



Economic and Social Council

Distr.
GENERAL

E/1984/7/Add.30
23 August 1988

Original: ENGLISH

First regular session of 1989

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Second reports submitted by States parties to the Covenant
concerning rights covered by articles 6 to 9, in accordance
with the first stage of the programme established by the
Economic and Social Council in its resolution 1988 (LX)

Addendum

JAMAICA */

[31 March 1988]

A. Background on Economic and Social Conditions **/

1. Jamaica's economic performance is heavily dependent upon the country's interaction with the international economy. Imports and exports of goods and non-factor services have typically represented over 60 per cent of GDP. While

*/ The initial report submitted by the Government of Jamaica concerning rights covered by articles 6 to 9 of the Covenant (E/1978/8/Add.27) was considered by the Sessional Working Group of Governmental Experts at its session in 1980 (see E/1980/WG.1/SR.20).

**/ Extracted from Jamaica's report units "Medium-Term Economic Framework Programme" presented in November 1987 to the Ad Hoc Advisory Committee of the Caribbean Group for Co-operation in Economic Development.

this trade with the outside world has permitted a higher standard of living than would otherwise be attainable, considerable volatility is imparted upon the domestic economy by sometimes modest changes in the structure of external demand, costs and prices. If prompt domestic policy measures are not taken to mitigate or adjust to these external shocks, the extent of disequilibria is often magnified. The performance of the Jamaican economy since independence in 1962 provides a graphic illustration of this.

2. The 1960s and early 1970s was a relatively prosperous period for the Jamaican economy, with strong growth in real output. From 1965 to 1970, annual average GDP growth exceeded 5 per cent per year, with domestic financial stability and a pattern of domestic price movements that was broadly consistent with price movements internationally. The current account of the balance of payments was in deficit throughout this period; however this shortfall was covered, in large part, by direct foreign investment in the bauxite/alumina and tourism sectors.

3. A second phase in Jamaica's economic development occurred from the early 1970s to 1980, when the overall economic performance deteriorated dramatically. From 1974 to 1980, there was a cumulative decline in real GDP of about 21 per cent (31 per cent in per capita terms). This was due to a variety of external shocks (oil price increases and declining tourist visitors); however the policy responses of the Government at this time aggravated the situation. In particular, appropriate and timely exchange rate adjustments were not made and the overall fiscal situation deteriorated. The new Government, elected in 1972, focused on increasing employment, maintaining real wages, improving income distribution and expanding the scope of social services. There was increasing State intervention in the economy to achieve these goals. Direct public ownership increased, as did public employment, corporate tax rates were increased, including imposition of a bauxite production levy in May 1974, and a wider range of price and foreign controls was introduced. Government spending expanded dramatically. The overall fiscal deficit increased from 5 per cent of GDP in 1972 to 24 per cent by 1976, and domestic credit to the public sector expanded fivefold over the same period. The bulk of this increased spending was in non-investment activities. Public investment rose from 2-7 per cent to 4.3 per cent of GDP but by 1976 the private investment rate had declined to only half that of 1973. While Government investment grew as a share of total investment, the decline in aggregate output suggests that the efficiency of this investment was low. Domestic prices diverged from international prices together with an erosion of physical and financial capital. The structure of incentives became increasingly biased toward the production of non-tradable goods and services rather than production for exports. Finally, during the second half of the seventies, emigration became more acute, particularly of the skilled and professional worker categories.

Stabilization and Adjustment

4. Following the deep and sustained contractions in the latter half of the seventies, it was manifest that the economy required significant stabilization and adjustment to restore viability to the balance of payments and restore growth. To this end, since 1981, the present Government entered into a series of arrangements with the International Monetary Fund and received three structural adjustment and two sector adjustment loans (Trade and Finance and Public Enterprise) from the World Bank. The broad thrust of

this adjustment programme was to liberalize the economy-wide incentive system, reduce the size of the public sector in the economy, diversify the economic structure and restore longer-term viability to the balance of payments.

Achievement of these adjustment goals has encompassed a variety of reforms:

5. (i) Trade and the Foreign Exchange Régime - The foreign exchange allocation mechanism has evolved gradually from a tightly controlled, restrictive fixed rate régime, to a flexibly managed system. Through a variety of interim foreign exchange allocation systems, the exchange rate has been devalued from \$J 1.78 = \$US 1.00 in 1980 to the present rate of \$J 45.50 = \$US 1.00, with a stabilized auction system. This resulted in a depreciation in real effective terms of about 36 per cent. In addition, the rigid import licensing system covering all imports, backed by some 364 specific quantitative restrictions, has been dismantled, with the exception of import licence requirements for those items solely imported by the State-owned Jamaican Commodity Trading Company, some agricultural items and wood products and those with security or public health implications. It is estimated that present non-tariff protection covers about 8.5 per cent of total good production in Jamaica. Finally, in April 1987, the Government embarked upon a comprehensive tariff reform programme, the ultimate objective of which, over a period of four years, is to have a system composed of four rates in the range of 5 to 30 per cent. To achieve this target, it will be necessary for the Government to obtain the co-operation of its other CARICOM partners. Jamaica has already raised this issue with the other Governments. No new import duty exemptions are being granted, and an interim import duty rebate system for manufacturing exports has been introduced. The Government has formed a Tariff Reform Committee to oversee continued progress in this reform exercise.

6. (ii) Tax Reforms - In 1983, the Government embarked upon a comprehensive tax reform programme. In January 1986, a revised personal income tax system was introduced, together with a revised property tax system in July 1986 and a revised corporate tax system in January 1987. These reforms represent a substantial improvement on previous systems. The personal tax reforms have raised the initial tax threshold and tax all income, including that received in kind, at a flat rate of 33 1/3 per cent. This reform has achieved four main objectives: (a) the very poor are relieved of any income tax burden; (b) the incentives to work are increased by the reduction of the high marginal tax rates previously applied; (c) the tax base is broadened by eliminating tax exempt income; and (d) the tax administration has been greatly simplified. The corporate tax revision reduced the rate to 33 1/3 per cent (from 45 per cent), and adjusted investment and depreciation allowances. The Government is developing a revised indirect value added tax system that will amalgamate the large range of excise duties, consumption duties, retail sales taxes and other selective taxes, and provide for taxation of services in recognition of their growing importance in the economy.

7. (iii) Monetary and Financial Policies - Throughout most of the 1970s and early 1980s, monetary policy has been subordinated to the need to finance large and persistent public sector deficits. In addition, the monetary and financial policies adopted distorted credit allocation and the interest rate structure, contributing to a "crowding out" of private sector borrowing. As a result the financial sector's ability to efficiently mobilize and allocate

financial resources was hampered and a variety of distortions adversely affected the system of financial intermediation. Over the past three years, the Government has sought to correct these impediments to efficient financial intermediation, and to restore to the Central Bank a greater degree of autonomy in monetary policy. While progress toward this objective will be influenced by fiscal policy reforms, in March 1986, the Government approved a revision in the banking legislation that clarified the Central Bank's financial policy mandate and strengthened its supervisory functions. In particular, a greater emphasis on base money management has been adopted, utilizing to a large extent open market operations and rediscounting activities. The liquid asset ratio reserve requirement has been steadily reduced from 48 per cent to 35 per cent since February 1986, and more importantly, the non-cash portion of this ratio has declined from 28 per cent to 15 per cent. As a result, the smaller amounts of relatively low yielding treasury bills in the liquid asset requirement have enabled the banks to reduce interest rates on private sector loans. This reduction was further enhanced by the recent Government approval of the payment of interest by the Bank of Jamaica (BOJ) on a portion (15 per cent) of the cash reserves held by the BOJ. In late 1985, the BOJ initiated the issuances of certificates of deposit (CDs) to act as the main instrument of an active open market policy to fine tune domestic liquidity. This has been further supplemented by the reinstatement of a rediscounting window in the BOJ in May 1986.

8. (iv) Fiscal Policy - A major aim within the structural adjustment programme has been to improve the financial performance of the public sector and increase savings. Toward this end, as noted above, the tax system has been thoroughly overhauled. In addition, a programme to moderate the growth in current expenditures of the Central Government has been ongoing over the past five years. There was substantial labour retrenchment in FY 1984/85 and FY 1985/86, particularly in local government and in the temporary, non-established work-force. Coupled with this, the Government has embarked, with the assistance of the World Bank, upon an Administrative Reform Programme, a major component of which has been a phased introduction of performance budgeting and improved financial management systems. In this context, a major effort has been made to improve the quality of the preparation, execution and monitoring of the Public Sector Investment Programme (PSIP). With regard to the public enterprises, some have been dissolved (Jamaica Omnibus Services), some divested (Banana Company, Caribbean Cement Company, National Commercial Bank) and some are presently undergoing restructuring and reorganization (the Sugar Industry). Furthermore, there have been substantial price and tariff adjustments for all utility services over the last four fiscal years. Finally, the Government accelerated its divestment programme in FY 1986/87, putting up for sale most hotels owned by the public sector and an expanded list of other public entities.

