

- *Break* matul il-ġurnata tax-xogħol ta' mill-inqas 30 minuta wara erba' sigħat u nofs xogħol;
- Mistrifej tal-jum (bejn ġurnata xogħol u oħra) ta' mhux anqas minn 14-il siegħa konsekuttivi;
- Mistrifej tal-ġimgħa ta' jumejn konsekuttivi, li ġurnata minnhom tkun il-Fladd;
- Minimu aggregat ta' 21 ġurnata bla xogħol matul il-vaganzi tal-iskola.

L-istess bħal fil-każ tal-adolexxenti, l-*Employer* għandu jara li:

- Jitlob ċertifikat tat-twelid qabel jimpjega tifel jew tifla;
- Ukoll qabel jimpjega, jikseb il-permess bil-miktub ta' ġenitur tal-minuri;
- Jekk ma jkunx ġie ffirmat kuntratt tax-xogħol, jagħti lill-impjegat, dikjarazzjoni ffirmata mill-*Employer* li tkun tinkludi l-kundizzjonijiet tax-xogħol miftehma mal-impjegat minuri, fi żmien 8 t'ijiem tax-xogħol;
- Iżomm *records* li jkunu jinkludu d-dettalji tal-impjegat minuri, bħall-isem, id-data tat-twelid, il-ħin tax-xogħol u l-paga, għal perjodu minimu ta' 3 snin.

F'każ ta' xi diffikultà relatata ma' impieg ta' żagħżagħ, wieħed jista' jagħmel kuntatt mas-Servizzi Nazzjonali ta' Support għall-Iskejjel fuq - 25983494 / 88 jew mad-Dipartiment tar-Relazzjonijiet Industrijali u tal-Impieg, fuq - 21224245 / 46.

evening and six o'clock in the morning;

- A break of at least 30 minutes after four and a half hours of work; Daily rest (between one working day and another) of not less than 14 consecutive hours;
- Weekly rest of two consecutive days, one of which is a Sunday;
- A minimum aggregate of 21 days without work during the school holidays.

The same as in the case of adolescents, the employer should ensure to:

- Ask for a birth certificate before employing a child;
- And prior employment, obtain the written consent from a parent of the child; in the absence of a signed contract of employment, the employer must, within 8 working days, give to the employee a statement signed by him/her, including the conditions of employment agreed with the employee;
- Keep records that include details of the minor, such as name, date of birth, working time and wage, for at least 3 years.

In case of any difficulty relating to employment of young persons, one may contact the National School Support Services on - 25983494/ 88 or the Department of Industrial and Employment Relations on - 21224245 / 46



Department of Industrial and Employment Relations

121, Triq Melita,
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ŻGĦAŻAGĦ fl-Impieg

YOUNG PERSONS in Employment

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All information in this publication is correct as on the date of publication. Although due care has been taken to ensure the correctness of published information, this does not rule out mistakes. It is advisable to use this publication for general information purposes only and before taking any decisions or interpreting any published information you consult the Department for Industrial and Employment Relations. For further information including recent updates on the subject, contact the Department for Industrial and Employment Relations.

ŻĠHAŻAĠH FL-IMPIEG

Bir-regolamenti stabbiliti fil-Liġi Sussidjarja 452.92 - Regolamenti dwar l-Impieg ta’ Żgħażaġh, il-liġi tħares li tipproteġi lill-ħaddiema Żgħażaġh fl-impieg. Żgħażaġh jistgħu jkunu tfal (minuri) li jkunu għadhom fl-età obligatorja għall-Iskola (ma għalqux l-età ta’ sittax-il sena jew li ma jkunux lestew l-aħħar sena tal-iskola sekondarja) u dawk ta’ bejn l-età obligatorja għall-Iskola u taħt it-tmintax-il sena, magħrufa bħala adolexxenti. Hemm protezzjoni akbar fejn jidhol xogħol ta’ minuri.

