

Guyana

Worker Classifications

Guyana distinguishes several categories of laborers such as those that work in hotels, night clubs, restaurants, shops, bakeries, and households. Alternative regulations apply to such individuals, which are not described here.

Fixed Term Contracts

Fixed-term contracts are permitted by law with no limits on minimums or maximums. However, they should not be renewed repeatedly or they risk being deemed indefinite/permanent.

Probationary Periods

A three-month probationary period is required by law. During the probationary period, either party may terminate an employment relationship without notice.

Holidays

In Guyana, Workers recognize 13 paid public holidays. All hours worked on a public holiday are payable at 200%.

Vacation

Workers are entitled to paid annual leave depending upon their pay cadence: weekly, fortnightly, and monthly paid Workers receive one day for every completed month of service; daily paid Workers receive one day for every 20 days worked; hourly Workers receive one day for every 160 hours worked. Accrued but unused leave is payable at the end of the employment relationship.

Sick Leave

Workers are not entitled to paid sick leave by law but may be by collective or party agreement. Eligible Workers are entitled to paid sick time from the National Insurance Scheme after three days or injury or illness upon presentation of a medical certificate. Collective or party agreements may impose payment obligations such as making up for a shortfall.

Working Hours

The standard Guyanese workweek is 40 hours over not more than 5 days. Exact working hours are prescribed by the Minister of Labor for certain occupations. When not prescribed, they are determined by the party's agreement or a collective agreement.

Overtime

All hours worked in excess of the standard workweek or agreed hours are payable at 150%.

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Mandatory Bonuses

There are no mandatory bonuses in Guyana.

Termination

Except in cases of serious misconduct, termination requires good and sufficient cause with notice. "Good and sufficient cause" is not defined. However, the law dictates that termination for unsatisfactory performance is permitted when the Worker has been given clear instructions on how to perform and a written warning. The period of notice required depends on the Worker's length of service. A Worker employed for less than one year is entitled to two weeks' notice. A Worker employed for more than one year is entitled to one month's notice. Payment in lieu is permitted. Termination without cause is permitted but requires notice as well as severance. The severance required also depends on the length of service. A Worker employed for at least one year is entitled to one week's wages for each completed year of service in the first five years, two weeks' wages for each completed year between five and ten years, and three weeks' wages for each completed year of service exceeding ten years up to a maximum of 52 weeks. An employment relationship can also be concluded via mutual consent.

Resignation

Workers do not require a reason to terminate the contract, but they must recognize the same period of notice as the employer; namely, two weeks' notice for employment less than one year and one month's notice for employment exceeding one year. An employer can waive the right to receive notice from a resigning Worker.

Other End Of Employment Rules

In the event a position is no longer needed ("redundancy"), Workers are entitled to severance or redundancy payments as follows: 0 - 5 years of service: one week's wages for each year of work; 5 - 10 years of service: two weeks' wages for each year of work; and 10+ years: three weeks' wages for each year of work capped at 52 weeks.