaker, to speak first in a general way on what seems to have escaped the minds of some honourable members at some points in their addresses. If honourable members had borne in mind what the Bill is all about, some of the remarks which have been made could not have been made. The object of this Bill is to provide holidays with pay for all workers, and at this stage I will reply to the honourable senior member for Christ Church. It is not true that only two countries have ratified this Bill; I regret that I have not got my I.L.O. list of ratifications, but I should imagine that the metropolitan countries have ratified it and in some cases they have implemented it by legislation. In the case of dependent territories, the Bill might have been implemented only in part, but the United Kingdom has ratified it and it is up to the Colonies to pass the necessary legislation. At the International Labour Conference which was held in Paris in 1945 it was recommended that an annual holiday with pay should be granted to all workers in commercial and industrial undertakings; but in the case of agricultural workers who may be seasonally unemployed all countries are entitled to make some provision which would aid these workers along the same lines as having holidays with pay. In short, the Conference recommended that workers in commercial and industrial undertakings should have holidays with pay and made a distinction in the case of agricultural labourers who, it was said, should be brought up to that point. The actual portion of the Convention which draws the distinction between commercial and industrial undertakings and agricultural undertakings reads as follows:—

"As soon as practicable, provision shall be made entitling workers employed in industries and commercial undertakings to an annual holiday with pay of at least twelve working days, after one year of substantial, regular employment . . . it shall be the aim of policy to establish wherever practicable that workers employed in agricultural undertakings shall be entitled after one year of substantial, regular employment to an annual holiday with pay of at least twelve working days . . ."

I will use the argument of the honourable senior member for St. Philip. Every country has got to consider its own big problems, and we do find some differences in different countries; but all metropolitan countries have approved of the principle of this Bill and they have ratified it. When it comes to the dependent territories the ratification has been done in different ways. The United Kingdom itself has not got this Bill; there are only two countries which have applied it to all workers—Saskatchewan and New South Wales. There is no reason why we should follow the least rather than the greatest if we can draft legislation which is fair and which will help workers whom these Conventions are primarily intended to help. I am prepared to convince even the honourable senior member for St. Philip that this Bill can be passed without any modification. In the United Kingdom there are agreements made with Trade Unions, it is true, and there are some enabling Acts; a Bill is passed saying that some workers can be brought in, there is a Schedule and you add to that Schedule. That is how it is done in Jamaica; they start with shop assistants and in time they may add other people. Let me completely erase from the mind of the honourable senior member for St. Lucy that the Government has not worked on this Bill; the honourable junior member for St. James has said that he knew from his personal knowledge that the

Government has been working on this Bill for years, which is a fact. I have before me several Ordinances in respect of South American countries and several in respect of British colonies, and I must say that my respect for South American countries has gone up considerably since I looked at these Ordinances. Venezuela is one of the best friends of Barbados. Brazil has a Labour code covering all classes of possible relationship between employers and employees; Uruguay and Bolivia have ratified this Convention and have passed Bills providing for holidays with pay. It is remarkable that these countries have special Acts providing holidays with pay for workers. We are the only Labour Government in the British Colonies and that is the reason why no other dependent Colonies have applied this legislation to workers. We have studied carefully legislation in this respect in other countries; some places bring in certain categories of workers in a Schedule while others deal with them in full. Cuba has a Holidays with Pay Ordinance which has been amended on several occasions: that Ordinance deals specifically with intermittent labour. It says that a man is entitled to a proportionate part of his holiday in seasonal labour; if you have worked for six months instead of twelve months you get half a week instead of a week, and so on. It is really interesting to read some of these Ordinances and see the points which are covered; some of the Ordinances have gone so far as to cover anything that you can conceive happening. There is a section in some of these Acts which says that if a business is sold, the period which you have spent with the previous employer is reckoned as part of your year with the subsequent employer.