Adolexxenti

Hawn taħt hawn indikat xi kundizzjonijiet tax-xogħol li l-*Employer* għandu josserva meta jħaddem persuna adolexxenti:

- Il-ħin tax-xogħol matul il-ġurnata m’għandux ikun itwal minn 8 sigħat;

- Il-ħin tax-xogħol matul ġimgħa m’għandux jaqbez l-40 siegħa. Dan jgħodd (b’mod kumulattiv) anke jekk ix-xogħol ikun maqsum f’aktar minn impieg wieħed;

- Ma jstax isir xogħol matul il-lejl, jiġifieri f’hin bejn l-għaxra ta’ filgħaxija u s-sitta ta’ filgħodu. Jista’ jkun hemm eżenzjonijiet fis-setturi tat-tbaħħir jew tas-sajd, sparijiet jew istituzzjonijiet simili u f’attivitajiet kulturali, artističi, sportivi jew ta’ reklamar, jekk ikun hemm raġunijiet oġġettivi;

- Il-*break* matul il-ġurnata tax-xogħol huwa ta’ mill-inqas 30 minuta wara erba’ sigħat u nofs xogħol;

- Il-mistrieħ tal-jum (bejn ġurnata xogħol u oħra) għandu jkun ta’ mhux anqas minn 12-il siegħa konsekuttiva;

YOUNG PERSONS IN EMPLOYMENT

The regulations set out by Subsidiary Legislation 452.92 - Young Persons (Employment) Regulations, seek to protect young workers in employment. Young Persons include children (minors) still of compulsory school age (have not finished compulsory schooling or are below the age of sixteen years) and those between the compulsory school age and under eighteen years, known as adolescents. Protection is higher where it concerns children in employment.

Adolescents

The working conditions indicated below must be observed by the employer when employing an adolescent:

- The working time during the day should not be longer than 8 hours;

- The weekly working time should not exceed 40 hours. This applies (cumulatively) even if the work is divided into more than one job;

- No work is to be carried out during the night, that is, the period between ten o'clock in the evening and six o'clock in the morning, unless there is a justification that merits an exemption. There may be exemptions in the sectors of shipping or fishing, hospitals or similar institutions and in cultural, artistic, sports or advertising activities, if there are objective reasons;

- The break during the workday must be at least 30 minutes after four and a half hours work;

- The daily rest (between one working day and another) should be not less than 12

- Il-mistrieħ tal-ġimgħa huwa ta’ jumejn, li possibilment ikunu konsekuttivi, u li fil-prinċipju jkunu jinkludu l-ġurnata tal-Ħadd.

Barra minn hekk l-*Employer* għandu jara li:

- Jitlob ċertifikat tat-twelid qabel jimpjega persuna adolexxenti;

- Ukoll qabel jimpjega jikseb il-permess bil-miktub mingħand tal-anqas wieħed jew waħda mill-ġenituri tal-persuna adolexxenti;

- Jekk ma jkunx ġie ffirmat kuntratt tax-xogħol għandu jagħti lill-impjegat, dikjarazzjoni ffirmata mill-*Employer* li tkun tinkludi l-kundizzjonijiet tax-xogħol miftehma mal-impjegat, fi żmien tmint ijiem tax-xogħol;

- Iżomm *records* li jkunu jinkludu d-dettalji tal-persuna adolexxenti, bħall-isem, id-data tat-twelid, il-ħin tax-xogħol u l-paga, għal perjodu minimu ta’ 3 snin.

Tfal

Ir-regolamenti u l-kundizzjonijiet tax-xogħol li japplikaw dwar l-Impieg ta’ Żgħażaġh huma aktar protettivi fejn jidhol xogħol ta’ tfal. Xogħol jinkludi kull attività li tista’ ssir kemm bi ħlas kif ukoll mingħajr ħlas.

Qabel ikun jista’ jimpjega tifel jew tifla fl-età obligatorja għall-Iskola, l-*Employer* jeħtieġ awtorizzazzjoni li tinħareġ mid-Direttur Ġenerali għas-Servizzi Edukattivi u mid-Direttur għall-Impiegi u r-Relazzjonijiet Industrijali. Talba għall-awtorizzazzjoni tista’ tkun ikkunsidrata biss jekk ix-xogħol offrut huwa ta’ natura ħafifa u ma jkunx ta’ periklu għas-saħħa jew ta’ dannu għall-iżvilupp tal-minuri.

F’dan ir-rigward irid ikun żgurat li:

consecutive hours;

- The working schedule must also include weekly rest of two days, possibly being consecutive, and that in principle to include a Sunday.

