



DECENT WORK CHECK

CYPRUS 2023

Iftikhar Ahmad

WageIndicator Foundation - www.wageindicator.org

WageIndicator started in 2001 to contribute to a more transparent labour market for workers and employers by publishing easily accessible information on a website. It collects, compares and shares labour market information through online and face-to-face surveys and desk research. It publishes the collected information on national websites, thereby serving as an online library for wage information, labour law, and career advice, both for workers/employees and employers. The WageIndicator websites and related communication activities reach out to millions of people on a monthly basis. The WageIndicator concept is owned by the independent, non-profit WageIndicator Foundation, established in 2003. The Foundation has offices in Amsterdam (HQ), Ahmedabad, Bratislava, Buenos Aires, Cape Town, Islamabad and Venice.

The Authors

Iftikhar Ahmad works as Labour Law Specialist with WageIndicator Foundation. He is the founder of the Centre for Labour Research which is the global labour law office of the WageIndicator Foundation. He can be contacted at iftikharahmad@wageindicator.org

Acknowledgements

Many people contributed to the development of the Decent Work Check as a tool and to this Check for Cyprus. Those who contributed to the development of tool include Paulien Osse, Kea Tijdens, Dirk Dragstra, Leontine Bijleveld, Egidio G. Vaz Raposo and Lorena Ponce De Leon. Iftikhar Ahmad later expanded the work to new topics in 2012-13 and made the work more legally robust. Daniela Ceccon, Huub Bouma, and Gunjan Pandya have supported the work by bringing it online through building and operating labour law database and linking it to the WageIndicator websites. Special thanks are due to the WageIndicator global labour law office (headed by Iftikhar Ahmad), which works on Decent Work Checks since 2012. The Minimum Wages Database, developed by Kea Tijdens, is supported by Paulien Osse, Kim Chee Leong, and Martin Guzi. Khushi Mehta updated the Minimum Wages Database before 2020.

Minimum Wage Database and Labour Law Database are maintained by the Centre for Labour Research, Pakistan, which works as WageIndicator Labour Law office. The team comprises Iftikhar Ahmad (team lead), Ayesha Kiran, Ayesha Mir, Seemab Haider Aziz, Sobia Ahmad, Shanza Sohail, and Tasmeena Tahir.

Bibliographical information

Ahmad I (2023) *Cyprus Decent Work Check 2023*. Amsterdam, WageIndicator Foundation, December.

For an updated version in the national language, please refer to <https://mywage.org/cyprus>

Copyright 2023 by WageIndicator Foundation. All rights reserved.

WageIndicator Foundation, 2023

Address: Mondriaan Tower, 17th floor, Amstelplein 36, 1096 BC, Amsterdam, The Netherlands.

Email office@wageindicator.org

TABLE OF CONTENTS

INTRODUCTION	1
MAJOR LEGISLATION ON EMPLOYMENT AND LABOUR.....	2
01/13 WORK & WAGES	3
02/13 COMPENSATION.....	6
03/13 ANNUAL LEAVE & HOLIDAYS	10
04/13 EMPLOYMENT SECURITY	13
05/13 FAMILY RESPONSIBILITIES.....	20
06/13 MATERNITY & WORK	23
07/13 HEALTH & SAFETY	29
08/13 SICK LEAVE & EMPLOYMENT INJURY BENEFIT	33
09/13 SOCIAL SECURITY	37
10/13 FAIR TREATMENT	43
11/13 MINORS & YOUTH	47
12/13 FORCED LABOUR.....	50
13/13 TRADE UNION.....	53
QUESTIONNAIRE.....	57

INTRODUCTION

Decent Work is the type of work to which all of us aspire. It is done under conditions where people are gainfully employed (and there exist adequate income and employment opportunities); the social protection system (labour protection and social security) is fully developed and accessible to all; social dialogue and tripartism are promoted and encouraged; and rights at work, as specified in ILO Declaration on Fundamental Principles and Rights at Work and Core ILO Conventions, are practised, promoted and respected.

WageIndicator Foundation has been working since late 2007 to raise awareness of workplace rights through a unique tool, i.e., Decent Work Check. The Decent Work Check considers different work aspects deemed necessary in attaining “decent work”. The work makes the abstract Conventions and legal texts tangible and measurable in practice.

The Decent Work Check employs a double comparison system. It first compares national laws with international labour standards and scores the national regulations (happy or sad face). If national regulations in a country are not consistent with ILO conventions, it receives a sad face, and its score decreases (and vice versa). It then allows workers to compare their on-ground situation with national regulations. Finally, workers can compare their personal score with the national score and see whether their working conditions are consistent with national and international labour standards. The Check is based on de jure labour provisions, as found in the labour legislation.

A Decent Work Check is beneficial both for employees and employers. It gives them knowledge, which is the first step towards any improvement. It informs employees of their rights at the workplace while simultaneously enlightening employers about their obligations. Decent Work Check is also helpful for researchers, labour rights organisations conducting surveys on the situation of rights at work and the general public wanting to know more about the world of work. For example, WageIndicator teams worldwide have found out that workers, small employers and even labour inspectors are not, sometimes, fully aware of the labour law. When you are informed – being a worker, self-employed, employee, employer, policymaker, or labour inspector – there is a greater possibility that you ask for your rights (as a worker), you comply with rules (as an employer), and you strive to enforce these (as a labour inspector).

The work is relevant to the challenges posed to the future of work, especially the effective enforcement of legislation in financially constrained states, a rise in precarious employment and analysing the impact of regulatory regimes.

In 2023, the team aims to include at least 12 more countries, thus taking the number of countries with a Decent Work Check to 125!

MAJOR LEGISLATION ON EMPLOYMENT AND LABOUR

1. Minimum Wages Act, 1941 (Chapter 183)
2. Minimum Wages Order (350/2022)
3. Protection of Wages Act (35 (I)/2007), as amended
4. Organisation of Working Time Law (63(1)/2002), as amended
5. Annual Leave with Pay Law (8/1967), as amended
6. Law providing for an Employer's Obligation to Inform Employees of the Conditions Applicable to the Contract or Employment Relationship (Law 100(1)/2000)
7. Termination of Employment Law (24/1967), as amended
8. Collective Redundancies Law (28 (1)/2001)
9. Parental Leave and Leave on Grounds of Force Majeure Law (47(I)/2012)
10. Maternity Protection Act (100(I)/1997), as amended
11. Maternity Protection (Safety and Health at Work) Regulations (R.A.A. 255/2002)
12. Act on Equal Treatment of Men and Women in Employment and Vocational Training (205(I)/2002), as amended
13. Breastfeeding Promotion and Protection Law of 2018
14. The Social Security Act of 2010 (59(I)/2010), as amended
15. Safety and Health at Work
16. Security Act of 2010 (59 (I)/2010), as amended
17. Constitution of Cyprus, 1960 (last amended in 2013)
18. Act on Equal Treatment in Employment and Occupation (58 (I)/2004), as amended
19. The Persons with Disabilities Act of 2000 (127(I)/2000), as amended
20. Act on Equal Pay between Men and Women for the Same Work or for Work of Equal Value (177(I)/2002), as amended
21. Protection of Young Persons at Work (48(I)/2001), as amended
22. Cypriot Criminal Code (CAP 154), as amended
23. Law on Recognition of Trade Union Organization and the Right to Provide Trade Union Facilities in Recognition Thereof (55(I)/2012)
24. The Trade Union Act of 1965 (71/1965)
25. Industrial Relations Code 1977

The text in this document was last updated in December 2023. For the most recent and updated text on Employment & Labour Legislation in Cyprus in Greek, please refer to: <https://mywage.org/cyprus>

01/13 WORK & WAGES

ILO Conventions

Minimum wage: Convention 131 (1970)

Regular pay & wage protection: Conventions 95 (1949) and 117(1962)

Cyprus has ratified the Convention 95 only.

Summary of Provisions under ILO Conventions

The minimum wage must cover the living expenses of the employee and his/her family members. Moreover, it must relate reasonably to the general level of wages earned and the living standard of other social groups. Wages must be paid regularly on a daily, weekly, fortnightly or monthly basis.

Regulations on work and wages:

- Minimum Wages Act, 1941 (Chapter 183)
- Minimum Wages Order (350/2022)
- Protection of Wages Act (35 (I)/2007), as amended

Minimum Wage

Minimum wages are governed under the Minimum Wages Act of 1941 (Chapter 183). Minimum wage is set annually by the Government in consultation with social partners for certain occupations in which unionization and collective bargaining coverage is low. The recommendations for updating the minimum wage are made by the tripartite labour advisory board with representation from the government, employers and the workers side.

There is no national minimum wage in Cyprus. The minimum wages are announced for the following nine occupations through an Order/Decree of the Council of Ministers: sales staff, clerical workers, auxiliary healthcare staff (personal care staff), auxiliary staff (child care staff) in nursery schools, in crèches and in schools, security guards, caretakers and cleaners.

The Minimum Wages Order (350/2022) applicable from 1 April 2012 fixes the monthly minimum wage for seven of the above nine occupations while it provides for a minimum hourly rate of pay for security guards and cleaners of business premises.

The Labour Advisory Board of the Ministry of Labour and Social Insurance, appoints a tripartite technical committee. The tripartite technical committee is made up of representatives of the trade unions (SEK,

PEO, DEOK), and the employers organisations (OEB, KEBE), and are presided by an Officer, or the Director of the Department of Labour Relations.

The usual procedure followed is the discussion of the draft legislations in detail, with each participating organisation expressing and submitting its views and opinions on possible changes/amendments. This procedure is a democratic form of discussing issues that affect the whole population.

Compliance with labour laws including minimum wage provisions is ensured by labour relations inspectors. Failure to pay wage set by the Council of Ministers is a punishable offence.

Sources: Minimum Wages Act, 1941 (Chapter 183); Minimum Wages Order (350/2022)

Regular Pay

‘Wages’ means any remuneration in money as a result of the employee’s employment and any gain from such employment capable of being attributed a monetary value and includes the provident fund contribution, as well as the contribution payable to the Central Holiday Fund, established under the Holidays with Pay Law, but does not include occasional commissions and *ex-gratia* payments.

The relevant Cypriot law on payment of wages is Protection of Wages Act 2007. An employer is under obligation to pay due wages (to workers) in cash in a legal tender, that is currency notes or coins or through a salaries account or by bank cheque or postal draft. The cash payment of wages must be made during working hours and at the workplace. In-kind payment of wages is

allowed under the law in industries or occupations where such allowances are customary provided that the employee has given his prior consent, the allowances are useful and beneficial for the employee or his family, the value given to such allowances is reasonable and fair. Payment of wages in form of alcoholic beverages or other harmful substances is also prohibited.

Wages must be paid directly to the worker unless the worker has given written consent to the opposite. A worker has the full right to dispose of his wages and an employer cannot limit, in any way, the freedom of a worker to dispose of his wages except in cases permitted by the law. An employer cannot coerce workers to use company operated stores to buy goods and services. Wages must be paid regularly at least once a week, except for monthly paid employees, who are to be paid at least once a month. If wages are calculated on a piece rate basis or according to output/production, wages must be paid at least twice a month at intervals not exceeding sixteen days, provided that this is feasible or that no other arrangement applies arising from a collective agreement or custom.

Deductions from wages are permitted only under certain conditions and always to the extent deemed necessary for the support of the employee and his family. Moreover, assignment (transfer) of wages is not permitted unless explicitly provided by law or regulation and only to the extent that this does not obstructs the support of the employee and his/her family.

Following types of deductions can be made from the wages: those prescribed by laws and regulations (social insurance, inland revenue, etc.); those in accordance with regulations for retirement, provident and

medical funds; those prescribed by Court rulings; those for the reimbursement of damage or loss to the employer (authorized only if the damage or loss was caused intentionally or due to severe negligence on behalf of the employee); and other deductions following the employee's consent.

Employers are required to maintain records for each employed worker showing the gross and net amount of wages, including any deductions and the grounds for it. Such records have to be maintained by the employer, or on his account, and should be available for inspection purposes by Inspectors of the Ministry of Labour and Social Insurance.

Sources: Protection of Wages Act (35 (I)/2007), as amended

02/13 COMPENSATION

ILO Conventions

Compensation overtime: Convention 01 (1919)

Night work: Convention 171 (1990)

Cyprus has ratified the Conventions 171 only

Summary of Provisions under ILO Conventions

Working overtime is to be avoided. Whenever it is unavoidable, extra compensation is at stake - minimally the basic hourly wage plus all additional benefits you are entitled to. In accordance with ILO Convention 1, overtime pay rate should not be less than one and a quarter time (125%) the regular rate.

Night work means all work which is performed during a period of not less than seven (07) consecutive hours, including the interval from midnight to 5 a.m. A night worker is a worker whose work requires performance of a substantial number of hours of night work which exceeds a specified limit (at least 3 hours). Convention 171 requires that night workers be compensated with reduced working time or higher pay or similar benefits. Similar provisions are found in the Night Work Recommendation No. 178 of 1990.

If a worker has to work on a national/religious holiday or a weekly rest day, he/she should be entitled to compensation. Not necessarily in the same week, provided that the right to a paid compensation is not.