This Government has worked very hard and thoroughly, even since this Bill was thrown out by the Other Place, to see whether we should come back to the House with any portion of it modified. We have given consideration to that matter and we have come to the conclusion that the Bill should be brought back to the House as it was. We found some difficulty in respect of domestic servants, and, as in the case of workmen's compensation, we felt after careful consideration that domestic servants and agricultural workers should be brought in; they were left out in many countries because of the difficulty in dealing with them. Every country has to consider its own particular problems. The honourable junior member for St. James referred to seasonal workers; there are seasonal workers in the sugar industry, and that was the first great problem which we had to tackle. We have arrived at a method of providing a holiday with pay for these workers. Let me remind the House that this question of giving a holiday with pay is due to the principle that you should not make a man work for a whole year without a holiday when people throughout the world who can afford to do so, take a holiday during the year. Everybody takes a holiday of at least two weeks when the weather is too hot; even this House of Assembly used to take from two weeks extending to two months during the hot weather. You should apply the same thing to your employee as you apply to yourself; however, honourable members must see that that principle cannot apply to every employee, because the cane cutter has a working period of about three months. You therefore reach a stage where the only way in which you can carry out the principle is to deal with the pay. Unless you are going to regulate certain people by reason of the fact that their work is only seasonal, you must make some provision to bring them in, although the emphasis is on the pay rather than on the holiday. Cuba has made a specific provision with regard to seasonal employment and it covers this

position completely. I can see that the position might be made difficult for some people who have not worked for three months. The only virtue I can see in respect of a Trade Union dealing with this matter is that the Trade Union must deal with cases for which it is impossible to legislate.

With regard to the point raised by the honourable senior member for St. Philip about the girl fetching water from the standpipe, this Bill will not apply to her because she is not bringing water all the days of her life. She is just a casual worker, she does not make her living by fetching water. I take it that the honourable member was referring to the case of a girl fetching water to help somebody. (Mr. GARNER: That is a part of her duties). If the honourable member means that she is a domestic servant, I will deal with that matter separately. It is perfectly true that some middle class people will find it hard to allow the cook to go home for two weeks and employ somebody else. There are some people who do not allow their cooks to cross their houses on Sundays; they feel that they can cook their food themselves for that day. You have to pay for the awakening of the social conscience which is taking place in Barbados to-day; if, for instance, the baker who was getting starvation wages before, must get better wages now, the consumer has to pay for it and the middle class man has to pull his weight. The problem as regards domestic servants is the greatest one in the world for legislators and Trade Unions to deal with; their hours of work are such that you either have to be well off and employ them in shifts, or overwork them. A cook who has to remain on and wash and clean up after dinner has got a tough time; I see no insuperable difficulty in including domestic servants in this Bill.

With regard to artisans, it is obvious that there is no legislation in which you can cover every conceivable case. This Bill is intended primarily to cover people who are employed throughout the year; it will be the misfortune of a carpenter who will only be employed for two weeks here and for two weeks there, just as it will be the misfortune of a man to work with an employer for eleven months and then the employer goes bankrupt, so that the man cannot earn his holiday with pay. But the carpenter who has worked steadily from January to December will come under the Bill.

Now the honourable senior member for the City says that Clause 7 of the Bill is farcical; but what is there farcical about that Clause? Is it impossible for an employer to buy a rent book and write in it; "Gloria Jones entered my employ in January 1950." or whatever the date might be? The record required to be kept under this Bill is the same as any other record which is kept; there is no difficulty in entering the name of an employee and how much is paid her. In fact, I do not think I need press that point. The honourable junior member for St. George has, I think, been already answered by the honourable junior member for St. Philip. I must have said on the last occasion what caused me never to have anything more to do with bargaining as a Trade Unionist for holidays with pay for employees; there was the case of two Foundries. One Foundry gave a holiday of fourteen days and the other refused to give it; can you imagine anything more ridiculous than that? And Honourable Mr. R. Challenor influenced my decision in this regard. One employer who says he is reasonable could not see reason and say: "One Foundry has given holiday and we will give it too." If that type of employer is so hard, how much more

so will it be in the case of those who give no thought to their employees? As the honourable junior member for St. Philip has said, we have experienced difficulties and without legislation you cannot get anything done.

As regards the quotation by the honourable junior member for St. George of Mr. H. W. Springer there was an Act dealing with wages, and in that Act there was this farcical sentence: "Whenever the Governor shall deem the rate of pay to be unreasonably low, he shall appoint a Wages Board to fix it." That Act was repealed a few years ago. Mr. Springer would say that we have no faith in Ordinances as applied to wages, but that quotation does not apply here. You will get an agreement with the Sugar Producers' Federation for a 25% increase and a planter will come forward and say that he does not belong to that Federation and you cannot bind him to pay that increase. You have to bargain with an organized body and I do not think that the Sugar Producers' Federation will object to the passing of legislation which says that a Wage Agreement must have the force of law. The workers of this colony have to be taught less than those of any other West Indian colony; they have to be taught not to have any wild-cat strikes and so on. Human nature is so frail that for the sake of employers and workers, it is best to put on the Statute Book the law which will enforce conditions. The Union will deal with the man who says that he is nothing to do with the Federation.

