

ABSTRACT

A Study and Appraisal of the Barbados Severance Payments Regime

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The Severance Payments Act (Cap. 355A of the Laws of Barbados) has been in force for about 24 years. This study attempts to examine the objectives and policies behind the legislation. The study will focus on the main and significant provisions of the legislation. It will examine the extent to which these policies and objectives may have been achieved as well as the extent to which defects exist and will highlight the main areas which could benefit from reform.

Opportunity has been taken to examine the local case law, reports on the working of the severance payments scheme, and draw on the perspectives of corporate employers, trade union representatives, personnel from the National Insurance Board as well as persons directly involved with the scheme - chair persons of tribunals.

The study has shown that the regime is a particularly complex one and that the existence of legal technicalities could easily destroy what would otherwise be reasonable claims to compensation in situations where the Act has succeeded in protecting the employee from or cushioning the shock of organisational change. It

has also highlighted the need for reform in several areas and it is hoped that it will be of some benefit to students of labour law, corporate managers and employees.