If a worker has to work during the weekend, he/she should thereby acquire the right to a rest period of 24 uninterrupted hours instead. Not necessarily in the weekend, but at least in the course of the following week. Similarly, if a worker has to work on a public holiday, he/she must be given a compensatory holiday. A higher rate of pay for working on a public holiday or a weekly rest day does not take away the right to a holiday/ rest.

Regulations on compensation:

- Organisation of Working Time Law (63(1)/2002), as amended

Overtime Compensation

Working times means any period during which the employee is at work, at the employer's disposal and carrying out his/her activities and duties. Law does not clearly provide the general daily and weekly working hours. However, the average weekly working time over a reference period of 4 months may not exceed 48 hours including overtime. In accordance with the collective agreements, the normal working hours range between 38-40 hours per week.

The Organization of Working Time Act has general provisions on the hours of work which are applicable to all employees. On the other hand, the Hours of Work Law provides for issuance of Orders by the Council of Ministers fixing the hours of work for persons employed in specific occupations.

The hours of work and other conditions of employment such as overtime work, rest breaks for the shop assistants, are regulated by the Shop Assistants Law. The conditions of employment of hotel and catering employees are regulated by the Hotel Employees (Conditions of Service) Regulations and by the Catering Employees (Conditions of Service) Regulations, respectively.

The normal working hours of shop employees are 8 hours a day and 38 hours a week. The maximum daily and weekly working time (inclusive of overtime) must not exceed 10 hours and 46 hours respectively. For clerks, administrative and

executive employees, the total working hours inclusive of overtime cannot exceed 08 hours per day and 44 hours per week. For miners and quarry workers, the maximum daily and weekly working hours, inclusive of overtime, are 8 hours and 44 hours respectively (40 hours for underground work in mining). For hotel and catering employees, maximum working hours inclusive of overtime are 48 hours a week. Overtime work is allowed up to 9 hours a week for hotel employees and up to 8 hours for catering employees.

There are no general statutory provisions regulating compensation for overtime. Overtime pay is regulated only for certain sectors/employees (clerks, miners, shop assistants, hotel and catering employees).

Overtime work is done subject to the consent of the employee concerned and to the payment of overtime compensation. The overtime rate for shop employees is 150% of the normal wage rate (ratio of 1.5:1) for overtime work on week days. The rate is 200% of the normal wage rate (ratio of 2:1) for overtime work performed on Sundays, public holidays and free mornings or free afternoons. An employer also has the option to give paid time-off instead of premium pay for overtime hours. An employment contract or a collective agreement may have such details.

The Parliament has enacted a new law abolishing the power of the Ministry of Labour to regulate the opening hours of retail shops. According to the new law, the Minister no longer can issue orders on the opening hours of shops without consulting the Parliament first.

Where the work arrangements are mostly or entirely unpredictable, the legislation sets out certain information rights. These

include informing such workers that their work schedule is variable, the number of guaranteed paid hours, the pay for additional hours worked, the working hours/days that they may be required to work and the minimum advance notice they are entitled to before starting any work assignment. These rights ensure a minimum level of predictability of work in cases where work schedule is very flexible.

Workers have the right to refuse a work assignment if it falls outside the above hour limits and lack of advance notice without suffering any adverse consequences for such refusal. The legislation protects workers against loss of income resulting from the late cancellation of work assignment by the employer.

Sources: Organisation of Working Time Law (63(1)/2002), as amended; §11(3)(m) & 17 of the Law on Transparent and Predictable Working Conditions, 25(I)/2023

Night Work Compensation

Night worker is an employee who works at least three hours of his daily working time as a normal course or is likely to work for at least 726 hours of his/her normal working time as a normal course during night hours, i.e., between 23:00 and 06:00. A collective agreement may provide for less than 726 hours per year for qualification as night work.

The working time of night workers cannot exceed on average 8 hours for each 24-hour period within a period of one month or in such other period as may be provided for in a collective agreement. A night worker whose work entails specific risks or significant physical or mental stress cannot

work at night for more than eight hours in any 24-hour period.

Night work involving special hazards or physical or mental strain is determined at the level of the undertaking after consultations between the employer and the workers' representatives in accordance with the law and after a written risk assessment, including the risks connected with night work.

An employer who employs night workers regularly has to notify it to the Ministry of Labour and Social Insurance. An employer must take the necessary measures to ensure that night workers and shift workers have the safety and health protection, which is appropriate to the nature of their work. An employer must ensure that every night worker before his assignment, and thereafter at regular intervals, has undergone the necessary medical examinations free of charge, with a view to ascertaining the worker's suitability for night work. If it is proved, at any stage, that a night worker suffers from health problems, connected with the performance of night work, he must be transferred, whenever possible, to the day work to which he is suited.

Law does not provide for premium pay for those involved in night work.

Sources: §2 & 9 of the Organisation of Working Time Law (63(1)/2002), as amended

Compensatory Holidays / Rest Days

Law allows for compensation to the workers who work on weekly rest days and public holidays. However, a collective agreement or an employment contract may

provide for paid time-off instead of premium payments to the workers who work on such days.

Work beyond the normal daily working hours as well as the work on weekends and public holidays is considered overtime work and is paid at one and a half to two times the normal rate of pay.

Working on weekends, public holidays and free mornings or free afternoons is done subject to the consent of the employee concerned and to the payment of overtime compensation. The rate is 200% of the normal wage rate (ratio of 2:1) for overtime work performed on Sundays, public holidays and free mornings or free afternoons.

Weekend / Public Holiday Work Compensation

Law allows for compensation to the workers who work on weekly rest days and public holidays. However, a collective agreement or an employment contract may provide for paid time-off instead of premium payments to the workers who work on such days.

Work beyond the normal daily working hours as well as the work on weekends and public holidays is considered overtime work and is paid at one and a half to two times the normal rate of pay.

Working on weekends, public holidays and free mornings or free afternoons is done subject to the consent of the employee concerned and to the payment of overtime compensation. The rate is 200% of the normal wage rate (ratio of 2:1) for overtime work performed on Sundays, public holidays and free mornings or free afternoons.

03/13 ANNUAL LEAVE & HOLIDAYS

ILO Conventions

Convention 132 (1970) on Holidays with Pay Convention
Conventions 14 (1921), 47 (1935) and 106 (1957) for weekly rest days.
In addition, for several industries, different Conventions apply.

Cyprus has ratified the Conventions 106 only.

Summary of Provisions under ILO Conventions

An employee is entitled to at least 21 consecutive days of paid annual leave. National and religious holidays are not included. Collective agreements must provide at least one day of annual leave on full remuneration for every 17 days on which the employee worked or was entitled to be paid.

A worker should be entitled to paid leave during national and officially recognized public holidays.

Workers should enjoy a rest period of at least twenty-four consecutive hours in every 7-day period, i.e., a week

Regulations on annual leave and holidays:

- Annual Leave with Pay Law (8/1967), as amended
- Organisation of Working Time Law (63(1)/2002), as amended

Paid Vacation / Annual Leave

Workers are entitled to at least 4 weeks of paid annual leave. Statutory minimum annual leave entitlement is 20 working days for those working five days a week and 24 working days for those working six days a week, provided that the employee has worked for 48 weeks within the year. There is no statutory maximum annual leave entitlement. An employee is not entitled to paid annual leave if he/she has worked for less than 13 weeks in a year. Those who work between 13 to 48 weeks are entitled to proportionate annual leave. The Annual Leave with Pay Law provides (article 6) that public holidays, maternity leave, days of absence as a result of incapacity to work owing to accident or illness, days of strike or lockout, termination notice, days of absence as a result of force majeure or parental leave, are not considered as part of the annual leave. Rather, these are considered only as interruptions in duration of leave.

An employment contract or a collective agreement may provide for a more generous entitlement. However, the extra leave is paid by the employer and it is not paid through the holiday fund. The annual leave is paid through a holiday fund provided that the employee has taken at least nine consecutive days of annual leave within that year. Article 7(2) of the Annual Leave with Pay Law sets a ceiling on the accumulation of leave. Thus, the maximum

amount of leave an employee can carry over is the amount of leave the employee is entitled to over a period of 2 years (40 to 48 working days).

The employer has the right to operate its own annual leave scheme, and undertake the payment of annual leave on its own terms after obtaining an exemption from the obligation to pay contributions to the holiday fund by applying to the Ministry of Labour and Social Insurance. An employer is granted exemption on proving that the employer's terms are more beneficial to the employees than those of the Law (e.g., 22 days of annual leave instead of 20 days annual leave for a five-day working week).

Workers cannot receive compensation in lieu of annual leave unless in the case of employment termination before a worker could take his accrued leave.

Sources: Annual Leave with Pay Law (8/1967), as amended; Organisation of Working Time Law (63(1)/2002), as amended

Pay on Public Holidays

Workers in Cyprus are entitled to 14 paid public holidays. These holidays include New Year's Day (1 January); Epiphany (6 January); Green Monday (Kathara Deftera); Annunciation Day/Revolution Day (March 25); Good Friday; Easter and Easter Monday; Labour Day (1 May); Pentecost/Holy Spirit Monday; Assumption (Day) of Mary (15 August); Cyprus Independence Day (1 October); Ohi Day/Greek Independence Day (28 October); Christmas Eve (24 December); Christmas (25 December); and St Stephen's Day/Boxing Day (26 December).

The Turkish Cypriot Muslim population is entitled to holidays on the days of Eid al Fitr (End of Ramadan) and Eid al Azha (Feast of Sacrifice).

Public holidays are paid days and if a worker is required to work on a public holiday, he is entitled to increased salary (200% of the normal wage rate).

Weekly Rest Days

Weekly rest is provided under the Organization of Working Time Law.

Workers are entitled to 11 consecutive hours of daily rest in any 24-hour period. Employees are also entitled to a minimum weekly rest period of 24 consecutive hours in each week (Sunday). The minimum weekly rest period may be reduced if justified by objective or technical reasons or due to conditions concerning the organization of work. If an employer so decides, the worker may, in a 14-day period, have two separate rest periods of 24 hours each; or one rest period of 48 consecutive hours.

Derogations from the daily and weekly rest periods are allowed by means of collective agreements or agreements between employer and workers' representatives, on condition that the workers concerned are afforded equivalent periods of compensatory rest or at least necessary protection, in case of activities involving the element of distance between the worker's workplace and residence (off shore work); security and surveillance activities requiring a permanent presence in order to protect property and persons (security guards or security firms); activities involving the need for continuity of service or production (hospitals, dock and airport

workers, telecommunication and public utility services, etc.); in the case of foreseeable increase in work activity (agriculture, tourism, and postal services); persons working in the railway transport sector; in the case of accident or imminent risk of accident; and in the case of accidents caused beyond employer's control (force majeure).

Law provides for rest breaks of 15 minutes after a maximum of 6 hours of work. The rest break should not be taken immediately after the start or before end of the working day. The daily rest period is 11 hours.

Source: §6 & 16(2) of the Organisation of Working Time Law (63(1)/2002), as amended

04/13 EMPLOYMENT SECURITY

ILO Conventions

Convention 158 (1982) on employment termination

Cyprus has ratified the Convention 158.

Summary of Provisions under ILO Convention

The questions under this section measure the security or even flexibility or precariousness of an employment relationship. Although these are not clearly mentioned in a single convention (severance pay and notice requirement are provided in the Termination of Employment Convention No. 158) however, the best practices in the field require that employees be provided with a written contract of employment; workers on fixed term contracts should not be hired for tasks of permanent nature; a reasonable probation period (ideally lower than or equal to 6 months) may be followed to assess the suitability of an employee; a period of notice must be specified in an employment contract before severing the employment relationship; and workers be paid severance allowance on termination of employment relationship.

A contract of employment may be oral or written however workers should be provided with a written statement of employment at the start of their employment.

Fixed Term Contract workers must not be hired for permanent tasks as it leads to precarious employment.

A reasonable probation period must be allowed to let a worker learn new skills. A newly hired employee may be fired during probation period without any negative consequences.

A reasonable notice period, depending on the length of service of an employee, may be required before an employer may sever the employment relationship.

Employers may be required to pay a severance allowance on termination of employment (due to redundancy or any other reason except for lack of capacity or misconduct).

Regulations on employment security:

- Law providing for an Employer's Obligation to Inform Employees of the Conditions Applicable to the Contract or Employment Relationship (Law 100(1)/2000)
- Termination of Employment Law (24/1967), as amended in 2016
- Collective Redundancies Law (28(1)/2001)

Written Employment Particulars

In line with the Law on Transparent and Predictable Working Conditions 2023, an employer must inform its workers about the essential terms of their employment relationship in writing. This information is either provided and transmitted on paper or through electronic means, provided that it is accessible to the employee and that it can be stored and printed. The employer must also keep proof of delivery of the transmission and receipt of the said information.

