



Law & Policy Group

GRIST

Bermuda revises employment and labor laws

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Changes to Bermuda's employment and labor laws are slated to take effect on 1 Jun 2021. The Employment Amendment Act 2020 and the Trade Union and Labour Relations (Consolidation) Act 2020 follow a seven-year labor law review, and although they aim to strike a balance, the minister acknowledged the laws will "strengthen the rights of employees and organized labour."

Highlights

- Consolidation of 10 tribunals into one — the Employment and Labour Relations Tribunal — that will handle all employment complaints and labor-related disputes.
- Statements of employment must include new information, for example, employees' entitlement to rest days, meal breaks, and overtime pay.
- The government will issue guidance on the differences between employees and independent contractors for use in dispute resolutions.
- Employers must provide employees with written policy statements against bullying and sexual harassment.
- Employees will be entitled to a meal break of at least 30 minutes if they work more than five continuous hours.
- Bereavement leave will be expanded to include grandparents, great-grandparents, grandchildren and great-grandchildren.
- Employees are no longer required to complete one year on the job before being entitled to paid time off from work to attend prenatal appointments.

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- Employers must pay outstanding wages and benefits within seven days of employment termination or by the next interval that the employee would have been paid.
- Establishment of new rules on setting probation periods for employees, including new hires and newly promoted employees, and entitlement to a performance review during a probation period.
- Introduction of new measures for terminating an employee for misconduct and unsatisfactory performance.
- Establishment of a new requirement for employers to consult with employees about proposed redundancies and transfers of undertakings.
- Unfair dismissals will face increased penalties.
- Establishment of new civil penalties of up to \$5,000 to replace most offences requiring court appearances. The minister will also no longer have the option to refer a dispute to a mediator.
- Changes to trade union recognition rules and collective bargaining rules.

Related resources

- [Employment Amendment Act 2020 information fact sheet](#) (Government of Bermuda)
- [Trade Union and Labour Relations \(Consolidation\) Act 2020 information fact sheet](#) (Government of Bermuda)
- [Fact sheets on Employment Amendment Act 2020 and Trade Union and Labour Relations \(Consolidation\) Act 2020](#) (Government of Bermuda)
- [Government announcement](#) (Government of Bermuda, 10 Dec 2020)

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