Recent Economic Performance

9. In assessing the adjustment programme to date, three factors need to be borne in mind. First, the policy actions undertaken have not all proceeded at the same pace and in a mutually complementary manner. Second, it takes time for the reforms and actions taken to have an effect on aggregate or sectoral economic performance. Third, the recovery programme has been affected and hampered by an unforeseen decline in bauxite/alumina exports due to changing world market conditions. When the initial stabilization and structural

adjustment programme was formulated in FY 1981/82, Jamaica was exporting about 12 million tons of bauxite/alumina with gross export earnings of about \$US 670 million, or 75 per cent of total merchandise exports. The assumption that this level of output would be maintained proved to be seriously wrong and, by 1985, it was evident that the fall in volume and earnings, to about 6 million tons and \$US 280 million respectively, was not a temporary phenomenon.

10. From FY 1980/81 to FY 1985/86, overall growth performance has been disappointing, with real output at the end of 1985 only 0.5 per cent higher than at the end of 1980. The modest growth recorded in the early 1980s was offset by negative growth in 1984 and a sharp decline of 3.7 per cent in FY 1985/86. This overall performance, however, is distorted by the aforementioned decline in the mining sector. Throughout this period, agriculture, manufacturing and tourism all displayed growth. In particular, tourism recovered rapidly, with the number of annual stopover visitors increasing by about 52 per cent from 1980 to 1984, to become the country's largest foreign exchange earner.

11. In the first three years of the structural adjustment programme, in the context of the aforementioned fall-out in bauxite/alumina earnings, investment and consumption levels were supported by a significant inflow of foreign savings, mainly through public sector borrowing. As a result, external debt rose during this period from 58 per cent of GDP in FY 1980/81 to about 169 per cent of GDP by the end of 1985. Throughout the period FY 1980/81 to FY 1985/86, the overall public sector deficit ranged from about 14 per cent to about 22 per cent of GDP. Central Government expenditures for the first four years of the adjustment programme were consistently above 40 per cent of GDP, but from FY 1984/85 on, this has declined to reach about 33 per cent of GDP in FY 1986/87. Furthermore, the introduction of new income tax measures, together with the price adjustments made by the public enterprises, have improved public sector revenues. Central Government revenues have increased from about 28 per cent in FY 1980/81 to nearly 31 per cent in FY 1986/87. This resulted in a significant improvement in the fiscal balances, such that the overall fiscal deficit in FY 1986/87 declined to 6.6 per cent of GDP, despite the increase in the losses of the BOJ.

12. During the first five years of the stabilization and structural adjustment programme, the current account deficit of the balance of payments ranged from about 9 per cent to 20 per cent of GDP. As with overall growth performance, Jamaica's progress toward a restoration of balance-of-payments viability has been adversely affected by the losses in bauxite and alumina earnings. Tourism receipts grew by 80 per cent from \$US 242 million in FY 1980/81 to \$US 437 million in FY 1985/86; and non-traditional exports, which includes manufactures, rose from \$US 80 million to \$US 143 million (78 per cent increase) in the same period. Furthermore, the substantial devaluations of the \$J in 1984 and 1985 have impacted strongly on imports, with total imports in FY 1985/86 about 86 per cent of the level in FY 1980/81.

13. The most recent economic performance (FY 1986/87) suggests that the pace of economic improvement may be accelerating assuming no external shocks. Overall real growth was 3.7 per cent, due to very strong growth in tourism (a 20 per cent increase in stopover visitors); recovery and stabilization in

the bauxite/alumina sector (bauxite and alumina output up by 32 per cent and 8.7 per cent respectively) and manufacturing production growing at about 4 per cent. Investment remained at similar levels to the previous years, which in some respects reflects the considerable surplus capacity that exists in the economy. Domestic price inflation declined to 11 per cent, from 24 per cent in the previous year (with the pace of price rise continuing to decline up to June 1987). Unemployment declined by about 3 per cent, to approximately 20 per cent for the work-force. The decline in international oil prices in 1986 resulted in savings of about \$US 100 million, which together with the robust performance of tourism receipts (+27 per cent), and a 21 per cent increase in non-traditional exports, resulted in a significant improvement in the balance of payments. The current account deficit declined to \$US 111 million (-6.8 per cent of GDP) from \$US 292 million (-13.7 per cent of GDP) in FY 1985/86. As noted in paragraph 8 above, the fiscal performance also showed significant improvement in FY 1986/87 compared to FY 1985/86, due to the large increase in tax revenues (up by 38 per cent) and the more modest growth in Central Government current expenditures (up by 15 per cent). In addition, the consolidated operating surplus of the public enterprises sector improved by nearly \$J 500 million.

14. Against this background of an improving economic performance, Jamaica faces a difficult debt management situation. In FY 1986/87, debt outstanding and disbursed stood at nearly \$US 3.5 billion, representing 133 per cent of GDP. The debt service requirements impose a substantial burden on the economy, representing 48 per cent of exports of goods and services, after rescheduling. Interest payments alone account for nearly 21 per cent of exports of goods and non-factor services. Furthermore, the structure of this debt inhibits the possible range of debt management options with almost 42 per cent of the total debt outstanding owed to preferred creditors (i.e. creditors whose debt cannot be rescheduled). Jamaica has been successful in negotiating rescheduling agreements with commercial banks and the Paris Club over the past three years, and such arrangements will continue to be necessary in the immediate future.

15. This most recent economic performance does represent a firm foundation for the continuation of the adjustment programme. Despite this progress, however, the overall economic framework is still fragile. The balance of payments remains vulnerable; domestic real interest rates are high and will remain so unless there is a steady increase in domestic savings by both public and private sectors and resource mobilization. The country's external debt is already very large leaving little room for further significant flows of foreign savings unless on highly concessional terms or in the form of direct investment; the efficiency of investment, both public and private, needs significant improvement; there has been a deterioration in the social infrastructure and the provision of a variety of social services; and while unemployment is high, specific labour force shortages have emerged and will continue to do so, as growth and economic diversification require an increasingly more sophisticated work-force. It is with these considerations in mind, that the Government's agenda for the next phase of the structural adjustment programme has been formed.

Broad Goals

16. The broad goal of the Government's medium-term economic programme is to continue with the present structural adjustment effort in order to restore the

economy's ability to grow consistently at 3.5 to 4 per cent per annum over the next decade. In addition, this adjustment will need to be conducted in a manner that brings about long-term viability in the balance of payments and allows for a steady improvement in real per capita consumption to ensure the maintenance of the necessary social and political consensus underpinning the economic programme.

17. To achieve these broad goals, the Government will need to pursue a wide range of policy reforms designed to achieve the following specific objectives:

- (i) To increase the level and productivity of investment in a manner that would diversify and transform the structure of the Jamaican economy so as to expand production for exports and efficient import substitutes;
- (ii) To continue to reduce the relative size of the public sector in the Jamaican economy and its involvement in economic decision-making and resource allocation;
- (iii) To maintain an incentive structure and general business environment conducive to improving longer term private sector confidence in the economy's future;
- (iv) To maintain price stability;
- (v) To ensure that economic growth results in increase in employment and standards of living for all sections of the community;
- (vi) To progressively enhance the quality and capacities of the social infrastructure; and
- (vii) To reduce progressively Jamaica's external debt as a proportion of GDP, the country's external debt service burden and eliminate the need for exceptional external assistance and rescheduling.

B. Articles 1-5

(1) Right to self-determination

18. Jamaica firmly supports the right of peoples to self-determination, a fundamental principle reflected in the Charter of the United Nations.

(2) Measures, difficulties and progress

19. Details are set out in Sections I and III, but the fundamental factor determining the nature and efficiency of the measures adopted; the difficulties encountered and the progress achieved in the implementation of the rights covered in the Convention, is the national economy.

(3) Rights of non-nationals

20. Except where specifically restricted by law in relation to the right to work, non-nationals are not discriminated against in their enjoyment of the rights covered in the Convention. The right of foreign nationals to work in Jamaica is governed by the Foreign Nationals and Commonwealth Citizens (Employment) Act of 1964.

(4) Equal rights of men and women

21. Jamaica, a State party to the Convention on the Elimination of All Forms of Discrimination against Women, has submitted its initial report under the Convention for consideration by the relevant Committee at its spring 1988 session. Details of the Jamaican experience in the effort to ensure the equal rights of women and men may be obtained from that report.

Article 6: The Right to Work

A. Principal laws:

22. No change was recorded in this area since 1980. Though not reflected in the Constitution, in practice the position has been that all citizens have the right to work. The right of foreign nationals to work in Jamaica is still governed by the Foreign Nationals and Commonwealth Citizens (Employment) Act, 1964.

B. 23. The right of everyone to gain his living by work which he freely chooses or accepts without discrimination has been the policy of succeeding Jamaican Governments.

B2. 24. In national practice there is freedom from compulsion and from discrimination in the choice of and access to employment. These rights are implied under the Constitution of Jamaica.

B2. Policies and techniques for development and full and productive employment:

25. Social and cultural objectives are couched, in general, within the framework of a political philosophy based on the principle of the mixed economy, with a bias towards enterprise, private initiative and private ownership. The major development goals identified are:

- (i) improved standard of living;
- (ii) greater social stability;
- (iii) cultural development for greater self-awareness;
- (iv) conservation and development of resources;
- (v) stable democratic government.