I am now expressing a personal opinion. A judge has got to construe the law in accordance with the wishes of the Legislature as expressed in the English language, and having in mind what the Legislature must be deemed to have had in mind in passing the law. If the ordinary working week of a domestic servant is seven days, her three months is calculated on the same basis. If you are employed to work four days a week, you have worked for the week; and if you are employed to work five days a week you have worked for the week. I hope that if at any time anybody ever reads anything which I say here, he will bring it to me for the good of my own soul and prove that I was not serious. I have never made utterances which were not seriously made, or expressed views which are not according to the best of my ability and judgment. If you put in the word "regular," lawyers will argue as to what is regular and what is not regular employment. I am expressing a personal view as if I were a judge considering the matter. In the case of a cane cutter, when his period of three months is up he would be entitled to holiday pay—his average pay for the period of his employment. Casual employment might be two or three days a week. In the case of a general agricultural labourer, if he gets work during the crop season and throughout the year, he is entitled to his two weeks' holiday. Whatever is a person's normal working week will be deemed to be a week. It might be necessary in the early days for somebody to fight out in the Court what is meant by employment for a year; but my interpretation is that you cannot say that everybody's working week is the same, because, in fact, it is not the same. It might be necessary to put in witnesses to say what the custom is as regards, domestic servants, bakers, agricultural labourers and so on. I see no difficulty in the working of this Act because similar Acts applicable to different categories of workers are in use in other parts of the British Empire. What the honourable junior member for St. Philip has said about Martinique is perfectly right; there a month's holiday is the limit and an extra week is given for every five years. In Bolivia the maximum holiday is also

a month. As regards using the words "an annual holiday of not less than two weeks" in this Bill, I would not have any objection to that. If you say that the maximum price of fish is six cents a pound, that does not prevent a fisherman from selling it at five cents a pound; and if we say that a man must be given two weeks' holiday his employer would not be breaking the law if he gave him fifteen days' holiday or if he gave him three or six weeks' holiday.

The honourable senior member for St. Philip saw difficulties which are not here. I should like to call attention to the proviso in Sub-clause (4). It says: "Provided that the giving and taking of the whole or any separate period of such holiday may, with the consent in writing of the Labour Commissioner, be postponed for a period to be specified by him in any case where he is of opinion that circumstances render such postponement necessary or desirable." If an employer can satisfy the Labour Commissioner that it would be inconvenient for his business if he were to give an employee a holiday for a particular period, he can put it off for another period. That provision has been made so as to cover cases of hardship.

I appeal to honourable members not to think of pressing for this Bill to be referred to a Select Committee. Those who see difficulties in this Bill may not have been able to give the same attention to the matter as I have given. I did not have the slightest doubt that the members of the Electors' Association approved of the principle of this Bill, but they are not doing their case any good if they say that this matter should be worked out through the Trade Union, because that is saying that they do not approve of the Bill. However, I am not quarrelling even with the honourable junior member for St. George. On a close examination of this Bill and bearing in mind that there is similar legislation obtaining in other parts of the world, difficulties do not exist. If an employer is kind to his employees, nothing we can do here will interfere with that. If you have a cook or a chauffeur who serves you well, because the members of this House say that you must give her or him two weeks' holiday, are you going to forget how valuable that servant is to you and say that you are not giving any privileges because the House of Assembly is dictating to you what you should do? When some honourable members pay a compliment to the Other Place with regard to the lack of machinery, what machinery do we need? The staff of the Labour Department is bound to be increased. If you treat your servant badly and do not give her a holiday, she will take care to be able to prove it; all her friends will know about it and they will go into the Court and give evidence.

I am sorry that I have spoken at such length, but I thought it necessary to explain away those difficulties which seem to have arisen in the minds of honourable members. I suggest to honourable members that any amendment which they think necessary can be made when the House goes into Committee on this Bill. I do not think that this Bill should be referred to a Select Committee when, on the last occasion, every member of the Opposition who spoke did so as if he was fathering the Bill. Imagine our saying now: "We acted hastily the other day; it is true that this was our electoral manifesto, we told the people that we were in favour of holidays with pay and we passed the Bill without a dissentient voice; but let us go to a Select Committee today." That is farcical and I hope that honourable members will not subscribe to it. I thank honourable members for their patience in listening to me and if there is any

point on which I can help them when we go into Committee on the Bill, I will do so.

