

Jamaica

Fixed Term Contracts

Fixed-term contracts are permitted in Jamaica and naturally expire at the end of the term without a requirement for severance or notice. There should be a genuine reason for the fixed-term such as seasonal work or a particular project. There are no limits on how many times a fixed-term contract can be renewed, but there will be heightened scrutiny if the contract is repeatedly renewed. In addition, if a Worker works beyond the expiration date of their fixed-term contract without a formal renewal, the contract will automatically be deemed indefinite.

Probationary Periods

Probationary periods are permitted in Jamaica. If the probationary period is 90 days or less, then the employment contract may be terminated during that period without notice. However, if it is more than 90 days, then notice is still required.

Holidays

In Jamaica, Workers recognize 10 paid public holidays. It is a guaranteed paid day off. If it falls on a Sunday, it is observed on a Monday. If a Worker is required to work on a holiday, they are entitled to 200% or a paid day off in lieu.

Vacation

Workers in Jamaica are entitled to 10 days of paid vacation per year (increased to 15 days after 10 years of service) after 110 days of service. The right to use the vacation is usually granted the following year of employment unless agreed otherwise. Unused vacation does not automatically roll over from year to year. Accrued but unused leave is payable at termination.

Sick Leave

After 110 days of service, Workers are entitled to 1 sick day for every 22 days of work. After 1 year, Workers are entitled to 2 weeks of annual sick leave. Workers must provide notice of injury/illness on the first working day after it occurred. If the absence exceeds three days, they should provide a certificate from a registered medical practitioner.

Working Hours

The standard workweek in Jamaica is 8 hours per day, 5 days per week (40 hours). Work on a rest day is owed at 200%. Workers must not work for more than 12 hours on any day, more than 40 days in any seven-day period, or more than 120 hours in any 21-day period.

Overtime

Anything over 40 hours per week is considered overtime, payable at 150%.

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Mandatory Bonuses

There are no mandatory bonuses in Jamaica.

Termination

Except in cases of gross misconduct (e.g. incompetency, fraud, immoral behavior, etc.), notice or pay in lieu and severance is required to terminate a Worker after they have worked at least four weeks. The employer is required to give written notice based on the Worker's length of service; 0 - 5 years: two weeks, 5 - 10 years: four weeks, 10 - 15 years: six weeks, 15 - 20 years: 8 weeks, 20+ years: 12 weeks. Employees may waive their right to notice. The notice must be in writing or delivered in front of a credible witness.

Resignation

The Worker is required to give at least two weeks' notice to resign from employment after they have worked for at least four weeks.

Other End Of Employment Rules

If the reason for a termination is economic rather than due to the Workers themselves, it is considered a redundancy. Workers with at least two years of service are entitled to redundancy pay in such situations. Redundancy pay is equal to two weeks of pay per year of service during the first 10 years and three weeks of pay per year of service from the 10th year onwards. Employers must provide Workers with a written notice outlining how the redundancy pay was calculated.

Mandatory Employer Costs

National Insurance Scheme (NIS), National Housing Trust (NHT), Human Employment & Resources Training (HEART) = ~ 12.50%