26. Measures for attaining these goals focus significantly on the development of human and natural resources and/or ensuring a successful programme to generate meaningful and substantial growth.

27. One of the instruments to be used to achieve these objectives is the opening up of high school education to all children of high school age and the consequent phasing out of "common entrance" examination which is deemed to be discriminatory. The school curriculum is currently being reviewed to make it more relevant to existing educational needs. As resources permit, educational plans are being gradually expanded and improved. Alternative educational

vocational and occupational training programmes and employment opportunities for out-of-school and/or marginalized are available in the H.E.A.R.T. and solidarity programmes.

28. The imbalance between the number of jobs generated by the economy and the number of workers seeking employment is due to the combination of rapid population and labour force growth and slow economic development. Any significant reduction in unemployment will require rapid and sustained economic growth.

29. The island's economic development programme depends on its ability to bridge the human resources gap. A strategy for human resource development (Employment and Manpower Policy - 1980-1985) seeks to address this situation. The main features of the Policy are:

1. Population and labour force growth to be reduced through promotion of family planning, as a means of bringing the population and labour force into greater harmony with job creation.
2. Short-term relief will result from emigration - but this may have a negative impact on the economy as a result of "brain-drain".
3. In the short term, growth in low productivity sections in which there is demand and where there is some competitive advantage, will be supported.
4. For the longer term, Government will continue efforts to modernize the economy and to increase productivity in order to become more competitive and to gain new markets, thereby creating more employment opportunities.

30. The objective of cultural development is to kindle an awareness of national purpose and direction through a process which recalls the country's national heritage, stimulates its artistic sensitivities, cradles its historical treasures and opens up opportunities for the diverse cultural expressions of the Jamaican people.

31. Techniques for promoting cultural development include the celebration of events of national importance; stimulating the development of talent and cultural awareness; preserving those aspects of the cultural heritage which would be lost to future generations without documentation, research and preservation; promoting the preservation of national monuments through rebuilding and refurbishing, erection of plaques at important sites and excavation of historical sites. Through the implementation of the policy for cultural development, it is intended that one result should be the inculcation of discipline and the reinforcement of social values.

32. The attainment of national objectives for socio-economic development must be within the context of stable democratic government, if the fundamental political and economic freedom of the individual are to be safeguarded. This stable democratic government is to be maintained in Jamaica through constitutional parliamentary representation; and independent judiciary and the rule of law. The Constitution of Jamaica which enshrines the fundamental rights of the individual and entrenches the democratic system of government cannot be amended by edict.

33. The rule of law ensures that all are equal before the law and are deemed innocent until proven otherwise by trial. The national security and justice system, headed by Ministers of Government, is governed by statutes designed to prevent political abuses.

B3. Measures to ensure the best possible organization of the employment market:

34. Such measures are affected through the Ministry of Labour as well as private employment agencies and the open labour market. The Ministry is responsible for the following:

- (i) The Local Employment Service;
- (ii) The Overseas Employment Service;
- (iii) Administration of the Foreign Nationals and Commonwealth Citizens (Employment) Act in respect of Work Permits.

35. The main objective of the services at (i) and (ii) is to provide free of charge a means of exchange between employers and those seeking employment.

36. The only criterion for selection is the applicant's suitability in relation to the job requirement. In the case of recruitment for overseas employment, applicants should be free of criminal record.

37. With reference to point (iii) the objective is to control the employment of foreigners and Commonwealth citizens by issue of a work permit thus ensuring a progressive reduction in the reliance of the economy on foreign expertise and skills and correspondingly providing more job opportunities for Jamaicans.

A brief summary of the forementioned services is given below:

Local employment

38. The service undertakes registration, classification and placement of Jamaican citizens. Due to our economic situation the service does not currently operate islandwide but Branch Offices are maintained in certain parish capitals.

Overseas employment

39. This service is responsible for the selection, processing and transportation of contract workers for overseas and provides the secretariat for administration of the related labour programmes, the following of which are currently in operation:

- (i) Agricultural workers for the United States of America;
- (ii) Agricultural and factory workers for Canada;
- (iii) Hotel waiters for the United States of America;
- (iv) Miscellaneous categories for Guantanamo Bay (United States Naval Base).

40. The household helps for Canada and Coopers for the United States programmes remain in recess and that of Fishermen for Panama City, Panama, Florida, United States of America, has also joined this group. The revival of these programmes is not foreseen. All the programmes currently in operation listed at (i)-(iv) have maintained a steady pace excepting for the Guantanamo Bay programme which showed a decrease in 1985-1986.

Administration of the Foreign Nationals and Commonwealth Citizens
(Employment) Act

41. The section which administers this Act processes the applications for work permits from non-Jamaicans to ensure that a skill that is required is not available in Jamaica before a work permit is granted.

Private employment agencies

42. These agencies operate under licence granted by the Licensing Authority appointed by the Minister of Labour in accordance with the Employment Agencies Regulation Act. The Minister is also empowered to appoint inspectors for the purpose of investigating complaints and otherwise securing the proper observance of the provision of this Act. (A copy is with the ILO.)

Manpower planning

43. Procedures in connection with the above are dealt with by the Planning Institute of Jamaica formerly the National Planning Agency. This involves the development of manpower balance sheet, employment and unemployment projections and surveys to determine and project, inter alia, training needs. The Statistical Institute of Jamaica conducts biannual surveys which provide information on employment and unemployment by age group, sex, income, occupation and industry etc. as well as data on levels of training and education. The Ministry of Labour established a Research and Pay Monitoring Division, embodying a Statistical and Analysis Unit to collect and analyse employment statistics. Its operations were considerably scaled down over the past years but it has now been reorganized and expanded.

4. Technical and vocational guidance and training programmes

44. The Ministry of Youth and Community Development is responsible for the development and implementation of policies relating to non-formal technical and vocational training and guidance. It continues to have programme responsibility for the following Non-Formal Education/Training Programmes:

- Preparation of Vocational Instructors and teachers carried out at the Vocational Training Development Institute. (In this respect formal Education Training is also included.)

Skill training in:

- Industrial skills at four residual Industrial Training Centres;
- Light craft skills in Community Centres;
- Industrial skills under the Contractual Apprenticeship Programme;

- The Automotive Trade at the Jamaican-German Automotive School;
- Agricultural and related skills under the Jamaican 4H Clubs;
- Skills training and a programme of orientation and career counselling for children under care in the Children's Services Division.

45. The Ministry also explores possibilities to establish linkages for strengthening its capabilities for providing better vocational counselling, training and job placement.

46. In 1982, Parliament enacted the Human Employment and Resource Training Act which established the "H.E.A.R.T. Trust" aimed at co-ordinating financing and regulating Non-formal Skills Training Programmes in Jamaica. In the wake of the above, a reorganization exercise was undertaken and Government has now phased out all except four of the former Industrial Training Centres (basis vocational training courses were taught in these centres) and is in process of replacing the closed centres with an estimated sixteen (16) five hundred (500) place residential H.E.A.R.T. Academies. These Academies will provide training for over eight thousand (8,000) trainees when the system becomes fully operational.

47. The Academies are developed for specific occupational specialities consistent with Government's structural adjustment programme. These occupations represent the priority economic sectors for development and employment generation such as construction, agriculture, tourism, craft, business and commercial, food processing and garment apparel. In addition to the H.E.A.R.T. Academy Programme, the H.E.A.R.T. Trust is implementing a School Leavers Programme which provides for the placement of qualified school leavers in private industry for on-the-job training, for periods ranging from one to three years. This programme provides for an annual placement of four thousand (4,000) students.

48. The structure of the programmes under the H.E.A.R.T. Trust is flexible so as to accommodate a wide range of abilities and a diversity of interests. The programmes foster the development of technical job skills as well as the development of personal and life skills and stresses also the development of good personal and work attitudes. The programmes are implemented through a number of Ministries and public sector organizations. The Ministry of Youth and Community Development is currently responsible for the management of two Academies. The Social Development Commission is responsible for the day-to-day administration of the Academies.

49. The Ministry of Education which holds responsibility for vocational and pre-vocational training at the formal level provides training at varying levels in nearly all secondary schools (technical, vocational high, traditional high, and comprehensive), community colleges, College of Agriculture, College of Arts, Science and Technology, the University of the West Indies, teacher training colleges, etc.

50. The Government is committed to harnessing and developing the human resource potential of the nations youth through basic skills and agricultural training and to this end, the seven existing technical high schools, three new secondary schools and a comprehensive school are being brought into line to

offer a common enriched programme at the Basic Skills level. This project caters to the subject areas of agriculture, art and crafts, business studies, home economics and industrial education.

51. Another project expands and upgrades the facilities and programmes at the College of Agriculture and at one of the two agricultural schools - the other agricultural school having been well developed through an earlier project.