Furthermore, the employer should:

- Ask for a birth certificate before employing an adolescent person;

- Obtain the written permission of at least one of the adolescent’s parent before employing the adolescent;

- In the absence of a signed contract of employment, the employer must, within 8 working days, give to the employee a statement signed by him/her, including the conditions of employment agreed with the employee;

- Keep records which include details of the adolescent person, such as name, date of birth, working time and wage, for at least 3 years.

Children

The regulations and working conditions that apply to employment of young persons are more protective in respect of work by children. Work includes any activity that can be either paid or for free. Before employing a child still of compulsory school age, the employer requires an authorisation issued by the Director General, Educational Services and the Director of Employment and Industrial Relations. A request for authorisation may only be considered if the proposed light work is not dangerous to the health or harmful to child development. In this respect it must be ensured that:

- L-*Employer* ikun għamel valutazzjoni tar-riskju (*risk assessment*) għax-xogħol tal-minuri li jikkonferma li x-xogħol ma jkunx ta’ periklu, u
- Id-Direttur Ġenerali għas-Servizzi Edukattivi ma jkollux oġġezzjoni mill-aspett edukattiv.

Wieħed għandu jaċċessa l-formola *Talba għall-Eżenzjoni mill-iskola u Awtorizzazzjoni għal Xogħol ta’ Minuri* fuq il-website ta’ Servizz.gov (www.servizz.gov.mt). Din għandha tintela’ mill-ġenituri jew mill-kustodji legali u mill-*Employer*, u tiġi ppreżentata minn wieħed mill-ġenituri jew mill-kustodji legali lill-iskola jew lis-Servizz ta’ Hidma Soċjali, Servizzi Nazzjonali ta’ Sapport għall-Iskejjel flimkien ma’ kopja tal-karta tal-identità tal-ġenituri u tal-minuri. Jekk il-minuri mhux ċittadin Malti għandu jiġi ppreżentat iċ-certifikat tat-twelid tat-tifel jew tat-tifla.

Għandha ssir talba għall-awtorizzazzjoni għal tfal taħt l-14-il sena biss fejn tkun marbuta ma’ impieg f’attivitajiet kulturali, artističi, sportivi jew ta’ reklamar u għal tfal ta’ 14 u 15-il sena anke f’xogħol ħafif li jista’ jkun f’attivitajiet oħra. Impiegi f’oqsma oħra ma jiġux awtorizzati.

Meta jinħareġ permess sabiex tifel jew tifla taħdem, l-*Employer* għandu jara li josserva l-kundizzjonijiet marbuta ma’ dak il-permess.

Il-kundizzjonijiet minimi tal-impieg ta’ minuri stabbiliti fil-liġi jinkludu:

- Limitu ta’ sigħat tax-xogħol fil-ġurnata ta’ mhux aktar minn 8 sigħat;

- Limitu ta’ sigħat tax-xogħol fil-ġimgħa ta’ mhux aktar minn 40 siegħa. Dan jgħodd (b’mod kumulattiv) anke jekk ix-xogħol ikun maqsum f’aktar minn impieg wieħed;

- Ma jstax isir xogħol matul il-lejl, f’hin bejn it-tmienja ta’ filgħaxija u s-sitta ta’ filgħodu;

and

consecutive hours;

- The employer has carried out a risk assessment to confirm that the work is not dangerous for the minor, and
- The Director General, Educational Services finds no objection from the educational aspect.

An eform entitled *Request for School Exemption and Authorisation for Employment of Minors* can be accessed on the Servizz.gov website (www.servizz.gov.mt). The form needs to be filled in by the parents or legal guardians and the employer, and presented by one of the parents or legal guardians at the School or at the Social Work Service, National School Support Services. The request should be accompanied by photocopies of I.D. Cards of both parents or legal guardians and minor. If the minor does not have a Maltese Citizenship, a copy of the Birth Certificate needs to be presented.

A request for authorization should only be sought for children under fourteen years of age where it is linked to employment in cultural, artistic, sports or advertising activities and for children of fourteen and fifteen years of age even when performing light work which may be in other activities. Applications for other types of work by minors will not be entertained.

When an authorisation to employ a child is issued, the employer should seek to observe the conditions attached to such permission.

The minimum conditions of employment for minors as established in the law, include:

- Limits of the daily working hours of not more than 8 hours;

- Limits of the weekly working hours of not more than 40 hours. This applies (cumulatively) even if the work is divided into more than one job;

- Can not be employed during the night, in the period between eight o'clock in the