

REQUIREMENTS FOR NOTIFICATION OF COLLECTIVE TERMINATIONS

***(Section 80 of the Employment Act, Cap 226 and Regulation 44 of the
Employment Regulations, 2011)***

*“Where an employer contemplates terminations of not less than ten employees
over a period of not more than three months for reasons of an economic,
technological, structural or similar nature”*

1. Provide representative of the Labour Union, if any, that represent the employees in the undertaking with relevant information and in good time which shall be a period of at least four weeks before the first of the terminations shall take effect, except where the employer can show that it was not reasonably practicable to comply with such a time limit having regard to the reasons for the terminations contemplated
2. Provide the number and categories of the employees likely to be affected and the period over which the terminations shall be carried out, and the information shall include the names of the representatives of the Labour union if any that represent the employees in the undertaking.
3. Notification of collective terminations is made to the Commissioner in a form prescribed in Parts A and B of the Sixteenth Schedule (Sixteenth Schedule, Employment Regulations, 2011).
4. Give reasons for termination, the number of workers, age, sex, occupation, wages, duration of employment and exact date of termination
5. Provide a report detailing the terminal benefits and plan of payments of those benefits to the affected employees.
6. Upon fulfillment of the requirements of the above, the Commissioner shall issue a letter allowing the employer to commence the collective terminations.
7. The Commissioner may refuse to issue the acceptance letter if the notification made is contravening the provisions listed above