52. Through UNDP funding, preliminary surveys have been undertaken with a view to reorganizing with World Bank assistance, pre-vocational studies in the grades 7-9 programme across the nation. In addition, the following projects have been maintained:

- (i) Work Experience Project: In this programme, grade 11 secondary students are assigned for about three weeks to work stations to gain first-hand experience of an employment situation related as closely as possible to their vocational areas of study.
- (ii) The School Leavers' Programme: This programme is geared for the grade 11 secondary school leavers and is intended to "bridge the gap" into the "world of work". These students are assigned to the work place for approximately one year, during which time they are given an allowance from the statutory contributions made by employers. The programme is monitored by HEART (Human Employment and Resource Training).
- (iii) LEAP (Learning for Earning Activity Programme): This is an educational project for urban marginal population. More specifically the project has been designed to enable the urban poor to acquire useful knowledge, attitude and skills by providing learning activities directly associated with work and the problems of everyday life.

Sectoral Training

53. In addition to training under the forementioned systems, there are a number of programmes designed to meet the needs of specific sectors and special areas in public and private organizations.

Principal among these are:

Agriculture (under the Ministry of Agriculture)

54. The Training Division of the above mentioned Ministry undertakes the training of extension officers and farmers in general and also offers a special training programme geared for persons involved in agricultural export activities. Recently, much more emphasis has been placed on upgrading the skills of the Ministry's staff not only in the area of production but of management. Assistance is also being given in respect of training programmes for the Caribbean region.

Tourism

55. Training in the upgrading of skills is undertaken by the Training Department of the Jamaica Tourist Industry and is open to persons employed in this field.

Manufacturing

56. There has been considerable escalation in respect of training in the private sector (free zone) garment manufacturing industries.

Construction

57. Overall, there was significant activity in the area of training in this industry between 1982-1984 but a decline followed. However, in-service training continued its pace in the managerial, administrative and technical areas at varying levels.

Managerial

58. In addition to the main institutions (CAST and UWI), the Administrative Staff College established in 1978 under the portfolio of the Ministry of the Public Service has expanded its training programmes and consultancy services. Management training is also offered to the general public through the organization of courses under the auspices of the private sector e.g. The Jamaica Institute of Management. In-service training is also undertaken.

Other important training programmes

59. The Government has also undertaken training in fields such as - accounting, secretarial, computing, languages, auxiliary, dentistry and administers scholarships and fellowships programmes. Training institutions were established many years ago to provide skills in a number of essential areas e.g. nursing, bacteriology, pathology and public health. These institutions have been upgraded over the years but there have been no dramatic changes in more recent times.

Training and development of public servants

60. According to Staff Order 7.1(I) - "Training courses will be provided for all levels of staff in the public service to equip them to discharge their duties with maximum efficiency." Training and study opportunities are currently provided by way of study-leave; day-release; scholarships and fellowships programmes, some of which are funded externally; and in-service training whether ... undertaken by individual ministries/departments or centrally by the Ministry of the Public Service. The Ministry of the Public Service administers the scholarships and fellowships programmes. The Public Service Commission approves the grant of all awards under these programmes, while the National Planning Agency, liaises with donor agencies, on behalf of government, in respect of all technical assistance, including training.

Programmes

61. In-service training involves formal training activity ranging from one-day seminars to courses of up to eighteen (18) months duration. Centrally organized programmes undertaken by the Manpower Development Division of the Ministry of the Public Service cover a wide range of subject areas from Registry Management to General Management. The attached list shows the areas in which such training is currently offered, the target groups and the institutions or programmes of the Manpower Development Division through which they are offered. The institutions involved are:

- The Administrative Staff College;
- The Finance and Accounts College of Training;
- The Secretarial and Reporting College;
- The Language Training Centre;
- The Civil Service Training Centre; and
- The Mandeville Training Centre.

In addition to the pre-planned courses, special courses may be arranged, developed and implemented by the Manpower Development Division on an ad hoc basis in response to particular requests from other Ministries/Departments.

62. Several other Ministries and Departments organize training activities on a regular basis to meet the special needs of their own organization and to supplement the opportunities offered centrally. Much of this training is in technical areas directly related or peculiar to the work of the agency involved.

63. Scholarships and Fellowships Programmes aimed at providing professional skills for the public service involve the provision of opportunities to pursue locally or overseas, degree courses in arts, sciences, medicine, law, etc., diploma or certificate courses or shorter courses and attachments. These programmes are financed either by Government or through technical assistance.

5. Protection against arbitrary termination of employment

64. The Employment (Termination and Redundancy Payments) Acts of 1974 provides for a statutory period of notice to be given on the termination of contracts of employment - for certain employees the right of certain facilities for returning to their homes on the termination of their contracts and for the making by employers of payments to employees dismissed by reason of redundancy. The Act was amended in 1986 to increase the statutory period of notice in certain cases and also incorporates an "option to treat lay off as dismissal on ground of redundancy".

65. Administration of the above-mentioned legislation is the responsibility of the Pay and Conditions of Employment Branch of the Ministry of Labour. Routine inspections and investigation of complaints of breaches under the various Acts and Regulations are conducted by inspectors at the work-place where the employer's records are examined and workers interviewed to verify the findings of the inspectors.

66. A unionized worker who is arbitrarily removed may have such dismissal referred to the Industrial Disputes Tribunal (IDT) for settlement. If the IDT finds that the dismissal was unjustifiable and that the worker wishes to be re-employed, the Tribunal shall order the employer to do so. If the worker does not wish to be re-employed the Tribunal shall order the employer to pay the worker such compensation as the Tribunal may determine.

6. Protection against unemployment

67. The Jamaican economy cannot support such measures in respect of the establishment of a direct unemployment insurance scheme. However, there are in place a number of counterpart initiatives such as food stamps and malnutrition programmes and also rehabilitation grants which are intended for young persons who are unemployed.

C. Statistical and other available information on the level of employment ...

Please see statistical data in tables.

68. Difficulties affecting the degree of realization of the right to work are based on the following:

- Shortfall in respect of vocational training and job opportunities and corresponding shortage of skilled workers and surplus of low skilled and unskilled;
- High rate of population growth and resulting preponderance of youth from 15 to 29 years;
- Degree of illiteracy;
- Relatively low level of labour intensive activities.

Article 7: The Right to Just and Favourable Conditions of Work

A. Remuneration

1. Principal laws

69. Changes since the first report relate to the updating of relevant laws, such as the National Minimum Wage (Amendment) Order 1984, which set new minimum rates of pay for all categories of workers.

2. Principal methods for fixing wages

70. The principal methods used for fixing wages are the minimum wage-fixing machinery, collective bargaining, conciliation and arbitration and statutory regulations (e.g. the Civil Servant Establishment Order made under the Civil Service Establishment Act).

71. The principal agency in the minimum wage-fixing machinery is the Minimum Wage Advisory Commission which was established in 1974. The functions of the Commission are:

(a) To consider and to advise the Minister on all matters relating to National Minimum Wages;

(b) To obtain and record information in relation to wages and other remuneration, terms and conditions of work and other factors affecting the circumstances of employment of various categories of workers; to keep such information under continuous review and advise the Minister from time to time as regards the categories of workers in relation to which a minimum wage should be fixed - the wage to be fixed and other matters;

(c) To keep under review all minimum wages fixed by the Minister and the terms and conditions in relation thereto and to make recommendations to the Minister if there are any variations;

(d) The Commission also recommends to the Minister the fixing of minimum wages in specified trades.

72. In the case of workers who are represented by trade unions the fixing of remuneration and other terms and conditions of employment is usually made by collective bargaining and the matters agreed between the parties are finalized by a collective bargaining (a) at local level; (b) at industry-wide level (through Joint Industrial Councils); (c) where settlement of disputes are made by conciliation at the Ministry of Labour or by arbitration.

73. In recent times, the trend is for top administrative officers in the private sector to organize themselves for the purpose of collective bargaining either by staff associations affiliated to trade unions or by direct membership with the trade unions. The common practice is for the agreements to be done on a two-year basis.

74. The fixing of wages in the public sector is done by collective agreements (where the workers are unionized) or by direct agreement between employer and worker in both cases on the advice of the Ministry of the Public Service.

75. Information regarding the components of workers' remuneration (other than regular wages) is not available but research is continuing in this direction.

Please see information in Table I.13.

76. The provisions of this right are ensured by:

- The Employment (Equal Pay for Men and Women) Act, 1975. This Act prohibits discrimination on the grounds of sex in relation to remuneration for similar or substantially similar work performed for one employer by male and female employees alike. The Ministry of Labour has had no report of contravention of the Act but provision is made in the Act for investigation and for settlement of such complaints, before the matter becomes the subject of court proceedings.

77. Jamaica does not have a national classification of jobs. The International Labour Organisation's standard are widely used but there are jobs which do not fit into that four-digit standard. A project to establish a Jamaican Dictionary of Occupational Titles was launched through the assistance of USAID, in the recent past but indications are that there is still a long way to go before this matter can be finished. The Planning Institute of Jamaica is investigating the possibility of obtaining additional funding for the completion of this Dictionary.