The question that this Bill be now read a second time was put and resolved in the affirmative without division.

Dr. CUMMINS: I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Bill.

Mr. ADAMS: I beg to second that.

Mr. WILKINSON: I beg to move that this Bill be referred to a Select Committee. The honourable senior member for St. Joseph has made us a long address to which I have listened very carefully. He says he believes that every member sitting around this Table is in favour of the principle of this Bill. It is correct to say that members on this side of the Table agreed to this Bill 15 months ago, but since then, in spite of what the honourable member has said, we have had the opportunity of speaking about this Bill to people, particularly labourers, and I again say that we are in favour of this Bill. We have voted unanimously for the second reading of the Bill and I feel that if this Bill is referred to a Select Committee some of the Clauses can be improved upon. That is my only object in moving that the Bill be referred to a Select Committee.

Mr. WARD: I beg to second that. Speaking for myself, I would like the honourable Leader of the House to believe that I am definitely in favour of the Bill, but I think that if the Bill is referred to a Select Committee certain points can be cleared up and the Bill will be made to work more easily than it will work at the present moment. The Select Committee will not try to hold up the Bill after all honourable members have agreed to the principle of it; the Committee will only clarify certain points and make the Bill more workable for the benefit of people. I cannot see why the honourable senior member for St. Joseph cannot be reasonable enough to allow this Bill to be referred to a Select Committee. I repeat that we only want to see if we can make certain Clauses work more easily for the benefit of the people.

Mr. MOTTLEY: I support the motion for referring this Bill to a Select Committee. Like the honourable junior member for St. James, I say we have shown our support of the Bill in voting unanimously for the second reading; but the honourable senior member for St. Joseph should learn to appreciate that whenever you are passing legislation which in itself is a new departure, the members of the Opposition should be given the opportunity to give their points of view in connection with it. The honourable member has said that he has had more opportunity of going into other similar Bills which exist in other countries than any member of the Opposition has had. From the time when I first became a member of this House, I pledged myself that I should understand everything that I pass. We have not seen any copies of other similar Bills so that we could consider them. In some cases I consider the things which the honourable member has said as only jokes. I think that we should have a perfectly workable Bill. Speaking for myself, what else would I support but holidays with pay? I cannot imagine that any honourable member of this House would deny himself the right of saying that a Bill of this sort should be passed by this House; the Other Place unwisely threw out the Bill on last occasion rather than make amendments to it, but such a Bill must be passed. I say that the members of the Opposition should be given every opportunity to compare this Bill with similar legislation which exists, more especially since it is a Bill which has not yet been passed in all other colonies.

We can lead the West Indies, but the honourable senior member for St. Joseph has said that he has had more opportunity to look at the various Bills and make comparisons; and are we to be denied the opportunity of seeing how well we can pool our resources together and get a properly working Bill?

Mr. ADAMS: I do not suggest that honourable members want to hold up this Bill by referring it to a Select Committee; I should like to remind honourable members that illness and accidents take place and meetings of Select Committees can be adjourned. That is the chief reason why I am fortifying my position.

Mr. GARNER: The honourable member has not said anything to convince me. I am voting for this Bill being referred to a Select Committee because, as it stands, it will work a hardship on certain householders in this colony. The honourable member has not said anything to convince me that what I have said is not right.

Mr. CRAWFORD: This Bill is not a technical one and I believe that we can offer proper amendments to it when the House goes into Committee on it. Candidly, my opinion is that this Bill as it stands will not at all assist the majority of agricultural workers to get holidays with pay. I take it that we are in favour of guaranteeing that the largest labour force in the colony be entitled to the provisions of this Bill; but as the Bill stands, seven-eighths of the agricultural workers will not get any holidays with pay. To ensure that agricultural workers benefit under this Bill, some qualifying period such as if they work 200 days a year or 50 days for the three months mentioned in the Bill, should be stipulated. To believe that this Bill as it stands at present will include these agricultural workers is to live in a paradise in which people who are rational should not be content to live. I suggest that if honourable members are of the opinion that agricultural workers should be included in this Bill, some material amendment must be offered to Clause 6 to make allowance for the workers' sickness during the qualifying period, for their inability to attend work or for the inability of the employers to offer employment during the qualifying period.

