

JAMAICA

THE LABOUR RELATIONS AND INDUSTRIAL DISPUTES ACT

THE LABOUR RELATIONS CODE

(made under section 3)

L.N. 310/76

(Approved by the House of Representatives on the 20th day of July, 1976, and by the Senate on the 6th day of August, 1976)

[1st day of November, 1976.]

Vide

L. N. 335/76

PART III - Personnel Management Practices

Employment Policies

9. Clear, comprehensive and non-discriminatory employment policies are an indication of the efficiency of an undertaking. The initiation of such policies is primarily the responsibility of employers, but they should be developed in consultation or negotiation with workers or their representatives.

Employment policies should -

- (i) provide for proper recruitment and selection, having regard to the qualification and experience needed to perform the job;
- (ii) have regard to the need for workers to advance themselves in the undertaking and so consider filling vacancies by promotion or transfers;
- (iii) make clear to the workers the requirements, terms and conditions of employment including *inter alia*—
 - (a) general conditions of employment;
 - (b) job requirements and the person to whom the worker is directly responsible;
 - (c) disciplinary rules and the procedures for the examination of grievances;
 - (d) opportunities for promotion and training;

- (e) social welfare services, such as medical care, canteens, pensions, etc.;
 - (f) occupational safety health and welfare regulations;
 - (g) methods of consultation;
 - (h) any trade union arrangements;
 - (i) the company's personnel and industrial relations policies.
- (iv) provide induction training both as to the actual job performance and as to the policies and procedures existing in the undertaking, encouraging their adoption particularly as they relate to safety, health and welfare matters;
 - (v) ensure that workers are kept abreast of changing job techniques by on the job training or by approved courses;
 - (vi) not be influenced by conditions relating to age, sex or other personal factors except where relevant to the job;
 - (vii) make provision for workers to further their educational standard if they so desire, by granting time off for such purposes;
 - (viii) be carried out by competent staff and be subject to periodic review to ensure efficiency.

Manpower use and Planning

10. Proper manpower utilization policies are essential to efficiency.

Such policies should -

- (i) be given high priority and be integrated with other aspects of planning in the undertaking;
- (ii) assess existing manpower resources based on adequate and up-to-date personnel records;
- (iii) identify future manpower needs and formulate and implement policies for their fulfilment;
- (iv) seek to avoid unnecessary fluctuation in the work force and where such fluctuations are necessary, ensure that there is a minimum of disruption to the workers concerned;
- (v) ensure that the undertaking operates in an efficient manner by

identifying such problems as absenteeism and high incidence of labour turn-over, recording such information and taking steps in consultation with workers or their representatives to correct them.

Security of Workers

11. Recognition is given to the need for workers to be secure in their employment and management should in so far as is consistent with operational efficiency -

- (i) provide continuity of employment, implementing where practicable, pension and medical schemes;
- iii) in consultation with workers or their representatives take all reasonable steps to avoid redundancies;
- (iii) in consultation with workers or their representatives evolve a contingency plan with respect to redundancies so as to ensure in the event of redundancy that workers do not face undue hardship. In this regard management should endeavour to inform the worker, trade unions and the Minister responsible for labour as soon as the need may be evident for such redundancies;
- (iv) actively assist workers in securing alternative employment and facilitate them as far as is practicable in this pursuit.

Working Environment

12. Various Acts of Parliament lay down minimum standards in respect of working conditions.

(A) Management in consultation with workers or their representatives should seek to improve these standards,

Management has a duty to -

- (i) furnish, equip and otherwise provide factories, workshops, offices and other places where work is to be performed with such facilities as meet the reasonable requirements of safety, health and welfare regulations and to adopt suitable measures for the workers protection, and the prevention of the spread of epidemic or infectious disease;
- (ii) organize work in such a manner as to provide in so far as is practicable and best guarantee for the workers' safety and health;
- (iii) adopt the statutory and other suitable measures for the

prevention of accidents at the work place and to keep at all times such medication and therapeutic materials as are necessary for the administration of effective first aid;

(iv) ensure that personnel are trained in first aid techniques and in such numbers, as to provide for the presence of at least one such trained worker during working hours;

(v) display in conspicuous positions at the work place rules and regulations, statutory or otherwise concerning safety and health precautions.

(B) The worker has a duty to -

(i) ensure that he understands and observes the safety and health regulations;

(ii) make use of all protective equipment provided;

(iii) co-operate with management and fellow workers in the development and implementation of all safety, health and welfare measures.

Payment of Wages

13. The question of payment for work done is often a contentious area in industrial relations. Wage systems should be agreed and should not be in contravention of any statute.

Wage systems should also -

(i) ensure that the agreed wages and rates are paid;

(ii) be kept in simple terms so that workers can understand them;

(iii) be kept under review to ensure their applicability to changing circumstances.