B. Safe and healthy working conditions

Laws and regulations:

78. The principal law, the Factories Act, provides in general for:

- (a) The definition of factory;

- (b) The appointment of a chief and other factory inspectors;
- (c) The supervision of factories and machinery;
- (d) The constitution and functions of the Factories Appeal Board;
- (e) The registration of factories;
- (f) The approval of building plans for proposed factories or buildings appurtenant to factories;
- (g) The making of regulations to give effect to safety, health and welfare provisions;
- (h) The inspection of factories and medical examination of workers;
- (i) The reporting of accidents and industrial diseases;
- (j) The prosecution of offending factory operators;
- (k) Penalties for breaches of the Act and regulations;
- (l) The requirement that certain processes be discontinued where the condition of the premises is inimical to safety and wellbeing.

Regulations

79. Regulations in force include:

The Factories Regulations, 1961,

The Building Operations and Works of Engineering Construction (Safety, Health and Welfare) Regulations, 1968,

The Docks (Safety, Health and Welfare) Regulations, 1968.

The above-mentioned regulations provide for minimum standards of safety, health and welfare for workers engaged in manufacturing and other factory operations, as well as those engaged on sites of building operations and the loading and unloading and fuelling of ships.

Enforcement of legislation

80. The Industrial Safety Division, Ministry of Labour is responsible for the enforcement of legislation by way of supervision. This is undertaken by industrial safety inspectors and it is the policy of the Division to have every factory inspected at least once annually and in the case of high risk industries, inspections are made more frequently as each case warrants. Within particular industries safety supervision should be undertaken by an appointed supervisor as provided for in the regulations.

Measures not yet fully implemented

81. It is recognized that workers health and safety have been at risk for many years in the processing or handling of substances such as asbestos, lead,

carcinogens. Therefore, steps had been taken to effect improvement in working conditions in such factories which include the making of asbestos, cement, pipes, paint manufacture and rubber processing. However, full implementation of measures has not been achieved as the means whereby the industrial environment may be monitored is not now readily available. Some degree of biological monitoring is being done but this is not considered adequate as invariably damage to workers would have been done to varying degrees prior to detection.

Accident statistics

82. Statistics available on accidents occurring in industry, are not necessarily accurate as there is a high incidence of under-reporting. However, the statistics available as at 1985 are as follows:

Total number of accidents reported - 175 or less than 3 per 1,000 workers	
Fatal accidents	2
Permanent disability	Nil
Permanent partial disability	2
Temporary disability	172

C. Equal opportunity for promotion

Available information on this subsection, relates only to the public service.

83. Principal laws and administrative regulations:

The policy on promotions in the Public Service is set out in Circular No. 23 O.S.C. No. C4025/52. This document among other things makes reference to section 125 (I) of the Constitution of Jamaica which law states that the power to make appointments to public offices is vested in the Governor General, acting on the advice of the Public Service Commission.

84. Regulation 17 of the Public Service Regulation, 1961 also sets out in detail the bases for promotion. Regulation 17 has not been amended though this was at one time proposed. Copies of both documents are attached.

Principal arrangements and procedures to implement this right

85. As a consequence of the policy enunciated in Circular No. 23, merit is generally regarded as having greater significance than seniority when decisions on promotions are to be made. A merit system was instituted in 1975. The relevant document entitled "The Merit System" deals with promotion as an essential element of the system. It includes explicit reference to "provision for equal employment opportunity applicable to all personnel actions (e.g. promotions, transfer, training) without regard to such factors as political affiliation, sex, religious creed, marital status".

It describes:

"A promotion system which provides for fair and objective consideration of eligible employees for the promotion opportunities which arise and which assures that selection for promotion is job related and based upon merit, not political or personal patronage, or any other type of favouritism, nor primarily on the basis of seniority."

To be specific:

"Equal opportunity for everyone to be promoted in his employment to an appropriate higher level based on the following considerations: the officer's performance on the job, education, qualification, general suitability (including experience) and seniority when all factors are equal."

Performance evaluation

86. An integral part of the merit system is continuing performance evaluation. Performance evaluation reports are taken into account by those officers and committees who participate in decision making on the matter of promotions.

Workers' representatives on promotions committees

87. These committees include representatives elected by staff for the purpose of representing the interests of staff.

Career planning

88. Career planning in a structured way is fully developed in:

- (i) the secretarial grades
- (ii) the financial and accounting grades.

There are set examinations which a junior typist must pass to become eligible for promotion to higher grades, similar opportunities are available to officers holding financial and accounting positions who wish to sit the prescribed examinations. Every effort is made to allow officers time away from the job to undergo the necessary training courses.

D. Rest, leisure, limitation of working hours and holidays with pay

89. Principal laws and administrative regulations are as listed in the first report.

- 90.
- (i)- Minimum Wage Act and Orders provide for each employee to be
 - (ii) given a weekly rest day. They prescribe a national minimum remuneration for hourly and weekly workers in occupations, generally for waiting time, work done at single time, overtime on rest days and proclaimed public holidays.
 - (iii) The Holidays with Pay Act and Orders provide for two weeks holiday with pay (also sick leave).

- (iv) The Holidays with Pay Act and Regulations, 1966 also provide that all workers be paid for public holidays not worked and that public holidays shall not be reckoned in any holiday with pay entitlement. Provision is also made for the payment to casual workers of a gratuity at the end of each qualifying year.

91. The Shops and Offices Act and Regulations make provision for the following:

- Hours of opening on week days, on Sundays and on proclaimed public holidays;
- The employment of persons outside prescribed hours of business;
- The payment of overtime wages, provision of meal intervals and adequate seating in shops for use by the employees.

92. The Women (Employment of) Act provides that women should not work at nights except in certain trades and where they do, their hours of work should be limited. The Maternity Leave Act provides for a worker with 52 weeks continuous service to be granted eight weeks maternity leave with pay. Additional maternity leave without pay may be granted subject to the submission of the necessary medical certificate. The National Insurance (Amendment) (No. 2) Act provides for the eight weeks maternity leave with pay in respect of household workers, to be paid at the rate of the national minimum wage, by the National Insurance Scheme and not by the employer. Additional maternity leave without pay may be granted subject to the submission of the necessary medical certificate. Arrangements and procedures in respect of implementation of the foregoing rights is the responsibility of the particular organization through its personnel officers or other authorized assignees.

93. In Jamaica it is normal practice to adhere to these rights. Generally speaking, reports regarding any violation of them are dealt with by the Pay and Conditions of Employment Section of the Ministry of Labour by labour inspectors empowered to do so. Any matter which may need clarification in respect of this area as it affects the public service is dealt with by the Ministry of the Public Service.

IV. Article 8: Trade union rights

94. The year 1988 is being celebrated in Jamaica as "The Year of the Worker", marking as it does the 150th anniversary of the abolition of slavery and the 50th anniversary of the birth of Trade Union Movement in Jamaica. It was on the backs of the two major unions (the Bustamante Industrial Trade Union and the National Workers Union) that the two principal political parties were formed. Trade union rights are jealously guarded and respected in Jamaica.

95. A. The right to form trade unions has long been provided in the statutes of Jamaica, and exercised by Jamaican workers. It was in the 1940s however, with the increase in the growth and influence of the trade union movement that this right became a significant factor in the political, social and economic life of the country. The principal law relating to trade union rights is the Trade Union Act which came into force on 25 October 1919.

Section 23 of the Constitution of Jamaica, which came into force in 1962 when Jamaica gained independence, provided for the right of the worker to form and belong to trade unions.

Section 4 of the Labour Relations and Industrial Disputes Act of 1975, provides for the right of a worker as against his employer to join a trade union of his choice.

This Act also provides for:

(a) Compulsory balloting to determine a claim by a trade union for representational rights (Section 5);

(b) Compulsory recognition of a trade union by an employer (Section 5);

(c) Compulsory recognition of joint bargaining agents by an employer (Section 5).

96. There are administrative practices relating to the rights of trade unions to operate in the public service.

97. The form and making of collective agreements between trade unions and employers are not regulated by law. However, legislation has provided for:

(a) The fixing of the period or periods within an existing collective agreement within which a challenging trade union may claim for bargaining rights;

(b) The reporting to the Minister of Labour by an employer, of all collective agreements made by him, within fourteen (14) days after the date on which such agreements were made.

B. Right to form and join trade unions

98. As stated before, every person has the right to form or belong to a trade union, under Section 23 of the Constitution, and every person has the right as against his employer to belong to the trade union of his choice. Section 23 of the Constitution also provides for restriction of its right with respect to public officers, police officers and members of the Defence Force.

99. The Labour Relations and Industrial Disputes Act also excludes from the application of its provisions, persons employed in the Constabulary Force or the Defence Force.

100. The Constabulary Force Act provides for police sub-officers and men in the ranks of inspectors and below, to join a Police Federation for the protection of their interests. There is no similar provision for the members of the Defence Force.

101. In practice, the Government treats with all organizations which claim to represent workers in the Central and Local Government Services with respect to claims and other matters on behalf of workers in the public sector.

These include:

- The Jamaica Civil Service Association (which is not registered as a trade union) with respect to public officers as a whole;
- The Jamaica Association of Local Government Officers;
- The Union of Technical Administrative and supervisory personnel with respect to medical technologists;
- The Union of Public Officers and Public Employees with respect to prison warders;
- The Nurses' Association of Jamaica;
- The Jamaica Teachers' Association.

