

**YEAR 2021
ONWARDS**

Employee
rostered as being:

Day	NSO & WROs with no special rates:	Normal wage + Public Holiday Entitlement
	WROs with applicable special PH rates:	Normal wage + Public Holiday entitlement* + special rates in relation to hour worked where applicable (WRO's)
Night	Hours worked during the public holiday	
	E.g Private Security services	Extra vacation leave added
	Wholesale and Retail	Payment at double time
	NSO	Either another flat rate or extra vacation leave added (choice at the employer's discretion)
	E.g Night shift (gaming) from 6am to 6pm	Normal wage for 12 hours + another flat rate or hours added to the vacation leave for 6 hours (from midnight to 6am)
Rest	Hours worked during the public holiday compensated at applicable rates	Normal wage + Public Holiday entitlement* + special rates in relation to hour worked where applicable (WRO's)
Off (not scheduled to work)	No work done from midnight to midnight	The equivalent of one working day added to annual vacation leave entitlement.
Day In	Normal day of work	Normal Wage + Public Holiday entitlement* + special rate in relation to hours worked where applicable (WROs)
Day Out	No work done from midnight to midnight	The equivalent of one working day added to annual vacation leave entitlement.
A normal day of work but sick leave taken	Shift employees:	Sick leave hours deducted, Public Holiday hours added [hrs from midnight to midnight]
	Non- shift employees:	If still during periods of paid sick leave, Public Holiday is paid but sick leave hours are not deducted. If on sick leave without pay, Public Holiday is also not paid.

A normal day of work but vacation leave taken	Shift employees:	One day vacation leave deducted and hours of work scheduled on Public Holiday added to the vacation leave balance.
During Maternity leave	Including 4 weeks covered by Social Security department (not paid by employer)	Added to annual leave entitlement
During injury leave	Public holiday on a working day	Paid in full by the employer (including injury benefit proportion)
	Public holiday on a day Off	Added to annual leave entitlement
During parental leave	During the first two months paid parental leave (at the sum set for sickness benefit rate)	Public holiday paid at the sickness benefit rate
	During the second and third months unpaid parental leave	No public holiday entitlements
During paternity leave	Public holiday a part of 10 working days of paternity leave	Paid at normal rate
Any types of unpaid leave	Unpaid sick leave, parental leave, etc.	No public holiday entitlements

*** IMP special rates apply as provided in the applicable WRO.

* As provided in the Org. of Working Time LN art 8.5

PUBLIC HOLIDAY ENTITLEMENT

- I. When such hours are part of the normal working hours: Where a public holiday [or part thereof] is not enjoyed by the employee because s/he has to work, the employee is to be compensated for such public holiday either by adding the equivalent of the hours worked to the vacation leave balance or by paying the employee an extra 1:1 payment in relation to the hours worked on the public holiday. The compensation for the public holiday is to be distinguished from special rates applicable for work carried out on a public holiday, as per the applicable regulations.

- II. When such hours are over the normal weekly working hours: If the employee is called in to work on a day that was rostered off, the equivalent in hours of one day vacation leave are to be added to the employee's annual leave entitlement, over and above the wage payable with respect to the hours worked and any other applicable special rate, in accordance with the applicable regulations.

- III. When public holiday falls on a day of rest: A distinction must be made between day of rest understood as 24 hours of uninterrupted rest from midnight to midnight– which is generally referred to as “off” – and rest in terms of a shift pattern, such as Day-Night-Rest-Off. Where the public holiday falls on an off day, the equivalent in hours of one day vacation leave are to be added to the employee's annual leave entitlement. Where the public holiday falls on a rest day, as explained above, the work carried out on the public holiday is to be compensated as explained in (I), in accordance with the applicable regulations.