Mr. BRANCKER: I find it impossible to be convinced that this Bill should be referred to a Select Committee. Let us refer to the history of this Bill; a year ago the Bill was passed by this Chamber and honourable members considered it with the care with which they consider all matters. The Bill went before the Other Chamber and it was the subject of much discussion there. This is the second occasion on which our minds have been focussed on this Bill; an honourable member says that nobody has studied it but he is obviously referring to himself. I do not see any benefit which we can obtain by referring this Bill to a Select Committee; we have had it before us for so long that I do not see the necessity for doing that. The Bill is not perfect or complete; there are amendments to be made in the interest of the workers whom it seeks to assist and these amendments can be made when we go into Committee on the Bill. I am supporting the motion that the House go into Committee on this Bill so that we can make our amendments and try to make the Bill as foolproof as we possibly can. Unlike some people, I am realistic; I can sleep at night having a clear conscience. But how some of my friends, planters and so on, manage to sleep at night, I do not know. What the honourable junior member for St. George said about many employers reducing the number of their transient employees on account of this Bill only shows you the type of people

with whom you have to deal. I prefer to be realistic rather than being like the honourable junior member for St. James who feels that God is in Heaven, everything is all right and we are living in Utopia.

The question that this Bill be referred to a Select Committee was put and resolved in the negative, the following division being taken:—

Ayes: MESSRS. GARNER, MOTTLEY, DOWDING, GILL, GODDARD, WILKINSON and WARD—7.

Noes: MESSRS. SMITH, FOSTER, ALLDER, MILLER, MAPP, LEWIS, BRYAN, ADAMS, CRAWFORD, BRANCKER and Dr. CUMMINS—11.

The question that His Honour do now leave the Chair and the House go into Committee on the Bill was put and resolved in the affirmative without division.

Mr. SPEAKER left the Chair, and the House went into Committee on the Bill, Mr. SMITH being in the Chair.

Clauses 1 and 2 were read and passed.

Clause 3 was read.

Dr. CUMMINS: Mr. Chairman,—Sub-clause (2) reads: "The annual holiday shall be given and taken in two consecutive periods, if the employer and employee so agree, in two periods of one week each and not otherwise." I am asking leave to amend that Sub-clause by inserting the word "or" after the word "periods" occurring in line 2.

There being no objection, leave was granted the honourable member.

Dr. CUMMINS: I beg to move that Clause 3 as amended stand part of the Bill.

Mr. ADAMS: I beg to second that.

Mr. CRAWFORD: Sub-clause (1) reads: "Every employee shall at the end of each year of his employment be entitled to an annual holiday of two weeks." I beg to move that this Sub-clause be amended by inserting the words "at least" after the word "of" occurring in line 3.

Dr. CUMMINS: I accept that amendment.

Mr. CRAWFORD: I beg to move that this Sub-clause be further amended by the addition of the words "for the first five years of service and an extra week's holiday for each five consecutive years of service provided that the maximum holiday shall not exceed one month." It is my personal opinion that the position should be as I have suggested; but if the honourable introducer of the Bill does not regard it appropriate to make such an amendment at this stage, I am not prepared to press it.

Dr. CUMMINS: I accepted the first amendment but I am afraid I cannot accept the other amendment. While we agree with that amendment in principle we have to consider the effect which it will have on the whole Bill; but we will bear that amendment in mind.

Mr. BRANCKER: I do not appreciate the proviso which limits the period of holiday to a month. You give an extra week for every five years of service and then the maximum holiday is only a month. However, the question which I raised in my remarks on the second reading of the Bill might well be considered now. There are some good employers in Barbados; the honourable junior member for St. James, like myself, is giving his employees holidays with pay but we have to consider other employers. There are those who give their employees more than two weeks' holiday now and we do not want them to have the chance of saying to their employees: "We were giving you three weeks' holiday before, but since the Legislature has provided for a holiday of two weeks, we will give you a holiday of two weeks and you can thank your representatives in the House for that." That is quite liable to happen in certain cases:

if it happens to the minority, then we will have done harm to the minority. I beg to move that the following proviso be added to this Sub-clause:—

“Provided that in no case shall an employee who before the passing of this Act has been in receipt of an annual holiday exceeding two weeks with pay be entitled to a shorter annual holiday with pay than such employee has received during the twelve months immediately preceding the passing of this Act.”