The legislation includes an exhaustive list of information that must be provided to workers. It is summarized as follows:

- (1) The identity of the parties to the employment contract;
- (2) The place of work and the registered office of the business or the residential address of the employer;
- (3) The title, position, nature or category of the work of the employee or a brief job description;
- (4) The commencement date of the employment contract;
- (5) The predicted duration of employment contract or its termination (for fixed term contracts);
- (6) the identity of the user undertakings, when and as soon as known (for temporary agency employees);
- (7) The duration and conditions of the probation period (if applicable);
- (8) The training entitlements, if any;
- (9) The duration of paid leave to which the employee is entitled or, where this cannot be indicated when the information is given, the procedures for allocating and determining such leave;
- (10) The procedure for termination of employment relationship (length of notice periods or the method for determining such notice periods);
- (11) the remuneration, including the initial basic salary, any other component elements, if applicable, indicated separately, and the frequency and method of payment of the remuneration to which the worker is entitled
- (12) if the work pattern is entirely or mostly predictable, the length of the worker's standard working day or week and any arrangements for overtime and its remuneration and, where applicable, any arrangements for shift changes;
- (13) if the work pattern is entirely or mostly unpredictable, the employer shall inform the worker of:
 - a) the principle that the work schedule is variable, the number of guaranteed paid hours and the remuneration for work performed in addition to those guaranteed hours;
 - b) the reference hours and days within which the employee may be required to work;
 - c) the minimum notice period to which the employee is entitled before the start of a work assignment and, where applicable, the deadline for cancellation referred to in Article 17(3) of the Law;

- (14) any collective agreements governing the worker's conditions of work or in the case of collective agreements concluded outside the business by special joint bodies or institutions, the name of such bodies or institutions within which the agreements were concluded;
- (15) where it is the responsibility of the employer, the identity of the social security institutions receiving the social contributions attached to the employment relationship and any protection relating to social security provided by the employer.

The Law provides for certain timeframes for the provision of the information to the employees. In particular, information listed in items 1-5, 7, 11-13 above, must be provided before the commencement of the employment relationship or within a maximum of seven days from the commencement of employment.

The other information, listed under other items, may be given within one month from the commencement of the employment relationship. Any modification in the above terms and conditions must be provided in the form of a document by the employer to the worker at the earliest opportunity and at the latest on the day on which it takes effect. For workers assigned outside Cyprus, the following additional information must also be provided by the employer to the worker: the country or countries in which the work abroad is to be performed and its anticipated duration; the currency to be used for the payment of remuneration; where applicable, the benefits in cash or kind relating to the work assignments; and information as to whether repatriation is provided for, and if so, the conditions governing the worker's repatriation.

Earlier provisions

Cyprus employment law does not specifically require employment contracts in the written form however it does require the employers to provide employees with specific information about their terms of employment within one month from the commencement of employment in the form of a contract of employment, a letter of appointment or any other document, signed by the employer. The following information must be provided in the written form: the identities of the parties; workplace; the title, grade, nature or category of the work for which the employee is employed and job description; the date of commencement of the employment contract (expected duration in the case of fixed term contracts); and the relevant collective agreements governing the employee's terms and conditions of work.

The following information may be given by a written reference to laws, regulations, orders or collective agreements relevant to these matters: duration of paid annual leave to which the employee is entitled, as well as the procedures and time period for allocating such leave; length of notice period applicable to employer and employee before employment contract termination; amount and the frequency of wage payment to which the employee is entitled; and the normal daily or weekly working hours of the employee.

The employment conditions, as mentioned above, cannot be less favourable to the workers than the conditions provided for in the relevant legislation. Any change in the conditions of employment must be subject to a written document given to the worker within one month of such change unless the

change is due to the amendment in the law or collective agreement.

A worker who is employed to work abroad on a contract of at least one month must be given the following information, besides above information, before his departure: duration of employment abroad; currency for remuneration; potential benefits (cash or in kind) arising from employment abroad; and any conditions governing the employee's repatriation.

Any employer, who contravenes any provision of the Law, without justifiable cause, is guilty of an offence and is liable, upon conviction, to a fine not exceeding the amount of €854.

Source: §11-14 of the Law on Transparent and Predictable Working Conditions, 25(I)/2023; Law providing for an Employer's Obligation to Inform Employees of the Conditions Applicable to the Contract or Employment Relationship (Law 100(1)/2000)

Fixed Term Contracts

An employment contract may be of a fixed term or indefinite duration. Fixed-term contract is an employment contract concluded directly between the worker and the employer where the end of contract is determined by objective conditions such as reaching a specific date, completion of a specific task, or the occurrence of a specific event.

Objective grounds exist particularly when the needs of the undertaking for the completion of a specific task are temporary; the employee temporarily replaces another employee; the particulars of a specific task justify the fixed-term duration of the contract; the fixed-term employee is

employed on probation; the employment with a fixed-term contract is the result of the implementation of a judicial decision; and the employment with fixed-term contract refers to the employment in the Armed Forces of the Republic, of the Five Year Service Volunteers and the Volunteer Petty Officers.

The maximum length of a fixed term contract (including and irrespective of the number of renewals) is less than thirty months. If a worker is employed on fixed term contract(s) for a total period of thirty months or more is deemed to be employed with a contract of indefinite duration, unless the employer proves that the employment on fixed term contract is justified on objective grounds.

According to the Termination of Employment Law, the Labour Disputes Court may determine whether a fixed-term contract or successive fixed term contracts, with a duration of less than thirty months, has been transformed into a contract of indefinite period (if it sees that employer has abused the possibility of entering into such contracts as a way of depriving employees of their statutory rights).

A fixed-term employee cannot be treated less favourably than a comparable permanent employee, solely because he/she is under a fixed-term contract unless different treatment is justified on objective grounds.

Law also requires employers to apply the principle of pro rata temporis, meaning that a fixed term contract worker is employed on the same terms and conditions of employment (like a permanent employee), proportionately to his/her period of employment, based on a comparison of the

period of employment of the comparable permanent employee.

Employers are required to treat the workers with fixed term and open-ended employment contracts equally and provide the same working conditions. Employers are required to inform fixed term contract workers about any available jobs with open ended contracts and provide these workers with further training and education (to ensure enhancement of their career development and occupational mobility) at the same conditions as those provided to the workers on open ended employment contracts.

The 2023 Law allows for the use of on-demand or similar employment contracts. Under these types of contracts, the working hours are not predetermined and the employer has the flexibility of calling the employee to work as and when needed. The legislation imposes following conditions on the use of on-demand and similar contracts:

The worker is engaged on casual basis the total duration of employment with the same employer does not exceed 8 weeks per calendar year with a maximum continuous duration of 3 weeks or the total duration of continuous employment does not exceed 5 hours per week.

A worker, who has worked for at least six months and their probation period has completed, may request a form of employment with more predictable and secure working conditions, considering that such form of employment is available. The worker is entitled to receive a justified written response from the employer.

Source: Fixed-Term Work Employees (Prohibition of Discriminatory Treatment)

Law (98(I)/2003), as amended; §18-19 of the Law on Transparent and Predictable Working Conditions, 25(I)/2023

Probation Period

The aim of a probationary period is to assess whether an employee's health, knowledge, skills, abilities and personal characteristics correspond to the level required for performance of the work.

In line with the Law on Transparent and Predictable Working Conditions 2023, probation period cannot exceed 6 months, regardless of any arrangements that were in force before the entry into force of this Law. In case of fixed-term contracts, the duration of the probation period must be proportional to the expected duration of the contract and the nature of the work. In case of renewal of a contract or fixed-term contract for the same position and the same duties, a new probation period is not required. If an employee was absent from work during the probation period, the employer may extend the probation period to cover for the duration of the absence. The limits on probation period are not applicable to the managers of a company (advisor, president, director, secretary or other similar position in a legal entity).

Earlier provisions: Minimum length of probationary period is 21 weeks, which can be extended to a maximum period of two years provided that there is a written agreement to that effect between the worker and the employer at the inception of employment. During the term of probationary period, a worker can be dismissed without cause and without notice.

Source: §3 & 9 of the Termination of Employment Law (24/1967), as amended

Notice Requirement

The Termination of Employment Law has relevant provisions on termination of an employment contract and required advance notice periods. Dismissal is considered unfair unless an employer proves the existence of one of the following reasons: unsatisfactory performance (excluding temporary incapacitation due to illness, injury and childbirth); redundancy; force majeure, act of war, civil commotion or act of God; termination at the end of a fixed term contract; employee reaching the normal age of retirement; conduct rendering the employee subject to summary dismissal; and the conduct making it clear that the relationship between employer and employee cannot reasonably be expected to continue, commission of a serious disciplinary or criminal offence, indecent behaviour or repeated violation or ignorance of employment rules.

An employer may never terminate employment for the following reasons and any dismissal on following grounds is considered unfair: membership of trade unions or a safety committee established under the Safety at Work Law of 1988; activity as an employees' representative; the filing in good faith of a complaint, or the participation in proceedings, against an employer involving alleged violation of laws or regulations, civil or criminal; race, colour, sex, marital status, religion, political opinion, national extraction or social origin; pregnancy or maternity; or parental leave or leave on the grounds of force majeure.

The statutory minimum written notice to be given by the employer to the employee and vice versa varies according to the employee's period of continuous

employment. The notice period can also be extended by agreement but cannot in any event be less than the statutory minimum. The employer has the right to require the employee to accept payment in lieu of notice for the period of the notice.

An employer who intends to terminate an employee, after the period of at least 21 weeks (unless the probation period is extended to 104 weeks), should give a minimum period of notice depending on the length of service of a worker. The minimum notice period is one week for 21 to 51 weeks of service; two weeks for 52 to 103 weeks of service; four weeks for 104 to 155 weeks of service; five weeks for 156 to 207 weeks of service; six weeks for 208 to 259 weeks of service; seven weeks for 260 to 311 weeks of service; and eight weeks for 312 weeks (6 years) and longer duration of service.

A worker who wants to terminate his employment contract must also give his employer a minimum period of notice depending on the length of employment as follows: one weeks for 26 to 51 weeks of service; two weeks for 52 to 259 weeks of service; and three weeks for 260 weeks (5 years) and longer duration of service.

An employer can dismiss an employee without notice in the cases of a serious offence by the employee in the course of his duty; a criminal offence without the agreement, expressed or implied consent by his employer; improper behaviour by the employee in the course of his duties; serious or repeated violation or disregard of work regulations or other rules in relation to the employment. The employer, however, must exercise his right of dismissal within a reasonable period following the matter which gave rise to this

right, otherwise the dismissal is considered unlawful.

Source: §4- 11 of the Termination of Employment Law (24/1967), as amended in 2016

Severance Pay

There is no general entitlement to severance pay under the Cypriot Law. If an employee, who has been continuously employed by the same employer for at least 104 weeks, is terminated because of redundancy, he is entitled to redundancy payment from the Redundancy Fund (financed from the contributions of the employer).

Redundancy payment is calculated in accordance with the provisions of Termination of Employment Law 1967 (section 16-18 & table 4). Employees made redundant as part of a collective redundancy plan under the Collective Redundancy Law of 2001 have the same redundancy payment rights as employees individually made redundant under the legislation of 1967.

Redundancy payment varies according to the length of service as follows: two weeks' wages for each year of service up to four years; two and half weeks' wages for each year of service for fifth to tenth year of service; three weeks' wages for each year of service from eleventh to fifteenth year of service; three and a half weeks' wages for each year of service from sixteenth to twentieth year of service; four weeks' wages for each year of service for each year beyond twentieth year of service (20th-25th years of service).

The redundancy pay is capped at 75.5 weeks' wages. The minimum statutory compensation payable by the employer for unlawful dismissal is also calculated similarly. Any fraction of year, greater than six months, is considered one year.

An employee is entitled to compensation in the case where he terminates his employment contract due to the conduct of the employer towards him (constructive dismissal).

Depending on the circumstances of each case, the Industrial Disputes Court may award anything between the minimum (the redundancy amount) and the maximum (two years' wages), taking into account all the facts of the case. The Court may, *inter alia*, consider the age, length of employment, family situation, career prospects and circumstances of termination before deciding. The amount of compensation up to one year of wages is paid by the employer and any additional amount from the Redundancy Fund. The Court may order reinstatement of an unfair dismissed employee, if worker asks for this remedy, along with payment of compensation (up to one year of wages).

Source: §16-18 & table 4 of the Termination of Employment Law (24/1967), as amended; Collective Redundancies Law (28 (1)/2001)

05/13 FAMILY RESPONSIBILITIES

ILO Conventions

Convention 156: Workers with Family Responsibilities Convention (1981) Recommendation 165: Workers with Family Responsibilities (1981)

Cyprus has not ratified the Convention 156.

Summary of Provisions under ILO Convention

Paternity leave is for the new fathers around the time of childbirth and is usually of shorter duration.

Recommendation (No. 165) provides for parental leave as an option available to either parent to take long leave of absence (paid or unpaid) without resigning from work. Parental leave is usually taken once the maternity and paternity leave have been exhausted. For working parents, laws may define the portion of parental leave that has to be compulsorily taken by fathers or mothers.

Flexible Work Option for Parents / Work-Life Balance Recommendation 165 asks the employers to look into the measures for improving general working conditions through flexible work arrangements.

