GLOBAL HIRING GUIDE

Haiti

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BASIC COUNTRY FACTS

Full Name
Republic of Haiti

Capital
Port-Au-Prince

Main Languages
Haitian Creole
French

Population
11.45 Million

Monetary Unit
Haitian Gourde

Internet Domain
.ht

International Dialing Code
+509

Currency
Haitian gourde

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STATUTORY LABOR REQUIREMENTS

Probation Period

- Probationary period is of 3 months

Annual Leave

- Any worker whose employment is permanent is entitled, after one year of service, to a paid leave of at least 15 consecutive days, including 13 working days and 2 Sundays.

Public Holidays

The official public holidays are as follows:

1. New Year's Day and Independence Day
2. Ancestry Day
3. Shrove Tuesday
4. Good Friday
5. Agriculture and Labor Day
6. Flag and University Day
7. Corpus Christi
8. Assumption of Mary
9. Dessalines Day
10. All Saints' Day
11. All Souls Day
12. Battle of Vertières Day
13. Discovery Day
14. Christmas Day

Maternity Leave

- Maternity leave is a paid leave of absence.
- The duration of the maternity leave is set at 12 weeks, of which 6 weeks are currently being paid by the employer.
- The duration of the leave shall be six weeks before confinement and, necessarily, six weeks after confinement.

Paternity Leave

- There is no paternity leave

Sick Leave

- The worker is entitled to a total of 15 days of sick leave per year without a reduction in salary.
- To benefit from this, the worker must submit a medical certificate from a company doctor or a Public Health Service.

Work Hours

- Normal work time is 8 hours per day and 48 hours per week.

Overtime

- Overtime refers to any hours worked beyond normal working hours.
- They are paid with a 50% surcharge.
- These hours may not exceed 80 hours per quarter.

Notice Period

- The employer or the employee who wishes to terminate the written employment contract must first give written notice to the other party.
- This notice may be given verbally in the presence of two witnesses in the case of a verbal contract.
- The notice is compulsory only for employees who have provided at least three consecutive months of work with the employer.
- The notice period will be determined as follows:
    - 15 days' notice period for an employment period of 3 to 12 months
    - 1-month notice period for an employment period of 1 to 3 years
    - 2-month notice period for an employment period of 3 to 6 years
    - 3-month notice period for an employment period of 6 to 10 years
    - 4-month notice period for an employment period of 10 or more years

Severance

- Severance pay is follows: -
    - Half a month's wage for an employment period of 3 to 12 months
    - One month's wage for an employment period of 1 to 3 years
    - Two month's wages for an employment period of 3 to 6 years
    - Three month's wages for an employment period of 6 to 10 years
    - Four month's wages for an employment period of 10 or more years

13th Month

- 13th month bonus is an additional and compulsory salary paid by the employer to employees between the 24th and 31st December of each year, regardless of the length of employment
- The bonus may not be less than one-twelfth of the wages received by the employee during the year

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INCOME TAX

- Corporate and personal incomes are both taxed according to a progressive scale ranging from 10% to 35%
- Since 1951, new corporations if placed on the government's list of recommended new industries have benefited from special tax concessions, including customs duties exemption and a five-year corporate income tax exemption
- The progressive income tax is the most import direct tax
- The first band, 10% implicitly exempts the first 20,000 Gourde of income (about $509) from taxation, and runs to 100,000 Gourde ($2,542)
- The 15% band covers the next increment of income to 250,000 Gourde ($6,360); the 25% band covers the next increment to 750,000 Gourde ($19,076) and the highest band 30% applies to all income above 750,000 Gourde $19,076.
- Corporate income tax in Haiti is imposed at a standard rate of 30%

PERSONAL INCOME TAX RATE

First 20,000 Gourde	Exempt
20,000 Gourde To 100,000 Gourde	10%
100,000 Gourde To 250,000 Gourde	15%
250,000 Gourde To 750,000 Gourde	25%
Above 750,000 Gourde	30%

04

SOCIAL SECURITY

- Employers in Haiti are required to submit monthly
    - Social security contribution of 6% of their employees' gross salary to the Haiti Retirement Insurance Office (ONA)
        - The rate of the ONA contribution is fixed at 12% of the base salary of which 6% are paid by the employee and 6% by the employer
    - Health insurance contribution of 3%
        - The contribution rate is fixed at 6% of the employee's basic salary, half of which is paid by the employer and the other half by the insured.

CONTRIBUTION	EMPLOYER	EMPLOYEE
Social Security Contribution	6%	6%
Health Insurance Contribution	3%	3%