The purpose of that proviso is to ensure that in every case where an employee has been granted more than two weeks' holiday in the past, he shall not receive a shorter period of holiday on the passing of this Act than he received before the enactment of this legislation.

Mr. CRAWFORD: I beg to second that.

Mr. LEWIS: I appeal to the honourable junior member for St. Lucy not to press that amendment; I do not think we have had any instance in which what the honourable member has mentioned has taken place. As legislators we should not attempt beforehand to take action in respect of something which we think employers will do. We have passed the Shop Closing Act and no employer has taken the opportunity to open his business for longer hours than he did before the passing of that Act. If an employer has not broken faith with the provisions of that Act, at this period when we feel that a certain amount of co-operation is necessary for the working of this Act which will give relief to people who have not had it for years and years, I think it would have come with good grace from us if this amendment had never been mentioned at all; and it would come with better grace if we were to forget the amendment at this point and ask the honourable member to withdraw it. The honourable member's fears should have been the same in respect of the Shop Closing Act. It is merely the speech made by the honourable junior member for St. James that has caused the honourable member to move this amendment. I feel that we should give people credit for something and if they let us down and we have proof of it, then it is time enough for us to do a thing of this sort. There might be many snags in this Bill, but we should let the employers see that we are giving them credit for a certain amount of decency. I am not saying that we should not pass this Bill at all; if the appeal I am making will fall on deaf ears, it is entirely a matter for honourable members. No such amendment was moved on the previous occasion; I say that we should let the employers see that we expect a certain amount of decency from them rather than introduce an amendment of this nature. We have to expect a certain amount of decency on behalf of the people for whom we legislate.

Mr. BRANCKER: I must congratulate the employers who have found a champion in the honourable member who has just sat down. Long before the honourable junior member for St. James made his speech I had expressed the view which is put into effect in the proviso which I have proposed now that we are in Committee on the Bill. If the honourable junior member for the City had been following with care what was taking place he would have remembered that I made my remarks before the honourable junior member for St. James made his. If we are dealing with just, honest and fair-minded employers, obviously the passing of legislation would not be necessary at all; but we realise the necessity for legislation and we have decided in voting for the second reading of this Bill to provide for cases where employers are not just, honest or reasonable. That is why we are dealing with this Bill. I understood the honourable mem-

ber to say that we passed the Act some time ago and employers did not reduce the period of holiday which they give to two weeks; but we only passed the Bill which would only become law when it received the assent of the Representative of His Majesty the King. That is what the honourable member has overlooked. I feel it is right for us in this Chamber to let employers know that we realise what some of them might be about, and we should make provision against it.

Mr. LEWIS: I referred to an Act like the Shop Closing Act which is on the Statute Book, and I do not see why the honourable member did not make a similar amendment there. Decency will always find a champion in me and I felt that I was speaking on behalf of an employer like the honourable member who says he gives his employees holidays with pay. I hope the honourable member will keep his employees long enough to give them holidays with pay and not dismiss them before they reach the point where they are eligible for such a benefit. I feel that we should do what is decent and expect decency from the people for whom we are legislating.

The question that the words proposed to be added stand part of the Bill was put and resolved in the negative, the following division being taken:—

Ayes: Messrs CRAWFORD and BRANCKER—2.

Noes: Dr. CUMMINS, Messrs. FOSTER, ALLDER, MILLER, MAPP, LEWIS, BRYAN, ADAMS, MOTTLEY, GILL, GODDARD, WILKINSON and WARD—13.

The question that Clause 3 as amended stand part of the Bill was put and resolved in the affirmative without division.

Clauses 4 and 5 were read and passed.

Clause 6 was read as follows:—

6. Where the employment of any employee is terminated at any time after the expiration of three months from the date of the commencement of such employment, the employer shall forthwith pay to the employee, in addition to all other amounts due to him, his average pay for the period of his employment with such employer:

Provided that if the employee has at any time taken an annual holiday under this Act, the employer shall be deemed to have complied with the provisions of this section if he pays forthwith to the employee, in addition to all other amounts due to him, his average pay for the period of his employment between the date on which he became entitled to his last annual holiday and the date of the termination of his employment.

Dr. CUMMINS: I beg to move that Clause 6 stand part of the Bill.

Mr. ADAMS: I beg to second that.