Regulations on family responsibilities:

- Parental Leave and Leave on Grounds of Force Majeure Law (47(I)/2012)

Paternity Leave

Cyprus has enacted the Protection of Paternity Law in 2017 (Law 117(I)/2017). An employee has the right to paternity leave in the following cases:

1. His wife has given birth to a child;
2. They have a child through a surrogate mother; or
3. They have adopted a child under 12 years of age

A worker can take paternity leave for 2 consecutive weeks. It can be taken within 16 weeks of the childbirth or adoption. The worker must notify his employer two weeks prior to the commencement of paternity leave, in writing, about his intent to exercise the right to leave. Employment of a worker is secure during paternity leave except in cases where he is guilty of grave misconduct or behavior which warrants the termination of the employment relationship; the enterprise ceases to operate; the employment contract expires. Employment protection period starts on the day of written notice, served by the worker communicating his intent to take paternity leave, and ends on the expiry of two consecutive weeks of paternity leave.

A worker who has exercised the right to paternity leave must not be subjected to a disadvantage or unfair treatment and has the right to return to the same or other suitable alternative job that he held prior to the commencement of paternity leave with same salary and benefits and same terms and conditions of employment.

The right to paternity benefit is regulated under the Social Insurance Law. A worker does not have the right to paternity benefit if he receives his basic salary from his employer. If he receives only part of the salary, the paternity benefit is reduced so that the total amount (paternity benefit + salary) does not exceed the amount of basic salary. Paternity benefit is equivalent to 72% of employee's weekly salary and is paid for 2 consecutive weeks.

Source: Protection of Paternity Law in 2017 (Law 117(I)/2017); § 29-A of the Social Security Act of 2010 (59(I)/2010), as amended

Parental Leave

Parental leave is provided under the Cypriot Law. An employee (male/female) must have at least six months of continuous service with the same employer before entitlement to take parental leave. Part time workers, fixed term contract worker and temporary workers are also entitled to parental leave provided that they meet the service requirement.

Parental leave is individual entitlement for each parent and a parent is entitled to 18 weeks' parental leave for each child born or adopted. In the case of twins or multiple births, the entitlement to parental leave is 18 weeks per child. In the event of widow(er), the entitlement is raised to 23 weeks. Mothers may take parental leave during the period between end of maternity leave and the child's eighth birthday. Fathers may take parental leave from the period of birth of a child until the child's eighth birthday.

Mothers may take adoption leave following the expiration of the maternity leave and

within a period of 8 years, commencing on the date of the adoption, provided that the child is not over 12 years. An employee with one to two children may take parental leave for a minimum period of one week and a maximum period of 5 weeks during each calendar year.

After taking the parental leave, an employee has the right to return to same or an equivalent (or similar) job which cannot be inferior to the position held by the worker before taking parental leave. Once a parent has taken two weeks of his parental leave entitlement, he/she may transfer two weeks from the remaining parental leave period to the other parent.

Source: Parental Leave and Leave on Grounds of Force Majeure Law (47(I)/2012)

Flexible Work Option for Parents / Work-Life Balance

Part time work is regulated under the Law. The Part-Time Work Employees (Prohibition of Unfavourable Treatment) Law of 2002 prohibits discrimination on the part time status of a worker unless different treatment is justified on objective grounds. Where appropriate, employers are required to apply the principle of pro rata temporis which means that a part-time employee is entitled to such remuneration or other benefit, which is directly proportional to the number of hours he/she works each week, compared to the weekly number of working hours of the comparable full-time employee.

06/13 MATERNITY & WORK

ILO Conventions

An earlier Convention (103 from 1952) prescribed at least 12 weeks maternity leave, 6 weeks before and 6 weeks after birth. However, a later convention (No. 183 from year 2000) requires that maternity leave be at least 14 weeks of which a period of six weeks compulsory leave should be after childbirth.

Cyprus has ratified the Convention 183 only.

Summary of Provisions under ILO Convention

During pregnancy and maternity leave, a worker should be entitled to medical and midwife care without any additional cost.

During pregnancy and while breastfeeding, a worker should be exempt from work that might bring harm to you or your baby.

The total maternity leave should last at least 14 weeks.

During maternity leave, a worker's income should amount to at least two thirds of your preceding salary.

During pregnancy and maternity leave, a worker should be protected from dismissal or any other discriminatory treatment.

Workers have the right to return to same or equivalent position after availing maternity leave.

After childbirth and on re-joining work, a worker must be allowed paid nursing breaks for breast-feeding the child.

Regulations on maternity and work:

- Maternity Protection Act (100(I)/1997), as amended
- Maternity Protection (Safety and Health at Work) Regulations (R.A.A. 255/2002)
- Act on Equal Treatment of Men and Women in Employment and Vocational Training (205(I)/2002), as amended
- The Social Security Act of 2010 (59(I)/2010), as amended
- Breastfeeding Promotion and Protection Law of 2018

Free Medical Care

The healthcare benefits are granted to all Cypriot and EU citizens who are permanent residents of Cyprus. The extent of medical services is directly related to the income of single individuals or families and includes services provided by the government medical institutions. Eligibility for healthcare benefits is conditional upon a registration to the National Health System.

Medical services are provided directly to patients in government hospitals and clinics. Benefits include medical treatment, hospitalization, maternity care, and medicine.

No Harmful Work

The protection of the safety and health of pregnant mothers and breastfeeding employees is guaranteed by Regulations issued by the Health and Safety at Work Laws of 1996-2002. In accordance with Maternity Protection (Safety and Health at Work) Regulations (R.A.A. 255/2002), made under the Safety and Health at Work Laws, following measures must be taken to

ensure health and safety of pregnant and breastfeeding workers: employers are obliged to undertake risk assessment at the workplace with special regard to the health and safety of employed women, pregnant workers, recent mothers and breastfeeding workers, and take necessary protection measures. Where the nature of the work involves any unavoidable risks, the employed woman must be transferred to another job. If transfer to another suitable job is not possible, the employed woman is entitled to be absent from work as long as necessary, without prejudice to her remuneration. Employer has similar obligations in the case of night-work, subject to the production of a relevant medical certificate.

An employed woman is entitled to be absent from work for pre-natal examinations, without prejudice to her salary, provided that such examinations need to be carried out during working hours. The worker is required to give advanced notice to her employer and also produce the relevant medical certificate. An employer cannot require a pregnant or breastfeeding worker to perform any duties for which the risk assessment has revealed detrimental effect to the safety and health and exposure to specific agents and conditions, such as work involving exposure to lead, mercury, pesticides and other chemical substances, work in pressurized chambers, work involving ionizing radiation etc.

Source: §6 of the Maternity Protection Act (100(I)/1997), as amended; Maternity Protection (Safety and Health at Work) Regulations (R.A.A. 255/2002)

Maternity Leave

Maternity leave is provided and regulated under Maternity Protection Act.

A pregnant worker is entitled to maternity leave for 18 consecutive weeks. Of this, 11 weeks are considered compulsory leave (two weeks before the week of the expected delivery date, the week of delivery and eight weeks after the week of delivery). A woman worker is entitled to maternity leave on presenting a medical certificate from a registered doctor stating the expected week of her delivery. For health reasons of an infant (hospitalization), a new mother may be granted one additional week of maternity leave for every 21 days of hospitalization provided that the total additional leave may not exceed 6 weeks.

If the confinement occurs after the expected week of confinement, the period of leave before the week of confinement is extended. If the confinement occurs earlier than the expected week of confinement, the remaining maternity leave is taken after the week of confinement, the total period of maternity leave of 18 weeks thus being secured.

The Maternity Protection Act of 1997 was amended in 2017 (Law 116(I)/2017) to include provisions on surrogacy. A surrogate mother has the right to 14 consecutive weeks of maternity leave of which two-week leave must be taken prior to the childbirth. If the childbirth takes place prior to the expected week, the rest of the leave is provided following the childbirth so that the period of 14 weeks is completed. The commissioning or intending mother, who used a surrogate mother to have a child, is also entitled to maternity leave of 18 consecutive weeks if

she provides a court order to the employer indicating that she will have a child through surrogate mother and a medical certificate from a registered doctor declaring the start of pregnancy. Of the 18 weeks, 11 weeks are considered compulsory leave (two weeks before the week of the expected delivery date, the week of delivery and eight weeks after the week of delivery).

Pregnant workers are entitled to a paid leave of absence for pre-natal examinations if these have to be performed during working hours provided that the worker informs the employer beforehand and provides the relevant medical certificate.

Source: §3 & 5A of the Maternity Protection Act (100(I)/1997), as amended

Income

Maternity allowance is payable, out of the Social Insurance Fund, to any employed or self-employed woman for a period of 18 weeks beginning between the ninth and the second week before the expected week of confinement. The benefit is also payable for a period of 16 weeks to adoptive mothers of children aged under 12.

There are certain qualifying conditions for access to maternity allowance, which are: the insured woman is on maternity leave and she does not receive her whole salary or wages from her employer; She has been insured for at least 26 weeks and has paid, up to the day of maternity allowance, contributions or insurable earnings not lower than 26 times the weekly amount of the basic insurable earnings (which changes from year to year); and the insured woman has paid or been credited with insurable earnings, in the previous contribution year not lower than 20 times

the weekly amount of the basic insurable earnings.

There is also provision for maternity grant which is payable after the birth of each child if the mother, or her spouse, satisfies the insurance conditions.

Maternity allowance is a periodic benefit and is paid to natural mothers for 18 weeks, extended by six more weeks (if the infant is hospitalised in an incubator due to premature birth). Mothers receive the allowance for 16 weeks from the week of adoption if a child is less than 12 years old.

Maternity allowance is composed of the basic and the supplementary benefit. The weekly rate of the basic benefit is equal to 72% of the weekly average of the basic insurable earnings of the insured women in the previous contribution year. The weekly amount of the basic benefit is increased to 80% if she has one dependent, to 90% if she has two dependents and to 100% if she has three dependents. The weekly amount of the supplementary benefit is equal to 72% of the weekly average of insurable earnings of the insured woman on her basic insurable earnings. The maternity grant is a lump-sum payment, the same for all women who are entitled to it, and the amount for each child is equal to 6% of the yearly insurable earnings. The maternity allowance is increased by 4 weeks of payment for each additional child: thus, maternity benefit is 18 weeks for one child, 22 weeks for twins and 26 weeks for triplets and so on.

Payment of the maternity allowance is conditional upon filling and submitting the respective claim to the concerned department within 21 days after the date of commencement of the maternity leave. Payment of maternity grant is conditional

on submitting the claim within one year of child birth.

The surrogate mother and commissioning/intended mother have the right to maternity benefit for 14 weeks and 18 weeks respectively. The extended maternity allowance for more than one child is available to the surrogate mothers as well.

Source: §21, 26-30, Fourth Table (Part I & III) of The Social Security Act of 2010 (59(I)/2010), as amended

Protection from Dismissals

Protection from dismissals during pregnancy and maternity leave is guaranteed under Maternity Protection Act.

Dismissal or notice of dismissal to a pregnant worker is prohibited, provided that the said worker has notified her pregnancy (or the intention to adopt a child) to her employer in writing (by a letter/email and a medical certificate stating pregnancy).

The above protection from dismissal starts with the written notification of pregnancy to the employer and is extended up to 5 months after the end of maternity leave. For foster/adoptive mothers, the period of protection is 3 months after the end of maternity leave. During this time, the employer cannot dismiss or give notice for dismissal or go ahead with actions to ensure the permanent replacement of the pregnant worker. The employer may require a medical certificate certifying the pregnancy of the worker and the worker must produce the said medical certificate. Employment of a commissioning/intended mother is secure once she has provided the employer with the court order declaring

that she will have a child through surrogacy and a medical certificate declaring the start of pregnancy. The protection period starts from the day of written notification to the 5 months following the end of maternity leave.

Dismissal is invalid if the employee informs the employer (by means of a valid medical certificate) within five working days of the receipt of dismissal or notice of dismissal. The protection from dismissal is not applicable in the following cases: the employee is found guilty of a misdemeanour or her behaviour justifies the severance of the employment relationship; the business has ceased to exist; and on expiry of a fixed term employment contract. Even in such cases, employer has to prove the reasons for dismissal in writing. Non-renewal of a pregnant worker's employment contract should not be based on a reason associated with her condition.

In accordance with the Termination of Employment Law, a woman whose employment is terminated because of pregnancy or maternity, is entitled, under certain conditions, to compensation payable by her employer. For more information on this, please refer to the section on employment security.

Source: §4 and 4A of the Maternity Protection Act of 1997 (100 (I)/1997), as amended

Right to Return to Same Position

A worker's right to return after availing maternity leave is guaranteed under the Maternity Protection Act.

The period of absence of the working woman who has recently given birth (and of adoptive mother) may not be used as a reason for altering unfavourably her working conditions. Maternity leave should not unfavourably affect the seniority of worker, her right to promotion or return to the same or another job of the same nature and remuneration as her job before commencement of the maternity leave.

All benefits related to her work position are secured with the exception of those benefits that are related to the quantity and/or value of the work produced.

In accordance with the Equal Treatment Act, a woman who has taken maternity leave has the right, after expiration of the period of the leave, to return to her job or to a similar position on terms and conditions not less favourable for her and to benefit from any improvement in working conditions to which she would be entitled during her absence.