C. Right of trade unions to federate

102. Labour legislation in Jamaica is silent with respect to the right of trade unions to federate. However, this right is implied in the provisions of Section 23 of the Constitution.

103. The reality in Jamaican trade unionism is that the trade unions appear to be moving towards some form of a federation as evidenced by the formation in 1980 of the Joint Trade Union Research Development Centre comprising the Bustamante Industrial Trade Union (BITU), National Workers' Union (NWU), Trades Union Congress (TUC), and Jamaica Local Government Association (JALGO) - the four major unions. The Centre provides, inter alia, for research and training of union delegates. There is a small federation of trade unions - Independent Trade Union Action Council (ITAC) but its total membership is not large and its influence not great. Some trade unions, particularly the Bustamante Industrial Trade Union and National Workers' Union are affiliated with several international trade union organizations.

D. Right of trade unions to function freely

104. This is a right which is also implied by the Constitution (Section 23). The Labour Relations Industrial Disputes Act provides for a trade union to be recognized as having bargaining rights (Section 5).

105. In the public service where Government does not grant recognition by law to trade unions, there are administrative rules allowing for all workers to be represented by trade unions. The only notable exception is the Jamaica Defence Force already mentioned where it would appear the officers and soldiers have by their tradition not tested those rules.

106. There have been some limitations to the freedom of collective bargaining by the Government's pay policies and the powers of the Minister of Labour to refer, in certain circumstances, any dispute to the Industrial Disputes Tribunal. (Labour Relations Industrial Disputes Act - Section 11A.) The courts have ruled, however, that the Minister's power under section 11A of the above-mentioned Act may only be utilized in the national interest, the public interest and where industrial peace is threatened.

E. Right to strike

107. The courts have ruled that labour legislation does not provide for the right to strike but instead provides for freedom to strike.

108. With respect to industrial action in essential services, provision is made for compulsory reference to the Industrial Disputes Tribunal, if no settlement can be reached by the parties. The same applies to industrial action in any undertaking declared by order of the Minister to be a strike against the national interest.

109. Powers are given to the Industrial Disputes Tribunal to order workers on industrial action, back to work and also that any such action threatened should not take place. (Labour Relations and Industrial Disputes Act - Section 12.)

110. The Minister of Labour may also apply to the Supreme Court for the prohibition of industrial action threatened or taken, prejudicial to the national interest and the Court may make such an order if it considers fit, having regard to the national interest.

111. With respect to picketing, the provisions of Sections 32 and 33 of the Trade Union Act are made to prevent the use of violence or intimidation during picketing and also the picketing by persons not parties to the dispute.

112. Among the difficulties affecting the degree of realization of trade union rights is the competitiveness of the trade union movement as all unions are competing for the same body of workers. The absence of a federation has also hindered developments in the adoption of practices from abroad. On the other hand, a salient factor in the progress achieved by labour legislation, and in the advancement of trade union rights, has been translation of top trade union officers in the two major trade unions - the Bustamante Industrial Trade Union and the National Workers' Union, to senior positions in the major political parties and alternately Government.

V. Article 9: Right to social security

113. By Act No. 38 of 1965 (see first report) the National Insurance Scheme was established. Subsequently, several amendments (to 1981) have sought to keep the scheme in line with societal realities. The scheme is described in the appended publication by the Ministry of Social Security: All About National Insurance. */

114. The Ministry of Social Security and Consumer Affairs administers the Government's Social Security System which is comprised of a social insurance scheme as well as Allied Services which fall under the Public Assistance Division conforming to an ILO definition of Social Security.

*/ This document is available for consultation, as received from the Government of Jamaica in English, in the files of the Secretariat of the United Nations.

115. Following are the programmes:

- (1) The National Insurance Scheme
- (2) Public Assistance Benefit
- (3) Poor Relief Scheme
- (4) Food Aid Programme
- (5) Programmes for the Handicapped
- (6) Programmes for the Aged
- (7) Emergency Relief Services.

Each programme is administered by an agency/department of the Ministry, with local offices islandwide to facilitate more effective administration of the system. The social insurance system in Jamaica is the National Insurance Scheme.

Principal laws, administrative regulations, collective agreements, court decisions and other types of arrangements relating to the Social Security System, including social insurance schemes

116. The first step in the direction of providing social security was under the Old Age Pensions and Superannuation Schemes Law of 1958. This Law created a pensions authority with the duty of formulating the old-age pensions and other superannuation scheme for persons engaged in particular industries.

117. This authority promulgated the Sugar Workers' Pension Scheme which gave way to the National Insurance Scheme, which was brought into force on 4 April 1966. The Act which currently governs the Social Security operations is the National Insurance Act 1965.

118. The Scheme, since its inception in 1966 sought to insure all the working population in Jamaica between the ages of 18 and 70 (males) and 18 and 65 (females). No distinction exists in terms of geographical or political bounds. For the purposes of the National Insurance Act, working persons in Jamaica between the ages of 18 and 70 (males) and 65 (females) are divided into:

- (i) Employed persons
- (ii) Self-employed persons
- (iii) Voluntary contributors.

Employed persons are subdivided into three classes, namely:

- (a) Domestic workers
- (b) Members of the Jamaica Defence Force
- (c) Other employed persons.

119. There have been legislative reformations or amendments from time to time allowing for the granting of new benefits. At its inception in 1966 the Scheme provided for the payment of: old age benefit, invalidity benefit, widow's benefit, widower's benefit, orphan's benefit, special child's benefit, funeral grant, sugar worker's old age pension, sugar worker's invalidity pension.

1968

120. Self-employed persons, workers on small agricultural plots and persons who wanted to contribute voluntarily were all phased into the Scheme and became liable to contribute.

1970

Employment injury benefit introduced.

1979

Coverage extended to Jamaican workers who obtain work abroad through Government agencies, for example, farm workers, maternity benefit introduced. This benefit includes maternity allowance to domestic workers and maternity grant to certified exporters.

Arrangements

121. The Ministry of Social Security has made reciprocal arrangements with the United Kingdom, the United States of America and Canada in order to protect the Social Security benefits of persons who migrate from Jamaica to any of these countries or from these countries to Jamaica.

122. The Agreements ensure that benefits acquired through contribution or residence are not lost through migration.

The Agreements are:

- (1) The National Insurance (Reciprocal Arrangements) (United Kingdom) Order, 1972, scheduling the agreement on social security between the Government of Jamaica and the Government of the United Kingdom of Great Britain and Northern Ireland.
- (2) The National Insurance (Citizens of the United States of America) Modification Order 1968.
- (3) The Reciprocal Social Security Agreement between Canada and Jamaica was signed in January 1983 and came into effect on 1 January 1984.

123. Of the branches of Social Security listed, the Ministry provides:

- (i) Old age benefit or grant
- (ii) Invalidity benefit or grant
- (iii) Maternity benefit or grant

(iv) Employment injury benefit or grant

(v) Survivor's benefit or grant

(vi) Medical care.

See enclosed booklet for details of pensions, grants, etc. */

124. Percentage of the population covered by each branch:

Type of benefit	Percentage of population covered
Old age	27.5
Invalidity	27.5
Employment injury	27.1
Survivor's benefit	100.0

Method of financing

125. The principal source of income for the National Insurance Scheme are:

- (a) Contribution from the employer
- (b) Contribution from the insured person
- (c) Interest on investment
- (d) The expense on administration met by the Government.

126. Under National Insurance, every employee contributes a small amount from his salary each week. The employer makes these deductions. At the same time, the employer also makes a contribution which is a specified amount for each worker, and this forms the total weekly contribution towards National Insurance for that employee. From these contributions, funds are made available under the National Insurance Scheme to pay for old age and other benefits.

127. Government pays employer contributions in respect of workers in its service, and Government employees contribute like any other employee.

*/ Ibid.

NIS contribution percentages

<u>Non-Government</u>	(72%)
Employer	55%
Employee	45%
<u>Government</u>	(28%)
Employer	55%
Employee	45%

128. Non-Government and Government establishments make payments to the local Collector of Taxes which acts as collector for the National Insurance Scheme. Household (based on income from stamp card contributions), for example, domestic helpers.

Employer	66.6%
Employee	33.3%

129. The Government of Jamaica allocates a certain amount each year for each branch of the Social Security System. The amount spent for National Insurance is reimbursed by the Ministry. The reimbursed sum is taken from the National Insurance Fund. Aid is also received from time to time from various international organizations for the Public Assistance Programmes.

Factors and difficulties affecting the degree of realization of the right to social security

130. (a) Non-compliance on the part of employers in submission of Annual Returns (see page 22 of booklet).

(b) Non-payment of monthly contributions to the Collector of Taxes. Both actions delay the processing of benefit claims received or result in the employee totally losing his benefits.

131. To prevent such problems, delinquent employers are increasingly drawn before the courts, which action has proved very effective. In order to be eligible for import licences, employers must receive a Certificate of Compliance certifying that the employer has paid up his taxes and statutory deductions on time, and in full. This has also proved to be very effective.