Mr. CRAWFORD: We are told that this Clause is the one under which agricultural workers will benefit. I would like to point out to the honourable member in charge of the Bill that agricultural workers are not employed either by the week or by the month, and during some weeks they do not work at all. I suggest that if this Clause is to apply to these workers there should be stated more precisely what is the qualifying period of working days out of the three months mentioned in this Clause. It is all very well and good to argue that four days a week is an average working week for an agricultural worker, and that any judge sitting in a Court of Law would decide that if an agricultural worker works for four days a week for thirteen weeks he has worked for three months. I must confess that I would prefer to wait and see a judge decide that. We have to bear in mind the conditions under which agricultural workers are employed; during some weeks they may

not work at all and their employer may not be able to offer them any employment during a particular period. During some weeks they may work for only one day a week, they may not feel like doing any work during some weeks and if after working for ten weeks a worker is ill, his period of three months ends at ten weeks and then he will have to start another three months' period before he is entitled to the proportion of his pay. This is not a matter with which you can deal off-hand; it might have to be dealt with by means of a schedule. What we have to set out is a qualifying period for one, two or three types of workers; but whatever is eventually decided upon, I want to say that there is bound to be dissatisfaction in the country because sugar workers will be misled into believing that they will benefit under this Bill. I cannot see one-eighth of the agricultural workers in this colony benefiting from this Bill; employees like grooms and one or two other employees at plantations might qualify for this annual holiday because they work from week to week, but in respect of agricultural workers it is futile to believe that they are included in this Bill. This Clause needs very careful consideration; it is the only Clause under which agricultural workers can claim any benefit, but as it stands now, I would have to see a judge in a Court of Law rule that these workers are entitled to benefit under this Bill before I am convinced that they are entitled to do so. These workers are not employed by the month and we are simply cherishing a vain hope if we believe that they are included in this Bill. I beg to move that the further consideration of this Clause be postponed.

Mr. BRANCKER: I beg to second that.

Dr. CUMMINS: In connection with that motion I really cannot see the honourable members' claim that agricultural workers will not benefit from this Bill. We know that during the crop season the bulk of agricultural workers are employed and in some cases they are employed for as long as five months. We know that there are a few of these workers who are employed from day to day and from week to week, all depending upon the rainfall, but every agricultural worker will benefit from this Bill.

Mr. CRAWFORD: Those of us who know Barbados could not make that statement. There are very few cane cutters who work for three months at the same place during the crop season. Cane cutters will break a week either to reap his own canes or to

reap some peasant's canes. There are very few cane cutters, even those who belong to particular plantations, who work for three months steadily at those plantations during the crop season; they go from one plantation to another. As a matter of fact, to suggest that the average cane cutter is going to work for three months at one place is merely a dream; when the canes begin to get light at one place he will go to another place where there are better canes. I am absolutely convinced that the only way that these workers will benefit under this Bill is if there is specifically stated in the Bill the number of working days out of the three months, which will qualify them for this benefit. A qualifying period of 50, 60 or 70 days as the case may be, should be stated, the worker being employed for that period at one place. The honourable member in charge of this Bill will find when the Bill is in operation that what I have said is definitely the case and that very few agricultural workers will benefit under the Bill.

The question that the further consideration of this Clause be postponed was put and resolved in the negative, the Committee dividing as follows:—

Ayes: Messrs. CRAWFORD, BRANCKER and GILL—3.

Noes: Dr. CUMMINS, Messrs. FOSTER, ALLDEE, MILLER, MAPP, LEWIS, BRYAN, ADAMS, GODDARD, MOTTLEY, WILKINSON and WARD—12.

The question that Clause 6 stand part of the Bill was put and resolved in the affirmative without division.

The remaining three Clauses of the Bill were read and passed.

On the motion of Dr. CUMMINS, seconded by Mr. ADAMS, the CHAIRMAN reported the passing of the Bill in Committee with amendments.

Mr. SPEAKER resumed the Chair and reported accordingly.

On motions of Dr. CUMMINS, seconded by Mr. ADAMS in each case, the Bill was read a third time and passed.

THE ADJOURNMENT

Mr. ADAMS: I beg to move that this House do now adjourn to this day week, the 21st day of November, 1950, at 3 o'clock, p.m.

Dr. CUMMINS seconded the motion which was agreed to, and Mr. SPEAKER adjourned the House accordingly.