Sources: §4 of Act on Equal Treatment of Men and Women in Employment and Vocational Training (Law 205(I)/2002), as amended; §7 of the Maternity Protection Act (100 (I)/1997), as amended

Breastfeeding

Breastfeeding breaks are provided under the Maternity Protection Act.

Breastfeeding mothers with a child under 09 months of age (or from the day maternity leave starts in case of adoption till expiry of 09 months) have the right to interrupt work for one hour, or go to work one hour late or leave work one hour earlier every day. Breastfeeding breaks are considered and paid as working time.

Employers are required to provide all facilities, as stipulated under the Promotion and Protection of Breastfeeding Law, to the workers who take break to breastfeed or pump and store breast milk. Employers that violate the have to pay a fine of up to €7,000 for a first violation and up to €8,000 for any further violation occurring within two years from the day on which the previous violation occurred.

A natural mother loses the right to breastfeeding breaks once the child is adopted. Similarly, a surrogate mother loses the right to nursing breaks once the child is moved to the biological or commissioning mother.

The Breastfeeding Promotion and Protection Law of 2018 empowers the Council of Ministers to issue regulations regarding creation of specially designated areas for breastfeeding and/or pumping milk in at workplaces for the working mothers to promote breastfeeding.

Sources: §5 of the Maternity Protection Act of 1997 (100(I)/1997), as amended; § 2 & 6 of the Breastfeeding Promotion and Protection Law of 2018

07/13 HEALTH & SAFETY

ILO Conventions

Most ILO OSH Conventions deal with very specific Occupational Safety hazards, such as asbestos and chemicals.

Convention 155 (1981) is the relevant general convention here.

Labour Inspection Convention: 81 (1947)

Cyprus has ratified both the Conventions 81 and 155.

Summary of Provisions under ILO Conventions

The employer, in all fairness, should make sure that the work process is safe.

The employer should provide protective clothing and other necessary safety precautions for free.

Workers should receive training in all work-related safety and health aspects and must have been shown the emergency exits.

In order to ensure workplace safety and health, a central, independent and efficient labour inspection system should be present.

Regulations on health and safety:

- Safety and Health at Work

Employer Cares

An employer is required to protect the health and safety of workers at the workplace in accordance with the provisions of the Safety and Health at Work Law.

Employers are required to consult with elected employees' representatives on health and safety issues. In workplaces with 10 or more employees, safety committee plays its role in ensuring health and safety at the workplace. Employee representation in the area of health and safety is provided through the elected safety representative (in workplaces with fewer than 10 employees) and through the safety committee (in workplaces with 10 employees or more).

Employer's duty to ensure health and safety for workers includes following: the provision and maintenance of plants, systems and methods of work that are safe and without risks to health; arrangements for ensuring the safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances; the provision of such information, instruction, training and supervision to ensure the safety and health at work of his employees; the maintenance of any place of work under the employer's control, including the means of access to and means of egress from it, in a condition that is safe and without risks to health; the provision and maintenance of a working environment for his employees that is safe, without risks to health, and adequate as regards facilities and arrangements for

their welfare at work; the enforcement of necessary measures for the protection of the safety and health of his employees, including prevention of occupational risks activities, informational, training and instructional activities as well as the creation of the necessary organization and provision of required means; invigilation of the correct implementation of safety, health and well-being measures for his employees or other persons who may be affected by the employer's activities or by the manner in which the employer manages his business; and adaptation of the above measures in accordance with changing circumstances and the pursuit of the improvement of existing situations.

The employer must also apply occupational safety and health protection regulations which are based on the following general prevention and protection principles of: avoiding health and safety risks; evaluating health and safety risks which cannot be eliminated by the implementation of the basic rules of safety and health protection at work; combating safety and health risks at their source; replacing the dangerous by the non-dangerous or the less dangerous; giving collective measures priority over individual protective measures; giving appropriate training and information to workers; adapting to technological progress; adapting the work to the workers, especially with regards to the design of workplace, the choice of work equipment and the choice of working and production methods, with a view, in particular, to alleviating monotonous work and work at a predetermined work-rate and to reducing their harmful effects on health.

Employees are also required to take reasonable care to ensure the safety and health of him and of other persons who may be affected by his acts or omissions at work;

co-operate with his employer in maintaining safe and healthy workplace; and use the protective equipment or clothing provided by the employer in accordance with the provisions of this Law.

The Ministry of Health issued guidelines, at the start of the pandemic, in order to protect the workplace during COVID 19. The measures included fixation of hand sanitizer at the entrance of workplace, wearing of mask, ventilation and disinfection of workplace etc.

Sources: §13-15 of Safety and Health at Work Law (89(I)/96), as amended

Free Protection

The right to personal protective equipment (PPE) is guaranteed under the OSH legislation.

If the risk of an accident or illness cannot be avoided or if a working environment hazard cannot be brought into conformity by applying technical means of collective protection or work-related organizational measures, employer is required to provide employees with personal protective equipment to prevent exposure to the harmful substances. Workers are also under obligation to use personal protective equipment in accordance with the provisions of law. Employers are under obligation to provide, at their own expense, an employee with personal protective equipment and arrange training for the employee (in Greek language) in the use of personal protective equipment.

Sources: Safety and Health at Work Law (Law. 89(I)/96), as amended; The Minimum Standards for Safety and Health (Use at Work Personal Protective Equipment)

Regulations of 2001 (PI 470/2001)

Training

Employers are under obligation to provide such information, instruction, training and supervision to ensure the safety and health at work of his employees. There also is a general obligation under Regulation 173/2002 (Management of Safety and Health at Work Issues) for employers to provide every employee with the necessary and sufficient training on the matters of safety and health, especially in the form of information and instructions relating to his or her specific work position or duties.

If employer is required by law or a collective agreement to provide training necessary for carrying out the work, such training is provided free of cost and counts as working time. Where possible, such training should take place during normal working hours.

Source: §20 of the Law on Transparent and Predictable Working Conditions, 25(I)/2023

Labour Inspection System

Labour inspection system is provided under the different laws in Cyprus.

The Labour Inspectorate is an administrative organization within the Ministry of Labour and Social Insurance, entrusted with the responsibility for enforcing labour legislation. The Department of Labour Inspection comprises the following Sectors and Sections: Safety and Health at Work Section; Machinery and Equipment Section; Industrial Pollution Control Section; Quality of Air Section; Radiation Protection Section; and Chemical Substances Section.

The following acts contain provisions regarding the function of labour inspection in Cyprus: Wages Protection Law; Organizing the Working Time Law; Gender Equality in Employment and Vocational Training Act; Protecting Contract Employees Law; and Youth Employment Protection Law.

The basic objective of the DLI is the continuous and steadfast improvement of Occupational Health and Safety standards, to ensure a satisfactory level of air quality and of the environment in general, safeguard of the employees, the public and environment against ionized radiation hazards and chemical substances.

The national legislation provides inspectors the power to enter all premises where work is carried out without prior notice; carry out investigations on accidents or dangerous occurrences; issue improvement notices (imposing compliance requirements within a specific period of time) or prohibition notices (prohibiting the use of the premises, plant or place of work or the carrying on of activities exposing the workers to serious risk until elimination of (or reduction to a suitable level of) risk; and request a court's order in relation to hazardous conditions and practices in order to prohibit the use of machines, plant or workplaces, until the risk is eliminated.

08/13 SICK LEAVE & EMPLOYMENT INJURY BENEFIT

ILO Conventions

Convention 102 (1952), Conventions 121 (1964) and 130 (1969) concerning Social Security, Employment Injury Benefits and Medical Care and Sickness Benefits

Cyprus has ratified the Convention 102 and 121.

Summary of Provisions under ILO Conventions

A worker's rights to work and income should be protected when illness strikes. The national labour law may provide that sickness benefit may not be paid during the first 3 days of your absence. Minimally, a worker should be entitled to an income during first 6 months of illness. This income should be at least 45 per cent of the minimum wage. (Countries are free to opt for a system which guarantees 60 per cent of the last wages during the first 6 months of illness or even during the first year). A worker must be entitled to paid sick leave.

During illness, a worker should be entitled to medical care without any additional cost. Employees and their family members should have access to the necessary minimal medical care at an affordable cost.

During the first 6 months of illness, a worker should not be fired.

If a worker is disabled due to an occupational disease or accident, he/she must receive a higher benefit. In the case of temporary or total incapacity/disability, a worker may at least be provided 50% of his average wage while in the case of fatal injury, the survivors may be provided with 40% of the deceased worker's average wage in periodical payments.

Regulations on sick leave & Employment Injury Benefits:

- Security Act of 2010 (59 (I)/2010), as amended
- Termination of Employment Law (24/1967), as amended

Income

Sick Leave is paid by the Department of Social Insurance of the Ministry of Labour and Social Insurance. Sickness benefit is paid to employed and self-employed persons who are working and paying contributions and are incapable of work for a limited time (determined by a doctor in a medical certificate) due to sickness. In order to be entitled to sickness benefit, the following conditions must be fulfilled: proof of temporary incapacity for work through a valid medical certificate; aged between 16-63 years (persons not entitled to pension at age 63 can apply for sickness benefit but not after the age of 65 years); not in receipt of full salary during the period of sickness; must have at least 26 weeks of coverage, paid contributions on earnings of at least 26 times the weekly basic covered/insurable earnings; and paid or credited contributions on earnings of at least 20 times the weekly basic covered/insurable earnings in the last year.

In the case of employed persons, the payment of the sickness benefit (from Social Insurance Fund) starts on the 4th day of absence from work due to illness and in the case of self-employed persons, the payment starts on the 10th day of absence from work. The first three days (nine days for self-employed) are considered waiting period. The benefit level is determined according to the average weekly amount of earnings on which contributions were

made in the previous contribution year under the social insurance scheme.

The sickness benefit is paid for a period of 156 days for each period of interrupted employment (approximately 6 months). The sickness benefit can be extended to 312 days for the same period of interrupted employment if the insured person satisfies the entitlement conditions for an invalidity pension but is not permanently disabled. After 13 more weeks of work and having paid contributions on earnings of at least 26 times the weekly basic insurable earnings, an insured person may re-qualify for sickness benefit.

The sickness benefit consists of a basic benefit and a supplementary benefit calculated on a weekly basis. The weekly basic benefit is equal to 60% of the average weekly basic insurable earnings that the person has received during the last year. With the inclusion of dependents' supplement, the basic benefit is increased to 80%, 90% and 100% for one, two or three dependents respectively (maximum three dependents; 20% is for the spouse or first dependent). A spouse is considered dependent if she/he is neither working nor receiving any benefit from the Social Insurance Fund. The weekly supplementary benefit is equal to 50% of the average weekly earnings which exceed the basic insurable earnings (€183.96) and for which the person has paid contributions in the last contribution year. The maximum amount of weekly supplementary benefit cannot exceed the weekly basic insurable earnings. The sickness benefit is reduced by the extent the insured person receives wages from the employer so that the total amount of the partial wage and the benefit does not exceed the insured worker's full wage.

Source: § 21, 31-33 & Fourth Table of the Social Security Act of 2010 (59(I)/2010), as amended

Medical Care

The healthcare benefits are granted to all Cypriot and EU citizens who are permanent residents of Cyprus. The extent of medical services is directly related to the income of single individuals or families and includes services provided by the government medical institutions. Eligibility for healthcare benefits is conditional upon a registration to the National Health System.

Medical services are provided directly to patients in government hospitals and clinics. Benefits include medical treatment, hospitalization, maternity care, and medicine.

Job Security

Employment of a sick worker is secure during the first six months of incapacity for work. In accordance with section 9 of the Termination of Employment Act, an employer cannot give notice to an employee who is absent due to incapacity for work for a period of up to six months from the first day of his absence. Moreover, the period of notice of an employee who becomes incapable for work as a result of an industrial accident which occurs during the period of notice, is suspended.

Under the 2016 amendment to the Termination of Employment Law, giving notice to an employee who is absent from work owing to incapacity for work for a period of up to 12 months is prohibited. The prohibition period is equivalent to the period of absence plus one-quarter. Hence,

the maximum protection period is 16 months.

Source: Termination of Employment Law (24/1967), as amended

Disability / Work Injury Benefit

Work injuries are divided into four categories: (i) permanent total incapacity (ii) permanent partial incapacity (iii) temporary incapacity and (iv) fatal injury leading to death of a worker.

There is no minimum qualifying period for access to benefits under work injuries. The temporary incapacity benefit or work injury benefit is payable to any employed person who is incapable of work as a result of an industrial accident or occupational disease. The benefit is payable for up to 12 months from the date of accident or contraction of the disease. The rate of work injury benefit is equal to sickness benefit. For more information on this, please refer to the section on paid sick leave.

The disablement benefit/permanent disability benefit is paid to an employed person who has lost his/her physical or mental faculties as a result of an accident at work, to a degree of at least 10%. In case of pneumoconiosis, the compensation is paid from a degree of 1%. In accordance with the degree of disability, the permanent disability benefit is paid either as a grant (lump sum) or as a pension.

