

ST. LUCIA JURISDICTION



BENJAMIN LAW

Toronto's Premier Family-First Law Firm For

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

Holidays with Pay Act cap. 16.11 provides for 14 holidays. With respect to vacation time, monthly paid workers entitled to 14 days with full pay for first 5 years and three weeks (21 days) thereafter. Daily paid workers entitled to 14 days vacation after 150 days worked.

The 1999 Minimum Wage Act established the minimum wage for different types of workers.

Unjustified dismissal (assumption – dismissal other than redundancy) are provided for in the Labour Act. The required notice, or payment in lieu, will depend on length of continuous employment with the employer.

In the case of redundancy, generally one week's wages per year of service are payable to employees for continuous employment up to 3 years; two weeks' wages for each year of service for service from year 3 to 7 and three weeks' wages per year of service over seven years of continuous employment.

Three weeks' wages for each period of 52 weeks of continuous employment covering a period in excess of 364 weeks.

Pension Overview

Currently, no legislation exists to regulate pension plans in the private sector. However, St. Lucia is 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.

Social Security Benefits

Contributions in the amount of 10% of insurable earnings are payable to the St. Lucia National Insurance Corporation, with 5% to be contributed by the employee, matched by 5% from the employer. Self-employed and voluntary contributors are required to contribute the full 10%.

Retirement Pension. An age pension is a monthly allowance payable for life to an insured person who satisfies certain qualifying conditions. An employed person must have: Contributed to the National Insurance for a minimum of 180 months; and Attained the age of sixty-five (65) years. The rate of age pension is a percentage of the insured person's average pensionable earnings in the best five years of contributions plus 0.1% for each month in excess of 180 months. If a person has contributed less than 180 months he/she would be qualified for an age grant. A Retirement Grant is a lump sum paid to an insured person who does not satisfy the qualifying conditions for an age pension.

Invalidity Pension. A person who is unable to work as a result of a specific disease; bodily or mental disablement which is likely to remain permanent, and is not caused as a result of employment injury. An insured person may qualify if:

- Is an invalid otherwise than as a result of Employment Injury.
- Has paid contributions for not less than 60 months. 36 of these months must be in the last 60 months immediately preceding the month of invalidity.
- Is under Pensionable age
- Is not in receipt of Sickness Benefit



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Social Security Benefits Continued

The rate of the Invalidity Benefit depends on the number of contributions the insured person has made and continues for as long as the incapacity continues or until the pensionable age at which time the benefit converts to a retirement pension.

Survivor Benefit. A survivor benefit is paid to a widow or widower or children of a deceased insured person, who met the qualifying conditions of either a pension or grant at the time of death. Aged parents or grandparents can be considered as dependents in some cases. The duration and amount of payment of the survivor benefit will depend upon the age of the survivor, whether the insured had dependent children as well as the age of the children. A survivor that is 55 yrs or over would be entitled to a pension for life unless the survivor remarries or cohabits with another person.



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