132. (c) The failure of self-employed persons to register and to actively contribute to the National Insurance Scheme; this category of persons is fully responsible for their own stamp cards.

Table 1.1

MAIN LABOUR FORCE INDICATORS BY SEX, APRIL 1984 - APRIL 1986

	1984		1985		1986	
	April	October	April	October	April	October
BOTH SEXES						
Labour Force	1 044.1	1 047.5	1 035.0	1 049.8	1 062.4	1 055.5
Employed Labour Force	778.4	779.5	782.3	781.0	796.4	820.6
Unemployed Labour Force	265.7	268.0	252.7	268.8	266.0	234.9
Unemployment rate	25.4	25.6	24.4	25.6	25.0	22.3
MALE						
Labour Force	559.7	552.0	562.6	564.1	573.0	566.9
Employed Labour Force	471.2	464.8	476.6	473.3	478.0	491.4
Unemployed Labour Force	88.5	87.2	86.0	90.8	95.0	75.5
Unemployment rate	15.8	15.8	15.3	16.1	16.6	13.3
FEMALE						
Labour Force	484.4	495.5	472.4	485.7	489.4	488.6
Employed Labour Force	307.2	314.7	305.7	307.7	318.4	329.2
Unemployed Labour Force	177.2	180.8	166.7	178.0	171.0	159.4
Unemployment rate	36.6	36.5	35.3	36.6	34.9	32.6

Source: Statistical Institute of Jamaica.

Table 1.2

EMPLOYED LABOUR FORCE BY OCCUPATION GROUP, 1985-1986
(NUMBER AND PER CENT DISTRIBUTION)

	April 1985		October 1985		April 1986		October 1986	
	No. ('000)	Per cent	No. ('000)	Per cent	No. ('000)	Per cent	No. ('000)	Per cent
White collar	149.6	19.1	138.5	17.7	144.3	18.1	153.9	18.7
Professional, technical, administrative, managerial and related	63.7	8.1	57.4	7.3	56.1	7.0	61.1	7.4
Clerical and sales	85.9	11.0	81.1	10.4	88.2	11.1	92.8	11.3
Blue collar	195.2	24.9	198.5	25.4	203.9	25.6	207.6	25.3
Craftsmen, production process and operating	95.0	12.1	103.4	13.2	106.1	13.3	115.4	14.1
Unskilled, manual and general	100.2	12.8	95.1	12.2	97.8	12.3	92.2	11.2
Service	101.5	13.0	102.5	13.1	108.0	13.6	111.6	13.6
Self-employed	333.9	42.7	339.4	43.5	338.5	42.5	346.1	42.2
Not specified	2.1	0.3	2.1	0.3	1.7	0.2	1.4	0.2
TOTAL	782.3	100.0	781.0	100.0	796.4	100.0	820.6	100.0

Source: Calculated from data supplied by Statistical Institute of Jamaica.

Table 1.3

LEVELS OF EMPLOYMENT AND UNEMPLOYMENT RATE BY INDUSTRY
APRIL 1985 TO OCTOBER 1986

	April 1985		October 1985		April 1986		October 1986	
	No. Empl. ('000)	U.R. <u>a</u> / %	No. Empl. ('000)	U.R. %	No. Empl. ('000)	U.R. %	No. Empl. ('000)	U.R. %
<u>Goods producing sectors</u>	416.7	10.5	420.3	10.7	417.8	10.9	424.2	9.4
Agriculture, forestry, fishing	280.7	2.3	278.9	3.1	278.1	3.5	267.2	3.1
Mining, quarrying, refining	7.0	16.7	6.0	15.5	5.3	18.5	6.3	12.5
Manufacturing	96.6	20.7	100.6	20.8	104.6	20.3	115.3	17.4
Construction and installation	32.4	32.2	34.8	28.5	29.8	30.7	35.4	22.9
<u>Services producing sectors</u>	363.5	20.9	358.3	20.8	375.4	21.1	393.4	18.1
Transport, communication and public utilities	36.2	16.2	34.7	15.8	34.5	15.2	38.3	12.5
Commerce	112.0	14.7	115.3	13.4	123.3	14.0	125.1	12.3
Public administration	82.6	18.8	81.1	19.0	75.7	20.1	79.9	17.3
Other services	132.7	27.7	127.2	28.5	141.9	27.9	150.1	24.1
Industry not specified	2.1	-	2.4	-	3.2	-	3.0	-
TOTAL	782.3	24.4	781.0	25.6	796.4	25.0	820.6	22.3

Source: Calculated from data supplied by Statistical Institute of Jamaica.

a/ Unemployment rate.

Discrepancies due to rounding.

Table 1.4

EMPLOYMENT BY AGE AND SEX, 1984-1986
('000)

SEX AND AGE	1984		1985		1986	
	April	October	April	October	April	October
MEN	471.2	464.8	476.6	473.3	478.0	491.4
Youth (14-24 yrs.)	112.7	113.3	121.0	121.3	123.9	126.7
Adult (25 yrs. and over)	358.5	351.5	355.6	352.0	354.1	364.7
25-34 yrs.	115.8	114.9	121.4	116.8	118.1	121.8
35-44 yrs.	79.8	78.8	77.6	77.9	83.8	86.4
45 yrs. and over	162.9	156.8	156.6	157.3	152.2	156.5
WOMEN	307.2	314.7	305.7	307.7	318.4	329.2
Youth (14-24 yrs.)	48.8	49.9	53.5	51.5	54.2	62.3
Adult (25 yrs. and over)	258.4	264.8	252.2	256.2	264.2	266.9
25-34 yrs.	76.6	88.4	79.7	80.2	84.4	87.1
35-44 yrs.	64.0	71.0	62.9	62.0	66.8	66.1
45 yrs. and over	117.8	105.4	109.6	114.0	113.0	113.7
TOTAL	778.4	779.5	782.3	781.0	796.4	820.6

Source: Statistical Institute of Jamaica.

Table 1.5

UNEMPLOYMENT RATES FOR MAJOR DEMOGRAPHIC GROUPS, 1984-1986

ITEM	1984		1985		1986	
	April	October	April	October	April	October
TOTAL	25.5	25.6	24.4	25.6	25.0	22.3
Men, under 25 yrs.	32.3	31.8	28.7	30.4	30.6	25.7
Men, 25 yrs. and over	8.8	8.8	9.5	9.7	10.2	8.0
Women, under 25 yrs.	65.7	64.7	63.6	65.7	62.6	56.9
Women, 25 yrs. and over	24.4	25.2	22.5	23.6	23.3	22.3

Source: Calculated from data supplied by Statistical Institute of Jamaica.

Table 1.6

LABOUR FORCE BY AGE GROUP AND SEX - APRIL 1984 TO OCTOBER 1986
('000)

	1984		1985		1986	
	April	October	April	October	April	October
BOTH SEXES						
Total 14 years +	1 044.1	1 047.5	1 035.0	1 049.8	1 062.4	1 055.5
14-19	118.2	120.3	115.9	123.7	126.4	118.1
20-24	190.8	188.7	200.8	201.1	197.2	197.1
25-34	252.2	268.1	257.6	257.8	267.9	266.7
35-44	169.6	178.7	164.1	166.9	176.3	177.1
45-54	136.0	128.6	131.2	131.4	137.5	136.3
55-64	100.8	93.1	93.7	96.8	92.6	93.3
65 and over	76.5	70.0	71.7	72.1	64.5	66.9
MALE						
Total 14 years +	559.7	532.0	562.6	564.1	573.0	566.9
14-19	69.1	69.5	68.8	70.0	75.6	66.7
20-24	97.5	98.1	101.0	104.4	103.0	103.8
25-34	131.5	131.5	138.4	133.9	138.1	137.3
35-44	86.4	86.5	84.8	86.7	91.8	92.4
45-54	70.8	67.4	69.8	68.8	72.3	72.3
55-64	55.4	52.8	51.0	53.9	53.1	52.9
65 and over	49.0	46.2	48.8	46.4	39.1	41.5
FEMALE						
Total 14 years +	484.4	495.5	472.4	485.7	489.4	488.6
14-19	49.1	50.8	47.1	53.7	50.8	51.4
20-24	93.3	90.6	99.8	96.7	94.2	93.3
25-34	120.7	136.6	119.2	123.9	129.8	129.4
35-44	83.2	92.2	79.3	80.2	84.5	84.7
45-54	65.2	61.2	61.4	62.6	65.2	64.0
55-64	45.4	40.3	42.7	42.9	39.5	40.4
65 AND OVER	27.5	23.8	22.9	25.7	25.4	25.4

Source: Statistical Institute of Jamaica.

Discrepancies due to rounding.