Disablement grant is paid if degree of disability lies between 10-19%. Partial Disability pension is paid for disability of 20-99%. No benefit is paid for less than 10% disability. The disablement grant is an amount equal to 7 times the yearly amount of disablement pension for 100% disability

(without any increase for dependents), multiplied by the percentage of the degree of disability.

Sources: Social Security Act of 2010 (59 (I) / 2010), as amended

Disablement pension consists of a basic benefit and a supplementary benefit calculated on a weekly basis. The weekly basic benefit is equal to 60% of the average weekly basic insurable earnings that the person has received during the last year. With the inclusion of dependents' supplement, the basic benefit is increased to 80%, 90% and 100% for one, two or three dependents respectively (maximum three dependents). A spouse is considered dependent if she/he is neither working nor receiving any benefit from the Social Insurance Fund. The weekly supplementary benefit is equal to 60% of the average weekly earnings which exceed the weekly basic insurable earnings accumulated the last two years before the day of accident and for which the applicant has paid social insurance contributions.

The disablement pension for a degree of disablement below 100% (20-99%) is proportional to the actual degree of disability. If the disability renders a person permanently incapable of work, the degree of the disablement pension is accordingly increased to 75%, 85% and 100% as in the case of invalidity pension. There is also provision for constant care allowance for beneficiaries of disability pension requiring constant care. The allowance is 55% of the basis disablement pension.

The survivors of an employed person who died as a result of an accident at work or occupational disease are entitled to death benefits which include the widow(er) pension, the orphan's pension, and the funeral grant. For more information on this, please refer to the section in Survivors' Benefits.

09/13 SOCIAL SECURITY

ILO Conventions

Social Security (minimum standards): Convention 102 (1952). For several benefits somewhat, higher standards have been set in subsequent Conventions

Employment Injury Benefits: Conventions 121 (1964),

Invalidity, Old age and survivors' benefits: Convention 128(1967)

Medical Care and Sickness Benefits: Convention 130 (1969)

Unemployment Benefits: Convention 168 (1988).

Cyprus has ratified the Convention 102, 121 and 128 only.

Summary of Provisions under ILO Conventions

In the normal circumstances, the pensionable age may not be set higher than 65 years of age. If retirement age is fixed above 65 years, it should give “due regard to the working ability of elderly persons” and “demographic, economic and social criteria, which shall be demonstrated statistically”. Pension can be set as a percentage of the minimum wage or a percentage of the earned wage.

When the breadwinner has died, the spouse and children are entitled to a benefit, expressed as a percentage of the minimum wage, or a percentage of the earned wage. This must at least be 40% of the reference wage.

For a limited period of time, the unemployed has a right to unemployment benefit set as a percentage of the minimum wage or a percentage of the earned wage.

Invalidity benefit is provided when a protected person is unable to engage in a gainful employment, before standard retirement age, due to a non-occupational chronic condition resulting in disease, injury or disability. Invalidity Benefit must at least be 40% of the reference wage.

Regulations on social security:

- Social Security Act of 2010 (59(I)/2010), as amended

Pension Rights

All insured persons (employed, self-employed and voluntary contributors) are entitled to old age pension. The current pensionable age is 65. Under certain conditions, a person can qualify for early retirement pension at the age of 63. For miners, the pensionable age is 63 years. Miners with at least three years of employment are entitled to old age pension one month earlier than the normal pensionable age for each five months of work in a mine, provided they have retired from mining work, however they cannot withdraw the pension before the age of 58.

A worker must have met the following insurance conditions for eligibility to the old age pension: have paid or assimilated contributions for at least 676 weeks (13 years; contribution weeks increasing to 780 weeks by January 2017); have paid or assimilated contributions up to the pensionable age equal to at least 676 times the weekly amount of the basic insurable earnings (13 insurance points; reaching 15 insurance points in January 2017); and have paid or credited contributions in at least 30% of the years from 5 October 1964 or 7 January 1957 (whichever is more beneficial) or from the age of 16 and until the last contribution week before the pensionable age.

The old age pension consists of a basic benefit and a supplementary benefit calculated on a weekly basis. The weekly basic benefit is equal to 60% of the average weekly basic insurable earnings that the

person has received during the last year. With the inclusion of dependents' supplement, the basic benefit is increased to 80%, 90% and 100% for one, two or three dependents respectively (maximum three dependents). A female spouse is considered dependent if she lives with or has been maintained by the insured person and receives no pension from the Social Insurance Fund nor is gainfully occupied. A male spouse is considered dependent only if he is incapable of supporting himself. The weekly supplementary pension is 1.5% of the earnings over the weekly basic covered earnings during the insured person's whole career up to the maximum weekly covered earnings. The weekly amount of basic insurable earnings is currently €174.38. The maximum amount of covered earnings is €1,046. The old age pension is paid monthly in thirteen installments (one every four weeks) a year. The minimum old age pension is 85% of the full basic pension.

If an insured person attains the pensionable age and does not satisfy the above conditions for old age pension, then she/he continues to pay contributions until the qualifying conditions are satisfied. Under no circumstances, the contributions are payable after the age of 68 when the insured person can apply for an old age lump-sum payment. Such persons must have paid contributions in at least six years on earnings of at least 312 times the weekly basic covered earnings. The old age settlement benefit is paid as lump sum of 15% of the total paid or credited contributions.

Early pension is available to an insured person on meeting the following requirements: reaching the age of 63; payment or assimilation of contributions in at least 70% of the years from 5 October 1964 or 7 January 1957 (whichever is more

beneficial) or from the age of 16 and until the last contribution week before the pensionable age; or if the applicant is entitled to invalidity pension before reaching the age of 63; or if the applicant aged between 63 and 65 has been entitled to an invalidity pension if she/ he had not reached the age of 63. Miners aged 58 and older are entitled to early pension one month earlier than the normal pensionable age for each five months of work in a mine, provided they have retired from mining work. The pension is reduced by 0.5% for every month taken before the retirement age and age 64 (rising to 65 by 2016).

Sources: §35-39 of the Social Security Act of 2010 (59(I)/2010), as amended

Dependents' / Survivors' Benefit

Dependents'/Survivors' Benefit in Croatia are guaranteed under Social Security Act. A spouse pension is payable to surviving spouse (widow/widower) on satisfaction of following insurance conditions. The insured person must either be in receipt of old age pension or invalidity pension (or have met conditions for eligibility to these pensions) or the insured person died due to an occupational accident (the same qualifying conditions apply as for cash sickness benefit).

The widow's pension consists of a basic benefit and a supplementary benefit calculated on a weekly basis. The weekly basic benefit is equal to 60% of the average weekly basic insurable earnings that the person has received during the last year. With the inclusion of dependents' supplement, the basic benefit is increased to 80%, 90% and 100% for one, two or three dependents respectively (maximum three dependents). The supplementary pension

in the case of a widow whose husband was in receipt of an old-age pension or invalidity pension (or would have been entitled to invalidity pension if he was considered invalid) is 60% of the supplementary invalidity pension to which the deceased was or would have been entitled to.

A lump sum is payable to a widow(er) if the insurance conditions are not met. In case the deceased did not reach the pensionable age, the lump sum benefit is payable if the deceased had paid basic insurance equal to at least 156 times the weekly basic insurable earnings and 156 weeks have passed from the day he/she was first insured. In case the deceased was receiving an old-age pension or would have received one if had applied for such pension, the insurance condition is the same as for the old-age settlement benefit (paid as lump sum). This payment is 15% of the total value of insurance points of the paid and assimilated basic insurance and 9% of the value of insurance points at the supplementary insurance of the deceased. If a widow remarries, she is entitled to a lump sum payment equal to one year's pension with no increase for dependents.

The orphan's benefit is payable to a minor: whose parents are both dead; or whose parents were separated and the one, under whose care he was, is dead; OR whose one parent died and the surviving parent is not entitled to widow's pension; OR whose widowed mother, who was in receipt of widow's pension, remarried.

The (full) orphans' benefit is composed of the basic benefit and the supplementary benefit: the weekly basic benefit is 40% of the weekly amount of basic insurable earnings for each orphan; and the weekly supplementary benefit is 50% of the supplementary widows' pension which was

paid or would have been paid in the case of one orphan and 100% in the case of two or more orphans. The weekly (half) orphans' benefit is 20% of the weekly amount of basic insurable earnings for each orphan and it is payable up to three orphans.

The orphans' benefit is paid up to the age of 15 (23 for female full-time students and 25 for male full-time students or in military service, no age limit for disabled). A lump sum up to one year's benefit is paid to an orphan on termination of his/her entitlement other than by death before the age of 17.

Funeral grant is paid if the deceased was receiving an old age, disability, spouse's or orphan's pension, or died as a result of an occupational accident or disease; or was insured for at least 26 weeks with paid contributions on covered earnings of at least 26 times the weekly basic insurable earnings, and paid or credited contributions in the previous year on earnings of at least 20 times the weekly basic covered earnings. A lump sum of €507.81 (5.6% of annual basic insurable earnings) is paid when the insured person or a pensioner die. The funeral grant is halved in the case of death of an insured person's or pensioner's dependent.

Sources: Social Security Act of 2010 (59(I)/2010), as amended

Unemployment Benefits

Unemployment benefits are guaranteed under the Social Security Act.

Unemployment benefit is payable to employed persons between the ages of 16 and 63 for any period of unemployment. Persons who do not satisfy the insurance

conditions for the old-age pension at the age of 63 are entitled to draw benefit up to the required date, but in no case after the age of 65. Self-employed persons are not entitled to unemployment benefit.

An unemployed person must satisfy the following insurance conditions: have been insured for at least 26 weeks up to the date of unemployment; have paid basic insurance up to the date of unemployment of not less than 26 times the weekly amount of basic insurable earnings; and have paid and/or assimilated insurance over the relevant contribution year equal to at least 20 times the weekly amount of basic insurable earnings.

The insured person must be capable of and available for work and must report weekly to the employment exchange. If unemployment is due to voluntary leaving, misconduct, direct participation in a trade dispute, or the refusal of a suitable job offer, refuses or fails, without reasonable cause, to receive vocational training, the insured person may be disqualified for unemployment benefit for up to six weeks.

In order to re-qualify for the unemployment benefit (after exhaustion of the right), a person must have paid contributions on earnings of at least 26 times the weekly amount of basic insurable earnings after the date of exhaustion and a period of 26 working weeks must also have elapsed from the date of exhaustion. Persons over the age of 60 may re-qualify for unemployment benefit in 13 weeks instead of 26 weeks.

Unemployment benefit is managed similarly like sickness benefit and is paid for a maximum period of 156 days. The unemployment benefit consists of a basic benefit and a supplementary benefit

calculated on a weekly basis. The weekly basic benefit is equal to 60% of the average weekly basic insurable earnings that the person has received during the last year. With the inclusion of dependents' supplement, the basic benefit is increased to 80%, 90% and 100% for one, two or three dependents respectively (maximum three dependents; 20% is for the spouse or first dependent). A spouse is considered dependent if she/ receives any salary or benefit at a rate lower than the increase for a dependent. The weekly supplementary benefit is equal to 50% of the average weekly earnings which exceed the basic insurable earnings (€174.38) and for which the person has paid contributions in the last contribution year. The maximum amount of weekly supplementary benefit cannot exceed the weekly basic insurable earnings. The maximum amount of weekly insurable earnings is €1,046.

Sources: Social Security Act of 2010 (59 (I) / 2010), as amended

Invalidity Benefits

Invalidity Benefits in Cyprus are guaranteed under Social Security Act. Invalidity pension is payable to persons who have been incapable for work for at least 156 days and are expected to remain permanently incapable for work, i.e., they are unable to earn (from work which they are reasonably expected to perform) more than 1/3 of the sum earned usually by a healthy person of the same occupation or category and education in the same area (in the case of persons between the ages of 60 and 63, if a person cannot earn more than 1/2 of the aforesaid sum).

The invalidity benefit is paid for a loss of working capacity of at least 50%. The

insured must have at least three years (156 weeks) of coverage, paid contributions on earnings of at least 156 times the weekly basic covered earnings, and paid or credited contributions in at least 25% of the years from either October 5, 1964 or January 7, 1957 (whichever leads to a higher benefit), or age 16 to the week before the disability began. The insured person must have either paid or credited contributions in the year before the disability began or the average of the contributions in the last two years are not less than 20 times the weekly amount of the basic insurable earnings.

The invalidity pension consists of a basic benefit and a supplementary benefit calculated on a weekly basis. The full disability pension is paid for a 100% loss of working capacity. The weekly basic benefit is equal to 60% of the average weekly basic insurable earnings that the person has received during the last year. With the inclusion of dependents' supplement, the basic benefit is increased to 80%, 90% and 100% for one, two or three dependents respectively (maximum three dependents). A female spouse is considered dependent if she lives with or has been maintained by the insured person and receives no pension from the Social Insurance Fund nor is gainfully occupied. A male spouse is considered dependent only if he is incapable of supporting himself. The weekly supplementary pension is 1.5% of the earnings over the weekly basic covered earnings during the insured person's whole career up to the maximum weekly covered earnings. The weekly amount of basic insurable earnings is currently €174.38. The maximum amount of covered earnings is €1,046.

