

EMPLOYMENT

Agreement Between the
UNITED STATES OF AMERICA
and GRENADA .

Effected by Exchange of Notes
Dated at St. George's September 14
and 15, 1987



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89-497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

“ . . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

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GRENADA

Employment

*Agreement effected by exchange of notes
Dated at St. George's September 14 and 15, 1987;
Entered into force September 15, 1987.*

(1)

TIAS 11539

*The American Embassy to the Ministry of External Affairs of
Grenada*

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 53

The Embassy of the United States of America presents its compliments to the Ministry of External Affairs of the Government of Grenada, and has the honor to propose that on a reciprocal basis, dependents of employees of the United States Government assigned to official duty in Grenada and dependents of employees of the Grenadian Government assigned to official duty in the United States be authorized to be employed in the receiving country.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of Grenada in Washington to the Office of Protocol in the Department of State. Upon verification that the person is a dependent of an official employee of the Grenadian Government, the Grenadian Government will be informed by the Office of Protocol that the dependent has permission to accept employment.

In the case of dependents who seek employment in Grenada, the request shall be made by the United States Embassy in Grenada to the Grenadian Ministry of External Affairs, which, after verification, shall then inform the United States Embassy that the dependent may accept employment.

As to dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving country in accordance with Article 31 of the Vienna Convention on Diplomatic Relations or in accordance with the Convention of the Privileges and Immunities of the United Nations¹ or any other applicable international agreement, immunity from civil and administrative jurisdiction with respect to all matters arising out of such employment is hereby irrevocably waived by the sending state concerned. Such dependents are also liable for payment of income and social security taxes on any remuneration received as result of employment in the receiving state.

The Embassy of the United States further proposes that, if these understandings are acceptable to the Government of Grenada, this note and the Government of Grenada's reply concurring therein shall constitute an agreement between our

¹ TIAS 7502, 6900; 23 UST 3227; 21 UST 1418.

two Governments which shall enter into force on the date of that reply Note and shall remain in force until ninety days after the date of the written notification from either Government to the other of intention to terminate.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Government of Grenada the assurances of its highest consideration.

Enclosures

St. George's, September 14, 1987

TIAS 11539

ADDENDUM

For the purposes of this agreement, "dependents" shall include:

Spouses;

Unmarried dependent children under 21 years of age;

Unmarried dependent children under 25 years of age who are in full-time attendance as students at a post-secondary educational institution;

Unmarried children who are physically or mentally disabled.

*The Ministry of External Affairs of Grenada to the American
Embassy*

Ref. No. EA 197/5/1
In replying the above
Number and date of this
letter should be quoted.

MINISTRY OF EXTERNAL
AFFAIRS,
BOTANICAL GARDENS,
TANTEEN,
ST. GEORGE'S,
GRENADA,

NOTE NO: 353/87

The Ministry of External Affairs of Grenada presents its compliments to the Embassy of the United States of America in St. George's, and has the honour to refer to the latter's Note No. 53 dated September 14, 1987 which reads as follows:

[For text of the U.S. note, see pp. 2-4.]

The Ministry of External Affairs is pleased to confirm that the Government of Grenada is in agreement with the provisions detailed in the said Note, and that the Note and this reply shall constitute an agreement between the two Governments.

The Ministry of External Affairs avails itself of this occasion to renew to the Embassy of the United States of America the assurances of its highest consideration.

St. George's, September 15, 1987

TIAS 11539

Effect of Agreement

This bilateral work agreement between the United States and Grenada establishes for the first time simplified and quick procedures for use by official dependents of either government in obtaining permission to work in the receiving country. It is anticipated that this agreement will expand the employment opportunities of United States Government dependents assigned to official duty in Grenada.

Legal Authority

Section 401(a) of P.L. 95-426 (92 Stat. 977); Constitution Article II Section 1 (foreign relations power) and Section 3; (receiving ambassadors); and Section 4 of the Diplomatic Relations Act of 1978 (22 U.S.C.A. 254c).

STATEMENT REGARDING
U.S.-GRENADA AGREEMENT
RELATING TO THE EMPLOYMENT OF DEPENDENTS
OF GOVERNMENT EMPLOYEES,
EFFECTED BY EXCHANGE OF NOTES AT
ST. GEORGE'S, GRENADA,
SEPTEMBER 15, 1987

Explanation of Agreement

The exchange of notes between the Government of Grenada and the United States Embassy in St. George's on September 15, 1987, established an arrangement relating to the employment of dependents of employees of either government assigned to the other country. This arrangement, which became effective on September 15, 1987, provides that the spouses and unmarried dependent children of Grenadian government employees assigned to official duty in the United States will be granted permission to work by the Office of the Chief of Protocol in the Department of State. Likewise, the dependents of United States Government employees assigned to Grenada shall be authorized to accept employment in Grenada upon request by the Embassy of the United States in St. George's to the Ministry of Foreign Affairs. The agreement further states that immunity from civil and administrative jurisdiction with respect to all matters arising out of such dependent employment shall be waived by the sending State concerned. Such dependents are also responsible for payment of income tax and social security contributions on any remuneration received as a result of employment in the receiving State.

Background Information on Negotiations

In recent years the desire of Foreign Service dependents to be employed has resulted in a growing tendency for Foreign Service employees to choose Washington over overseas assignments, and has effected morale at posts abroad. Section 401(a) of the Foreign Relations Authorization Act of 1979 called for agreements to "Facilitate the employment of family members of U.S. Government personnel assigned abroad" INS Regulations were amended to achieve this end, but the resulting procedures proved cumbersome and ineffective.

This agreement establishes the Grenadian position on reciprocal dependent employment and offers for the first time work reciprocity on the part of the United States Government to all Grenadian government dependents, without restriction as to type of employment.