

BERMUDA JURISDICTION



BENJAMIN LAW

Toronto's Premier Family-First Law Firm For

Personal Injury | Long-Term Disability | Real Estate
Employment | Notary | Wills and Power of Attorney

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Labour Overview

The Employment Act 2000 sets out minimum employment standards. The maximum working week is generally 40 hours. Any hours worked in excess of 40 hours are to be paid at the overtime rate (generally time and a half) or compensated by giving the same number of hours time off in lieu. Overtime is not payable to certain types of employees.

A woman who has completed at least one year of continuous employment is entitled to 12 weeks of maternity leave, with 8 weeks paid and the other 4 weeks unpaid. If she has been employed for less than one year, she is entitled to only 8 weeks unpaid leave.

An employee is entitled to 2 weeks of annual paid vacation after completing 1 year of continuous employment. There are additionally 10 paid public holidays as declared in the Public Holidays Act, 1947.

With respect to termination of employment, the Act sets out minimum notice periods. In lieu of providing notice, an employer may make payment. In the case of redundancy, the employee is entitled to receive a severance allowance, as described in the Act, plus any payment in lieu of notice. Examples of a redundancy include the reorganisation or sale of a business.

Pension Overview

The National Pension Scheme (Occupational Pension Act) 1998 (as amended) requires that all employers establish a pension scheme (additional and separate to the statutory national pension scheme) for their Bermudian employees. The level of contributions is set out in the First Schedule to the 1998 Act. The employer and employees must make equal contributions, although employees may also make additional voluntary contributions.

Social Securities Benefits

Social security is payable as outlined under the Contributory Pensions Act 1970 and is administered by the Government for all employees of private sector employers, with employers and individual employees employed for more than four (4) hours a week each paying 50% of the premium. It pays benefits to qualifying retirees and is not confined only to Bermudian employees. Non Bermudian employees are eligible and required to be covered as well and are fully entitled to whatever benefits they accrue under the plan's provisions.



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