There is provision for partial disability pension for disability between 50-99%. The

invalidity pension is 60% of the full pension for 50-66.6% loss of earning capacity; 75% of full pension for 66.67%-75% loss of earning capacity; and 85% of full pension for 76%-99% loss of earning capacity.

Sources: Social Security Act of 2010 (59 (I) / 2010), as amended

10/13 FAIR TREATMENT

ILO Conventions

Convention 111 (1958) lists the discrimination grounds which are forbidden.

Convention 100 (1952) is about Equal Remuneration for Work of Equal Value.

Convention 190 (2019) is about elimination of violence and harassment in the world of work.

Cyprus has ratified the Conventions 100 and 111.

Summary of Provisions under ILO Conventions

At workplaces, equal pay for men and women for work of equal value is a must, regardless of marital status. Pay inequality based on race, colour, sex, religion, political opinion, national extraction/place of birth or social origin is also forbidden. A transparent remuneration system and the clear matching of pay and position should be in place and to help prevent wage discrimination.

Convention No. 190 recognizes the right of everyone to a world of work free from violence and harassment. It defines violence and harassment as “a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment”. This definition covers physical abuse, verbal abuse, bullying and mobbing, sexual harassment, threats and stalking, among other things.

An employer can't discriminate against you on in any aspect of employment (appointment, promotion, training and transfer) on the basis of union membership or participation in union activities, filing of a complaint against an employer, race, colour, sex, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction or social origin, temporary absence due to illness, age, trade union membership, disability/HIV-AIDS, or absence from work during maternity leave. (Conventions 111, 156, 158, 159 and 183)

People have the right to work and there can't be occupational segregation on the basis of gender.

Regulations on fair treatment:

- Constitution of Cyprus, 1960 (last amended in 2013)
- Act on Equal Treatment in Employment and Occupation (58(I)/2004), as amended
- The Persons with Disabilities Act of 2000 (127(I)/2000), as amended
- Act on Equal Treatment of Men and Women in Employment and Vocational Training (Law 205(I)/2002), as amended
- Act on Equal Pay between Men and Women for the Same Work or for Work of Equal Value (177(I)/2002), as amended

Equal Pay

In accordance with the Equal Pay for Equal Work Law, every employer must provide equal pay to men and women for the same work or for work to which equal value is attributed, irrespective of the sex of the employee.

If a system of professional classification is applied for the purpose of determining pay, the system must be based on common criteria applicable to both male and female employees in such a way that any gender discrimination is abolished. The comparison is made in reference between employees who have been employed with the same employer or by businesses controlled by the same employer during the preceding or following two years.

Any person who intentionally violates above provisions is guilty of an offense and is punished by a fine of up to four thousand pounds or to imprisonment not exceeding six months or to both penalties.

Source: §5 & 24 of the Act on Equal Pay between Men and Women for the Same Work or for Work of Equal Value (177(I)/2002), as amended

Sexual Harassment

Harassment and Sexual harassment are dealt with under the Equal Treatment of Men and Women in Employment and Vocational Training Law (205(I)/2002).

Sexual harassment is defined as any form of unwanted verbal or physical behaviour of a sexual nature that is conducted with the purpose or effect of outraging a person's dignity and, in particular, creating an intimidating, hostile, humiliating, degrading or offensive environment during a person's employment or vocational training or during his or her efforts to apply for that employment or get enrolled on training. Sexual harassment is considered a form of gender discrimination.

A complainant must not, for reason of submitting a complaint or rejection or submission to sexual harassment, be adversely affected in his/her employment. A dismissal is considered void and unfair if an employee is fired after submitting a complaint of sexual harassment, unless the employer can prove that the treatment was not related to the submission of the sexual harassment complaint. The law provides similar protection to an employee who is willing to provide evidence or present himself or herself as a witness in a sexual harassment complaint. Employer is found guilty of the offence, alongside and to the same degree with the perpetrator of sexual harassment, if no action is taken to stop harassment at the workplace. Employer is held accountable of a failure to act even

where the sexual harassment is brought to his/her attention by a third party and not by the actual victim of the offence.

Law requires employers to draw up sexual harassment policies/code giving information, advice and measures in order to prevent acts of harassment or sexual harassment and to take practical measures for the implementation of the policy/code.

A fine of up to € 6,834.41 or imprisonment of up to six months or both may be imposed on any employer that intentionally fails to provide adequate protection from discrimination in the workplace and in particular fails to protect employees from sexual harassment. These and higher level of sanctions are imposed on an employer that fails to adopt any necessary measures to prevent and deal with cases of sexual harassment even though it had notice of them (in the event of consent, co-operation or tolerance of sexual harassment).

Source: §7-12 & 30 of the Act on Equal Treatment of Men and Women in Employment and Vocational Training (Law 205(I)/2002), as amended

Non-Discrimination

Equality is guaranteed under the Constitution Act on Equal Treatment of Men and Women in Employment and Vocational Training and the Act on Equal Treatment in Employment and Occupation.

In accordance with article 28 of the Constitution, " All persons are equal before the law, the administration and justice and are entitled to equal protection thereof and treatment thereby. Every person shall enjoy all the rights and liberties provided for in this Constitution without any direct or

indirect discrimination against any person on the ground of his community, race, religion, language, sex, political or other convictions, national or social descent, birth, colour, wealth, social class, or on any ground whatsoever, unless there is express provision to the contrary in this Constitution".

Law prohibits both direct and indirect discrimination on the grounds of sex in access to employment, employment conditions, promotion, training and termination/retirement. The Gender discrimination means any direct or indirect discrimination, including sexual harassment and any less favorable treatment based on the rejection of that conduct or submission to or harassment as well as any less favorable treatment of a woman related to pregnancy, childbirth, breastfeeding, maternity or illness due to pregnancy or childbirth, but not including affirmative action, as well as any instruction or order to discriminate against persons on grounds of sex. Men and women enjoy equal treatment with regard to all employment related matters and any discrimination on grounds of sex is prohibited in particular with regard to the marital or family status of a person.

The Act on Equal Treatment in Employment and Occupation prohibits discrimination (direct discrimination, indirect discrimination, harassment or instruction to discriminate) on the grounds of religion or belief, age, sexual orientation, racial or ethnic origin in all employment related matters (access to employment including selection criteria and recruitment conditions; access to all levels of vocational training and guidance; working condition including pay and dismissal conditions; and membership and involvement in workers or employer organizations).

Both anti-discrimination laws prohibit discrimination on any of the above grounds in terms of membership and involvement in an organization of workers or employers, or any organization whose members carry on a particular profession, including the benefits provided for by such organizations.

The Persons with Disabilities Act (section 5) prohibits discrimination on the ground of disability in all employment related matters.

Source: §28 of the Constitution of Cyprus, 1960 (last amended in 2013); Act on Equal Treatment of Men and Women in Employment and Vocational Training (205(I)/2002), as amended; Act on Equal Treatment in Employment and Occupation (58 (I)/2004), as amended; The Persons with Disabilities Act of 2000 (127(I)/2000), as amended

Equal Choice of Profession

Equal treatment of women workers at workplace is guaranteed under the Constitution and the anti-discrimination laws.

In accordance with article 25 of the Constitution, every person has the right to practise any profession or to carry on any occupation, trade or business. The exercise of this right may be subject to such formalities, conditions or restrictions as are prescribed by law and relate exclusively to the qualifications usually required for the exercise of any profession or are necessary only in the interests of the security of the Republic or the constitutional order or the public safety or the public order or the public health or the public morals or for the protection of the rights and liberties

guaranteed by this Constitution to any person or in the public interest: Provided that no such formalities, conditions or restrictions purporting to be in the public interest shall be prescribed by a law if such formality, condition or restriction is contrary to the interests of either Community.

Act on Equal Treatment of Men and Women in Employment and Vocational Training in its Annex provides for certain exclusions for business activities where so-called equality cannot be maintained. These activities include, inter alia, employment in positions for artistic events where filling a position with person of other sex would cause a significant difference in the nature of position, employment of men in guard positions in women's jails and vice versa, and employment of women in underground work and mines.

Source: §25 of the Constitution of Cyprus, 1960 (last amended in 2013); Act on Equal Treatment of Men and Women in Employment and Vocational Training (Law 205(I)/2002), as amended; Act on Equal Treatment in Employment and Occupation (58 (I)/2004), as amended

11/13 MINORS & YOUTH

ILO Conventions

Minimum Age: Convention 138 (1973)

Worst Forms of Child labour: Convention 182 (1999)

Cyprus has ratified the Conventions 138 and 182.

Summary of Provisions under ILO Conventions

At workplaces, children may not be forced to perform work that could harm their health and hampers their physical and mental development.

All children should be able to attend school. Once this is safeguarded, there is no objection against children performing light jobs between the ages of 12 and 14. The general minimum age is 15 years however developing countries may set this at 14 years. The minimum age for hazardous work, work that is likely to jeopardize the health, safety or morals of young persons, is 18 years. It can also be set at a lower level of 16 years under certain circumstances

Children should not be employed in a work that is likely to harm the health, safety or morals of children. It is considered one of the worst forms of child labour. The minimum age for such hazardous work is 18 years.

Regulations on minors and youth:

- Protection of Young Persons at Work (48(I)/2001), as amended

Minimum Age for Employment

Employment of Children is governed under Protection of Young Persons at Work (48(I)/2001).

Minimum age for entry into employment is 15 years. Employment of children is prohibited except for the purpose of vocational or occupational training (from the age of 14) and employment in cultural, artistic, sports or advertising activities when licensed by the Minister under certain circumstances (from the age of 3). Street vending is prohibited for children.

The employment of children in cultural, artistic, sports or advertising activities is allowed provided that it does not hurt safety, health (physical and mental) and the physical, spiritual, moral or social development of the child, and it does not prevent regular school attendance of, or participation in a training program or the ability to benefit from the training provided.

The working time of children in cultural, artistic, sports or advertising activities may not exceed two hours each day for a child of up to six years of age; three hours each day for a child of seven to twelve years of age; and four hours each day for a child of thirteen to fifteen years of age. During the school year, the working hours must not coincide with the school hours. No child can be employed in any work for more than thirty-six hours in any one week or for more than seven and quarter hours (15 minutes) in any one day.

The working time of adolescents (15-18 years) who have not attained the age of 16 cannot exceed seven and quarter hours (15 minutes) in any day or thirty-six hours in any week. The working time of other adolescents cannot exceed seven hours and forty-five minutes in any day or thirty-eight hours in any week.

Overtime work by children and adolescents is prohibited. A child cannot be employed in any work between 19:00 of any day and 07:00 of the following day. An adolescent cannot be employed in any work between 23:00 of any day and 07:00 of the following day except in certain cases however adolescents are not allowed to work between midnight and 04:00.

Sources: Protection of Young Persons at Work (48(I)/2001), as amended

Minimum Age for Hazardous Work

Employment of children in hazardous work is prohibited under Protection of Young Persons at Work (48(I)/2001).

The minimum age for hazardous work is 18 years. Adolescents are entitled to a weekly minimum rest period of two (2) consecutive days (48 hours) of which one coincides with a Sunday, unless organisational or technical reasons require the employment of young persons on Sunday.

Law (Annex I & II) provides a non-exhaustive list of agents, processes and tasks which are dangerous, heavy, and unhealthy and more generally work which causes harm to the mental health of a young person and which hinders the free development of an adolescent personality, and in which a young person is prohibited from working. Exposure to physical, biological, and

chemical agents is prohibited for young persons.

Sources: Protection of Young Persons at Work (48(I)/2001), as amended

12/13 FORCED LABOUR

ILO Conventions

Forced labour: Conventions 29 (1930)

Abolition of Forced labour: Conventions 105 (1957)

Forced labour is the work one has to perform under threat of punishment: forfeit of wages, dismissal, harassment or violence, even corporal punishment. Forced labour means violation of human rights.

Cyprus has ratified both Conventions 29 & 105.

Summary of Provisions under ILO Conventions

Except for certain cases, forced or compulsory labour (exacted under the threat of punishment and for which you may not have offered voluntarily) is prohibited.

Employers have to allow workers to look for work elsewhere. If a worker is looking for work elsewhere, he/she should not be shortened on wages or threatened with dismissal. (In the reverse cases, international law considers this as forced labour).

If the total working hours, inclusive of overtime exceed 56 hours per week, the worker is considered to be working under inhumane working conditions.

Regulations on forced labour:

- Constitution of Cyprus, 1960 (last amended in 2013)
- Cypriot Criminal Code (CAP 154), as amended
- Termination of Employment Law (24/1967), as amended

Prohibition on Forced and Compulsory Labour

Constitution and Criminal Code prohibit forced labour. In accordance with article 10 of the Constitution, no person may be held in slavery or servitude. A person cannot be required to perform forced or compulsory labour. However, the term "forced or compulsory labour" does not include any work required to be done in the ordinary course of detention imposed or during conditional release from such detention; any service of a military character if imposed or, in case of conscientious objectors, subject to their recognition by a law, service exacted instead of compulsory military service; and any service exacted in case of an emergency or calamity threatening the life or well-being of the inhabitants.