Table 1.7

WORK STOPPAGES BY INDUSTRY AND BY CAUSE, 1982-1986

INDUSTRY/ SECTOR	ALL CAUSES					WAGE AND CONDITIONS OF EMPLOYMENT					BARGAINING RIGHTS				
	1982	1983	1984	1985	1986	1982	1983	1984	1985	1986	1982	1983	1984	1985	1986
Agriculture	13	6	10	11	8	7	1	5	6	4	1	-	-	-	-
Manufacture	37	20	15	27	19	9	12	10	11	10	1	-	-	-	-
Construction	6	3	2	4	-	4	1	1	4	-	-	-	-	-	-
Commerce	11	9	7	6	5	8	4	6	3	4	-	1	-	-	-
Communication	4	2	3	3	-	2	2	3	2	-	-	-	-	-	-
Mining	4	-	1	-	-	4	-	1	-	-	-	-	-	-	-
Services	62	44	19	30	8	23	25	7	17	3	1	1	-	-	-
Transportation	5	7	6	1	-	2	5	2	1	-	-	1	-	-	-
General Strike	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-
All Industries	142	91	63	83	40	58	50	35	44	21	3	3	0	0	0
Per Cent Change Over Previous Year		-35.9	-30.8	31.7	-51.8		-13.8	-30.0	25.7	-52.3		0	-100	0	0

Table 1.7 (continued)

INDUSTRY/ SECTOR	DISMISSALS AND SUSPENSIONS					MISCELLANEOUS					NOT KNOWN a/				
	1982	1983	1984	1985	1986	1982	1983	1984	1985	1986	1982	1983	1984	1985	1986
Agriculture	-	-	1	1	3	4	3	3	4	1	1	2	1	-	-
Manufacture	13	6	1	12	4	13	2	4	4	5	1	-	-	-	-
Construction	-	2	-	-	-	-	-	1	-	-	2	-	-	-	-
Commerce	1	3	1	1	-	1	1	-	2	1	1	-	-	-	-
Communication	-	-	-	1	-	2	-	-	-	-	-	-	-	-	-
Mining	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Services	6	9	5	5	2	25	7	7	7	3	8	2	-	1	-
Transportation	-	-	2	-	-	3	1	2	-	-	-	-	-	-	-
General Strike	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
All Industries	20	20	10	20	9	48	14	17	18	10	13	4	1	1	0
Per Cent Change Over Previous Year	0		-50.0	100	-55.0		-70.8	21.4	5.9	-44.4		-69.2	-75.0	0	-100

Source: Ministry of Labour.

a/ This category reflects work stoppages where causes were not known.

Table 1.8

DISPOSAL OF DISPUTES, 1982-1986

DISPOSAL OF DISPUTES	1982		1983		1984		1985		1986	
	No.	Percentage Distribution	No.	Percentage Distribution	No.	Percentage Distribution	No.	Percentage Distribution	No.	Percentage Distribution
I. Total Number of Disputes	859	100.0	862	100.0	808	100.0	790	100.0	564	100.0
(a) Settled	491	57.2	432	50.1	420	52.0	397	50.4	252	44.7
(b) Industrial Disputes Tribunal	107	12.4	104	12.1	83	10.3	90	11.4	52	9.2
(c) Returned to Local Level	56	6.5	151	17.5	122	15.1	127	15.9	140	24.8
(d) Arbitration	4	0.5	3	0.3	-	0.0	3	0.4	-	-
(e) Board of Inquiry	2	0.2	1	0.1	2	0.2	-	-	-	-
(f) Investigation									1	0.2
(g) Director of Public Prosecution	-	-	6	0.7	2	0.2	-	-	-	-
II. Total Disposed of	660	76.8	697	80.9	629	77.8	617	78.1	445	78.9
III. Total Outstanding	199	23.2	165	19.1	179	22.2	173	21.9	119	21.1

Source: Ministry of Labour.

Table 1.9

SUMMARY OF INDUSTRIAL DISPUTES TRIBUNAL ACTIVITIES, 1982-1986

DISPUTES REPORTED BY CAUSE	1982	1983	1984	1985	1986
I. Number of Disputes sent to Tribunal	107	104	83	90	52
(a) Wages and Conditions of Employment	50	30	25	18	23
(b) Dismissals and Suspensions	53	62	49	58	23
(c) Bargaining Rights	3	9	2	5	3
(d) Wages Dismissals	1	-	-	-	-
(e) Miscellaneous	-	3	7	9	3
II. Number of Awards Handed Down	73	67	56	40	65
III. Total Disputes Withdrawn	-	26	n.a.	n.a.	37
IV. Total Disputes Outstanding	124	98	n.a.	n.a.	81

Sources: Ministry of Labour; Industrial Disputes Tribunal.

Table 1.10
LABOUR FORCE LEVELS, 1975-1985

Period		Total	Male	Female
1975	April	829 200	462 100	367 100
	October	847 400	462 700	384 700
1976	April	852 900	470 800	382 100
	October	870 700	471 800	398 900
1977	April	882 500	480 400	402 100
	October	898 800	481 400	417 400
1978	April	902 800	482 900	419 900
	October	927 500	492 900	434 600
1979	April	924 600	493 800	430 800
	October	956 500	519 000	437 500
1980	April	943 500	499 600	443 900
	October	977 100	515 100	462 000
1981	April	979 100	514 800	464 300
	October	993 000	527 100	465 900
1982	April	1 002 900	531 900	471 000
	October	1 016 900	545 300	471 600
1983	April	990 400	532 900	457 500
	October	1 026 300	556 100	470 200
1984	April	1 044 100	559 700	484 400
	October	1 047 500	552 000	495 500
1985	April	1 035 000	562 600	472 400
	October	1 049 800	564 100	485 700

Table 1.11

EMPLOYMENT LEVELS, 1975-1985

Period		Total	Male	Female
1975	April	663 000	410 900	252 100
	October	671 900	408 700	263 200
1976	April	678 500	414 700	263 800
	October	659 700	402 500	257 200
1977	April	666 000	403 500	262 500
	October	685 100	412 300	272 800
1978	April	695 700	420 900	274 800
	October	689 100	417 200	271 900
1979	April	701 100	427 200	273 900
	October	661 500	416 300	245 200
1980	April	680 200	414 800	265 400
	October	716 800	434 600	282 200
1981	April	721 600	438 200	283 400
	October	739 000	453 600	285 400
1982	April	732 300	451 300	281 000
	October	730 400	451 800	278 600
1983	April	734 300	449 100	285 200
	October	750 400	463 500	286 900
1984	April	778 400	471 200	307 200
	October	779 500	464 800	314 700
1985	April	782 300	476 600	305 700
	October	781 000	473 300	307 700

Table 1.12

UNEMPLOYMENT LEVELS, 1975-1985

Period		Total	Male	Female
1975	April	166 200	51 200	115 000
	October	175 500	54 000	121 500
1976	April	174 400	56 100	118 300
	October	211 000	69 300	141 700
1977	April	216 500	76 900	139 600
	October	213 700	69 100	144 600
1978	April	207 100	62 000	145 100
	October	238 400	75 700	162 700
1979	April	223 500	66 600	156 900
	October	295 000	102 700	192 300
1980	April	263 300	84 800	178 500
	October	260 300	80 500	179 800
1981	April	257 500	76 600	180 900
	October	254 000	73 500	180 500
1982	April	270 600	80 600	190 000
	October	286 500	93 500	193 000
1983	April	256 100	83 800	172 300
	October	275 900	92 600	183 300
1984	April	265 700	88 500	177 200
	October	268 000	87 200	180 800
1985	April	252 700	86 000	166 700
	October	268 800	90 800	178 000

Table 1.13

PERCENTAGE DISTRIBUTION OF THE EMPLOYED LABOUR FORCE BY INCOME GROUP

INCOME GROUP (Average per week) =	1983		1984		1985	
	April	October	April	October	April	October
BOTH SEXES						
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0
No Income	3.7	4.3	4.5	4.5	5.3	5.4
Under \$20	9.0	8.6	7.3	5.4	4.6	5.3
\$20 to under \$30	6.6	6.1	6.0	4.9	4.9	4.9
\$30 to under \$40	7.5	7.6	7.7	6.2	5.1	5.0
\$40 to under \$50	6.9	5.9	7.2	7.8	5.9	5.4
\$50 to under \$100	19.3	19.5	23.2	24.6	26.6	26.0
\$100 and over	46.8	48.0	44.1	46.7	47.5	48.0
MALE						
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0
No Income	2.4	3.3	3.0	2.9	4.0	3.7
Under \$20	8.6	7.6	7.0	5.2	4.2	4.9
\$20 to under \$30	6.3	6.4	5.7	4.6	4.5	4.3
\$30 to under \$40	5.9	6.3	6.2	5.5	4.9	4.3
\$40 to under \$50	5.8	4.6	6.2	5.9	5.4	5.0
\$50 to under \$100	19.9	20.0	23.3	23.8	25.0	24.6
\$100 and over	51.2	52.0	48.6	52.3	52.1	53.2
FEMALE						
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0
No income	5.8	6.0	6.8	7.0	7.5	7.9
Under \$20	9.6	10.1	7.7	5.6	5.3	6.0
\$20 to under \$30	7.2	5.7	6.4	5.4	5.5	5.7
\$30 to under \$40	10.2	9.8	10.0	7.3	5.6	6.2
\$40 to under \$50	8.7	7.9	8.8	10.6	6.8	6.1
\$50 to under \$100	18.4	18.6	23.2	25.8	29.0	28.3
\$100 and over	40.1	41.8	37.2	38.3	40.4	39.8