05

IMMIGRATION

Immigration

- Nationals of the following countries require a visa to enter Haiti.
  - Dominican Republic
  - Panama
  - Columbia
  - Cuba
  - Syria
  - Libya
  - Iran
  - Vietnam
  - Yemen
- Every person who travels with a non-Haitian travel document and who intends to work in Haiti is required to obtain a Work Permit.
- The employment permit may not be granted for more than one year; It is renewable up to five consecutive years at the discretion of the Manpower Directorate.
- This includes missionaries, teachers, businessmen, retirees and students.
- Individuals requiring a visa must apply at least one (1) month before their date of departure and provide the following supporting documents:
  - Duly completed and signed Application Form;
  - Two (2) passport-sized color photos;
  - Letter explaining the reason and length of stay, as well as providing references in Haiti;
  - Name, address, and telephone number of the hotel or hotels where the applicant will be staying; or alternatively, the name, address, and telephone number of the friend or friends with whom the applicant will be staying;
  - Valid passport;
  - Photocopy of round-trip booking confirmation or ticket; and
  - Letter from the applicant's current employer.
- The fee for a visitor or tourist visa is US $25.00.
- This type of visa is valid for three (3) months with only one entry into the country.
- Immigrant or residence visas confer the right to permanent residence in Haiti without prejudice to deportation (see Article 15 of the Law on Immigration and Emigration).
- The application form for an immigrant visa must be submitted in three (3) copies and include the following information:
  - The name(s) of the applicant;
  - The date and place of birth;
  - Applicant's current nationality and nationality of origin;
  - His or her present profession or occupation, and in the past ten (10) years;
  - Applicant's current address;
  - The name(s), current nationality and nationality of origin of the applicant's father and mother;

- If the person is married, name(s), occupation and nationality of the spouse before marriage;
- The reasons why the applicant wants to go to Haiti and the length of stay in Haiti;
- Applicant's proof of income and bank statements;
- Applicant's diplomas or certificates of technical knowledge along with an employment contract;
- Information on the people in Haiti whom the applicant knows and for how long, and also the associations to which the applicant is or was a party;

- In addition, to the above information, the applicant must also provide the following supporting documentation:
  - Six (6) passport-sized color photos of the applicant and family members who will accompany the applicant to Haiti.
  - A certificate from legal authorities in the applicant's place of residence stating that during the past ten (10) years, the applicant has not been convicted of a felony or misdemeanor offense.
  - A health certificate, issued within fifteen (15) days prior to the visa application.

- Once the duly completed residence application has been submitted to the Consulate or Embassy, the applicant must wait for a notice of approval from the diplomatic or consular agent before traveling to Haiti.

TYPE OF VISA/PERMIT	DOCUMENTATION	VALIDITY	ELIGIBILITY
Tourist Visa	• Duly completed and signed Application Form; • Two (2) passport-sized color photos; • Letter explaining the reason and length of stay, as well as providing references in Haiti; • Name, address, and telephone number of the hotel or hotels where the applicant will be staying; or alternatively, the name, address, and telephone number of the friend or friends with whom the applicant will be staying; • Valid passport; • Photocopy of round-trip booking confirmation or ticket; and • Letter from the applicant's current employer.	3 Months	• Individuals from Dominican Republic, Panama, Columbia, Cuba, Syria, Libya, Iran, Vietnam, Yemen must apply for a tourist visa for short stay visits
Immigrant or residence visa	• Completed application form • Applicant's proof of income and bank statements; • Applicant's diplomas or certificates of technical knowledge along with an employment contract; • Valid Passport • Six (6) passport-sized color photos of the applicant and family members who will accompany the applicant to Haiti. • A certificate from legal authorities in the applicant's place of residence stating that during the past ten (10) years, the applicant has not been convicted of a felony or misdemeanor offense. • A health certificate, issued within fifteen (15) days prior to the visa application.	Permanent	• Immigrant or residence visas confer the right to permanent residence in Haiti without prejudice to deportation (see Article 15 of the Law on Immigration and Emigration).

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VALUE ADDED TAX

Value Added Tax

- The Value Added Tax (VAT) in Haiti is levied at a standard rate of 10%

VAT	
Standard Rate	10%

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WITHHOLDING TAX

Withholding Tax

- Withholding tax in Haiti is applicable at a standard rate of 15% on dividends, interest and royalties paid to both resident and non-resident companies

WHT	
Dividends	15%
Interest	15%
Royalties	15%

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TERMINATION

- The termination of the employment contract can be done in three ways:
  - As a matter of law
    - Expiry of the period laid down in the contract
    - Completion of work in the case of contracts concluded for a specific work
    - Grounds for termination expressly stipulated in the contract
    - Death of the employee or duly proven case of force majeure
    - Complete and final closure of the enterprise as a result of the death of the employer
  - By mutual consent of the parties
    - In the case of a verbal employment contract, this consent may be established in writing or given verbally in the presence of two witnesses.
    - When the contract is written, the cancellation must be confirmed in writing.
    - There shall be no liability for either party following the termination of the individual employment contract by mutual consent.
  - By the will of one of the parties
    An employee who wishes to terminate his employment contract without any liability for himself shall inform the Directorate of Labor on one of the following grounds:
    - Failure to pay the full remuneration at agreed or customary dates and locations;
    - Verbal excesses, insults or threats on the part of the employer;
    - Intentional damage to the instruments or tools of work by the employer or his representative;
    - Presence of persons carrying contagious diseases if the worker is to remain in immediate contact with the affected person;
    - Threat to the safety or health of the worker due to lack of hygienic conditions in the workplace or failure to comply with preventive and safety measures prescribed by law.
    - Breach of obligations imposed on the employer by contract or by law

09

STATUTORY BENEFITS

- These are mandatory benefits as postulated by law
- These include probationary period, annual leave, public holidays, sick leave, maternity leave, overtime pay, notice period, and severance pay
- Statutory benefits also include social security benefits

STATUTORY BENEFITS

- Probationary Period
- Annual Leave
- Public Holidays
- Maternity Leave
- Sick Leave
- Overtime Pay
- Notice Period
- Severance Pay
- Social Security Benefits

GLOBAL EXPANSION