



MINISTRY OF LABOUR

82 Brickdam, Georgetown
Guyana, South America

Tel: 592 227-3133 | 592 227-3135

Tel: 592 226-6997 | 592 226-8739

Tel: 592 223-7288 | 592 225-7302

BRANCHES:

REGION 1 – PORT KAITUMA

Regional Democratic Council
Compound, Port Kaituma
Barima-Waini

REGION 2 – ANNA REGINA

Lot 'C' East Public Road
Anna Regina
Essequibo Coast
(Next to the Health Centre)

REGION 3 – POWDEROYEN

Klien Pouderoyen
West Bank Demerara, Guyana
Tel: 592 264-2168
Tel: 592 264-2169

REGION 5 – MAHAICONY

Sub Regional Office
Next to Mahaicony Hospital
Region 5, Mahaicony
East Coast Demerara
592 221-2460

FORT WELLINGTON

Regional Democratic Council
Compound, Region 5
Fort Wellington, West Coast
Berbice
Tel: 592 232-0994

REGION 6 –

NEW AMSTERDAM

Princess Elizabeth Road
New Amsterdam, Berbice
Tel: 592 333-3327
Tel: 592 333-3266

REGION 6 – CORENTYNE

Lot 12 Springlands
Corriverton, Corentyne Berbice
Tel: 592 335-4330

REGION 7 – BARTICA

Youth Choice Training Center
Mongrippa Play Field
Bartica, Essequibo River

REGION 9 – LETHEM

Incubator Centre Industrial Site,
Lethem

REGION 10 – LINDEN

Ministry of Housing
Compound,
Crabwood Street
MacKenzie, Linden
Tel: 592 444-6299



MINISTRY OF LABOUR TERMINATION & SEVERANCE

Respect
workers'
rights



TERMINATION AND SEVERANCE:

Termination of employment (Section 7, Termination of Employment and Severance Pay Act)

- An employer can terminate a contract of employment for an unspecified period of time:
 1. by mutual consent of the employer and employee;
 2. by redundancy;
 3. by either the employer or employee for good and sufficient cause;
 4. by either the employer or employee by notice given to or served upon, the other party.

TERMINATION OF EMPLOYMENT DURING THE PROBATIONARY PERIOD:

- During the probationary period, the **employer** or **employee** may terminate the employment contract at any time for any reason, and without notice.
(Section 9 of Termination of Employment and Severance Pay Act (TESPA) 1997).

UNFAIR DISMISSALS – Section 8 (1), TESPA:

- The following reasons are not good or sufficient cause for dismissals or for imposition of disciplinary action:
 1. an employee's race, sex, religion, colour, ethnic origin, national extraction, political opinion, family responsibility or marital status;
 2. age, subject to retirement law or collective agreement;
 3. pregnancy, or reason connected with pregnancy;
 4. certified sick leave;
 5. compulsory military service;
 6. participation in industrial action in conformity with the provisions of any law or collective agreement;
 7. The filing by an employee of a complaint, or the participation in proceedings against an employer involving alleged violations of any rule or law.

CALCULATING THE SEVERANCE OR REDUNDANCY ALLOWANCE:

- This is the amount of money that a worker whose employment has been terminated on account of severance of employment or for redundancy is entitled to receive from his/her employer.
- Where an employee is covered by a collective agreement that provides for a higher standard of severance or redundancy allowance than those in the TESPA, the higher benefits shall apply.

- Where the employee is not covered by a collective agreement, and has completed one or more years of continuous employment with an employer, the minimum payment that he/she is entitled to is as follows:

Employees who have completed one to five years of service - One (1) week's wages for each year of service.

Employees who have completed five (5) to ten (10) years of service - Two (2) weeks' wages for each year of service after the fifth, and up to the tenth year.

Employees who have completed in excess of ten (10) years of service - Three (3) weeks' wages for each completed year of service in excess of ten years, up to a maximum of fifty-two (52) weeks.

*Also, any unused vacation must be paid to the employee and payment in lieu of notice of termination.

LAY OFFS:

- No layoff of an employee shall exceed six (6) weeks.

NOTICE PERIOD FOR TERMINATION:

- Where a contract of employment for an unspecified period of time is being terminated by the employer for any reason for redundancy or by notice, except during the probationary period, the following minimum period of notice in writing must be given:
 1. Two weeks where the employee has been employed by the employer for less than one year;
 2. One month, where the employee has been employed by the employer for one year or more.
- The employee is also required to give the same period of notice to the employer in the circumstance where he/she terminates his/her contract of employment.

PAYMENT IN LIEU OF NOTICE:

- Payment in lieu of notice is paid to the employee when his/her employment has been terminated, and the employer pays the employee instead of having that employee work during the notice period.
- The employee is paid remuneration and benefits that he/she would have earned during the notice period.

