

ANTIGUA & BARBUDA JURISDICTION



BENJAMIN LAW

Toronto's Premier Family-First Law Firm For

Personal Injury | Long-Term Disability | Real Estate
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Labour Overview

The Antigua & Barbuda Labour Code, CAP 27, establishes minimum employment standards and industrial relations provisions. The Code is broken down into Divisions and Parts. Division C provides for basic employment standards, which govern the employment relationship and inform employers and employees of minimum working conditions. Part One prohibits discrimination on enumerated grounds, requires the employer to provide a written statement of working conditions to employees and addresses termination of employment, among others. Part Two contains provisions regarding leaves, including public holidays, sick days and vacation. A national minimum wage rate and maximum hours of work are contained in Part Three. Part Four provides minimum standards on severance pay, while Part Five concerns unfair dismissals.

The Code also deals with health and safety and makes regulations concerning the employment of women, young persons and children.

Pension Overview

The Pension Act, CAP 311 governs pensions for persons in public service while private sector pension plans are governed by Part VIII of The Insurance Act, 2007. The Act was effective April 2009 and required that all private plans be registered within 1 year of the effective date. Additionally, the Act contains provisions concerning:

- Registration of pension plan amendments
- Payment of fees, penalties and annual reporting
- Enforcement powers of the Superintendent
- Classes of assets in which the plan may invest, and investment limits
- Content of the trust deed and rules governing the plan
- Forms to be filed with the Superintendent

Note that Antigua & Barbuda are part of a larger review being conducted by the Eastern Caribbean Central Bank, Commission on the Pension and Pension Administration Reform. The goal of the Commission is to review and make recommendations to achieve the goals of stable, predictable and adequate income security throughout retirement. We will keep you updated on the progress of the Commission.



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Social Security Benefits

Benefits may also be payable by the Antigua & Barbuda Social Security Board (ABSSB). Under the Social Security Act, CAP 408, persons who are 16 years of age or over but under 60 and who are employed in insurable employment are insured for life. The following benefits are payable upon meeting the applicable criteria:

- Age benefit, upon reaching 60 years of age
- Sickness benefit, where the insured person is temporarily incapable of work (other than as a result of employment injury)
- Invalidity benefit, where the insured person is permanently incapable of work (other than as a result of employment injury)
- Maternity benefit to an insured woman or to the wife of an insured man in the case of her pregnancy or confinement
- Funeral grant, upon the death of an insured person
- Survivors' benefit, in respect of an insured person who dies otherwise than as a result of an employment injury

Additionally, old age assistance may be payable to low income insured persons upon meeting certain requirements.



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