

CAYMAN ISLANDS



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**THE LABOUR (GRATUITIES ENTITLEMENT)
REGULATIONS 1994**

CAYMAN ISLANDS

THE LABOUR LAW, 1987

THE LABOUR (GRATUITIES ENTITLEMENT) REGULATIONS 1994

The Governor in Council, in exercise of the powers conferred on him by section 34 of the Labour Law, (a), makes the following Regulations –

Title

1. These Regulations may be cited as the Labour (Gratuities Entitlement) Regulations 1994.

Service employees entitled to gratuities

2. (1) The class of employees who are entitled to be included in the distribution of gratuities from a service employer comprise every employee of the service employer with the exception of any employee who is an employee of managerial level (as defined in section 2 of the Labour Law).

(2) Without prejudice to the generality of the definition of "employee of managerial level", the classes of employees of a service employer described in paragraph (3) below shall be treated for the purposes of this regulation as being included in that definition.

(3) The employees of managerial level include –

- (a) every employee who is employed by the service employer to perform the functions of any description of manager, director or chief; and
- (b) every employee in a position of supervision or control over part or all of any one or more of the following parts of the service employer's business –
 - (i) administration, finance, reservations or personnel;
 - (ii) kitchen, restaurant or dining room;
 - (iii) the provision of catering, banquetting or other related facilities and services;

(a) Law 30 of 1987, as amended by Law 18 of 1989 and Law 24 of 1993.

- (iv) food and beverage facilities and services;
- (v) night club;
- (vi) engineering or maintenance;
- (vii) housekeeping;
- (viii) security.

Made in Council this 18th day of October, 1994.

MONA N. BANKS-JACKSON
Clerk of Executive Council

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the class of employees who are entitled to be included in the distribution of gratuities by a service employer for the purposes of the Labour Law and the Labour (Gratuities Distribution) Regulations 1992. All service employees who are not of managerial level (as defined) will be entitled to be included in the distribution of gratuities. The definition of managerial level will ensure that only those employees who are not in managerial or supervisory posts will be entitled.