In accordance with the provisions of Criminal code, any person who unlawfully compels any person to compulsory labour against the will of that person is guilty of a misdemeanour, and is liable to imprisonment for one year.

Source: §10 of the Constitution of Cyprus, 1960 (last amended in 2013); §254 of the Cypriot Criminal Code (CAP 154), as amended

Freedom to Change Jobs and Right to Quit

Cypriot law gives a worker freedom to change jobs and the right to quit.

In accordance with the provisions of the Constitution, everyone has the right to work and freedom of work. Everyone is free to choose his profession and occupation.

A worker who wants to terminate his employment contract must also give his employer a minimum period of notice depending on the length of employment as follows: one weeks for 26 to 51 weeks of service; two weeks for 52 to 259 weeks of service; and three weeks for 260 weeks (5 years) and longer duration of service.

An employer may not prohibit a worker from undertaking work for other employers, outside of the working hours specified in the employment contract, or treat the employee adversely for this reason. However, during recruitment, an employer may limit parallel employment by specifying in writing specific objective reasons for said restrictions. The nature of the objective reasons may relate to issues of safety and health, the protection of business confidentiality, the integrity of the public service and the avoidance of conflict of interest.

Source: §7 & 10 of the Termination of Employment Law (24/1967), as amended; §16 of the Law on Transparent and Predictable Working Conditions, 25(I)/2023

Inhumane Working Conditions

Working times means any period during which the employee is at work, at the

employer's disposal and carrying out his/her activities and duties. Law does not clearly provide the general daily and weekly working hours. However, the average weekly working time over a reference period of 4 months may not exceed 48 hours including overtime. In accordance with the collective agreements, the normal working hours range between 38-40 hours per week.

13/13 TRADE UNION

ILO Conventions

Freedom of association and protection of the right to organize: Convention 87 (1948)

Right to Organize and Collective Bargaining: Convention 98 (1949)

Cyprus has ratified both Conventions 87 & 98.

Summary of Provisions under ILO Conventions

Freedom of association means freedom to join a trade union. This is part of the fundamental human rights. Employees may not be put at a disadvantage when they are active in the trade union outside working hours. The list of exclusions for sectors of economic activity and workers in an organization should be short.

Trade unions are entitled to negotiate with employers on term of employment without hindrance. The freedom of a trade union to negotiate with employers to try and conclude collective agreements is protected. (The ILO has a special procedure for handling complaints from unions about violation of this principle).

Workers have the right to strike in order to defend their social and economic interests. It is incidental and corollary to the right to organize provided in ILO convention 87.

Regulations on trade unions:

- Constitution of Cyprus, 1960 (last amended in 2013)
- Law on Recognition of Trade Union Organization and the Right to Provide Trade Union Facilities in Recognition Thereof (55(I)/2012)
- The Trade Union Act of 1965 (71/1965)
- Industrial Relations Code 1977
- Cypriot Criminal Code (CAP 154), as amended

Freedom to Join and Form a Union

In accordance with article 21 of the Constitution, every person has the right to peaceful assembly.

Every person has the right to freedom of association with others, including the right to form and to join trade unions for the protection of his interests. No person may be compelled to join any association or to continue to be a member thereof. The right of association is granted under certain restriction in the interests of the security of the Republic or the constitutional order or the public safety or the public order or the public health or the public morals or for the protection of the rights and liberties guaranteed by this Constitution.

The Industrial Relations Code grants both sides (employer and employees) the right to organise freely and to belong to organisations of their own choice without any interference or victimization from either side. The Trade Unions Law of 1965 provides extensive protection and freedom for the registration of trade unions on the basis of constitutional provisions. The Law on Recognition of Trade Unions (2012) gives unions the right to apply for recognition to

the Registrar in order to start collective bargaining with the employer if the employer refuses to recognise union for collective bargaining purpose. An application to the Registrar for recognition purpose is accepted only if, inter alia, at least 25% of the employees employed in the bargaining unit are members of the applicant trade union (the procedure is applicable to employers employing at least 30 workers). The recognition order is granted to a union after conducting a secret ballot. If the vote shows that more than 50% of those taking part in the vote (and they represent at least 40% of all workers who were entitled to vote) voted in favour of recognition, then the Registrar issues a Recognition Order. Such an Order may be issued without a vote in the event that more than 50% of employees are already members of the applicant trade union.

Source: §21 of the Constitution of Cyprus, 1960 (last amended in 2013); Law on Recognition of Trade Union Organization and the Right to Provide Trade Union Facilities in Recognition Thereof (55 (I)/2012); The Trade Union Act of 1965 (71/1965)

Freedom of Collective Bargaining

In accordance with article 26 of the Constitution, a law may provide for collective labour contracts of obligatory fulfilment by employers and workers with adequate protection of the rights of any person, whether or not represented at the conclusion of such contract. However, no law has been enacted to that effect. The Trade Union Recognition Law (2012) allows unions to be recognised for collective bargaining purposes through a secret ballot however it also does not provide regulations on collective bargaining

agreements. The Industrial Relations Code of 1977 regulates collective bargaining in Cyprus. The Code, though not legally enforceable, is highly respected and by all sides. It also lays out the procedures to be followed for settling employment disputes, arbitration, mediation, and public inquiry in disagreements over interests and rights.

Collective agreements, concluded at the sectoral level and enterprise level, determine the terms and conditions of employment as well as procedural issues such as trade union facilities and dismissal procedures. Many collective agreements also include a cost-of-living allowance, which is uprated in line with inflation. They, generally, provide for more favourable terms than those provided by employment laws.

Agreements normally last two years, sometimes extended to three, at both industry and company level.

Since 1948, Cyprus has established Labour Advisory Board which is a tripartite body of social dialogue. The Labour Advisory Board plays an important role in the area of industrial relations, whilst its role also extends into the more general area of formulation of employment policies. In the Labour Advisory Board, social partners discuss with the Ministry of Labour in a structured dialogue over issues concerning policy, legislation, collective agreements, labour relations and others.

Source: §26 of the Constitution of Cyprus, 1960 (last amended in 2013); Industrial Relations Code 1977

Right to Strike

In accordance with article 27 of the Constitution, the right to strike is guaranteed and its exercise may be regulated by law for the purposes only of safeguarding the security of the Republic or the constitutional order or the public order or the public safety or the maintenance of supplies and services essential to the life of the inhabitants or the protection of the rights and liberties guaranteed by this Constitution to any person. The members of the armed forces, of the police and of the gendarmerie do not have the right to strike. A law may extend such prohibition to the members of the public service.

In accordance with the Industrial Relations Code, both sides agree not to resort to strike or lock-out in disputes about rights (arising from an in-force collective agreement). The IRC further condemns unofficial strikes during a valid collective agreement and requires the federation/union concerned to take all measures that they consider necessary to end that strike. If an employer or employee, against a recommendation by the Ministry of Labour, flagrantly violates the provisions of an existing collective agreement, the aggrieved party may resort to any lawful action, including a strike or lockout, in defence of its interests.

In the event of serious labour unrest affecting or threatening trade or commerce with other countries, the Cabinet may declare emergency and the notice may remain in force until revoked. Anyone who during the validity of above referred notice engages in or continues or stimulates, encourages, helps or encourages participation or continuing lockout or strike in connection with employment in

transport or in connection with the carriage of goods or passengers on trade or commerce with other countries or within the Republic or in connection with employment in the public service or in connection with public service in the Republic is guilty of misdemeanour and liable to imprisonment for one year.

In 2015, the Criminal Code was amended to remove the reference to an “unlawful association” (union of persons with or without legal personality) aiming to organize a general strike. Participation in an unlawful association is a misdemeanour, punishable with imprisonment. With the amendment in 2015, the reference to strike has been removed.

Source: §27 of the Constitution of Cyprus, 1960 (last amended in 2013); Industrial Relations Code 1977; §64 & 65 Cypriot Criminal Code (CAP 154), as amended

QUESTIONNAIRE

DECENTWORKCHECK.ORG

Check

Decent Work Check Cyprus is a product of WageIndicator.org and
www.mywage.org/cyprus/home



National Regulation exists



National Regulation does not exist

01/13 Work & Wages

	NR	Yes	No
1. I earn at least the minimum wage announced by the Government		<input type="checkbox"/>	<input type="checkbox"/>
2. I get my pay on a regular basis. (daily, weekly, fortnightly, monthly)		<input type="checkbox"/>	<input type="checkbox"/>

02/13 Compensation

3. Whenever I work overtime, I always get compensation <i>(Overtime rate is fixed at a higher rate)</i>		<input type="checkbox"/>	<input type="checkbox"/>
4. Whenever I work at night, I get higher compensation for night work		<input type="checkbox"/>	<input type="checkbox"/>
5. I get compensatory holiday when I have to work on a public holiday or weekly rest day		<input type="checkbox"/>	<input type="checkbox"/>
6. Whenever I work on a weekly rest day or public holiday, I get due compensation for it		<input type="checkbox"/>	<input type="checkbox"/>

03/13 Annual Leave & Holidays

7. How many weeks of paid annual leave are you entitled to?*		<input type="checkbox"/> 1 <input type="checkbox"/> 2	<input type="checkbox"/> 3 <input type="checkbox"/> 4+
8. I get paid during public (national and religious) holidays		<input type="checkbox"/>	<input type="checkbox"/>
9. I get a weekly rest period of at least one day (i.e. 24 hours) in a week		<input type="checkbox"/>	<input type="checkbox"/>

04/13 Employment Security





10. I was provided a written statement of particulars at the start of my employment		<input type="checkbox"/>	<input type="checkbox"/>
11. My employer does not hire workers on fixed terms contracts for tasks of permanent nature <i>Please tick "NO" if your employer hires contract workers for permanent tasks</i>		<input type="checkbox"/>	<input type="checkbox"/>
12. My probation period is only 06 months		<input type="checkbox"/>	<input type="checkbox"/>
13. My employer gives due notice before terminating my employment contract (or pays in lieu of notice)		<input type="checkbox"/>	<input type="checkbox"/>
14. My employer offers severance pay in case of termination of employment <i>Severance pay is provided under the law. It is dependent on wages of an employee and length of service</i>		<input type="checkbox"/>	<input type="checkbox"/>

05/13 Family Responsibilities





15. My employer provides paid paternity leave <i>This leave is for new fathers/partners and is given at the time of child birth</i>		<input type="checkbox"/>	<input type="checkbox"/>
16. My employer provides (paid or unpaid) parental leave <i>This leave is provided once maternity and paternity leaves have been exhausted. Can be taken by either parent or both the parents consecutively.</i>		<input type="checkbox"/>	<input type="checkbox"/>
17. My work schedule is flexible enough to combine work with family responsibilities <i>Through part-time work or other flex time options</i>		<input type="checkbox"/>	<input type="checkbox"/>

06/13 Maternity & Work





18. I get free ante and post natal medical care		<input type="checkbox"/>	<input type="checkbox"/>
19. During pregnancy, I am exempted from nightshifts (night work) or hazardous work		<input type="checkbox"/>	<input type="checkbox"/>
20. My maternity leave lasts at least 14 weeks		<input type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|-----|---|---|--------------------------|--------------------------|
| 21. | During my maternity leave, I get at least 2/3rd of my former salary |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. | I am protected from dismissal during the period of pregnancy
<i>Workers can still be dismissed for reasons not related to pregnancy like conduct or capacity</i> |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. | I have the right to get same/similar job when I return from maternity leave |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 24. | My employer allows nursing breaks, during working hours, to feed my child |  | <input type="checkbox"/> | <input type="checkbox"/> |





07/13 Health & Safety

- | | | | | |
|-----|--|---|--------------------------|--------------------------|
| 25. | My employer makes sure my workplace is safe and healthy |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 26. | My employer provides protective equipment, including protective clothing, free of cost |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 27. | My employer provides adequate health and safety training and ensures that workers know the health hazards and different emergency exits in the case of an accident |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 28. | My workplace is visited by the labour inspector at least once a year to check compliance of labour laws at my workplace |  | <input type="checkbox"/> | <input type="checkbox"/> |









08/13 Sick Leave & Employment Injury Benefits

- | | | | | |
|-----|---|---|--------------------------|--------------------------|
| 29. | My employer provides paid sick leave and I get at least 45% of my wage during the first 6 months of illness |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 30. | I have access to free medical care during my sickness and work injury |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 31. | My employment is secure during the first 6 months of my illness |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 32. | I get adequate compensation in the case of an occupational accident/work injury or occupational disease |  | <input type="checkbox"/> | <input type="checkbox"/> |













09/13 Social Security

- | | | | | |
|-----|---|---|--------------------------|--------------------------|
| 33. | I am entitled to a pension when I turn 60 |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 34. | When I, as a worker, die, my next of kin/survivors get some benefit |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 35. | I get unemployment benefit in case I lose my job |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 36. | I have access to invalidity benefit in case I am unable to earn due to a nonoccupational sickness, injury or accident |  | <input type="checkbox"/> | <input type="checkbox"/> |



10/13 Fair Treatment

- | | | | | |
|-----|--|---|--------------------------|--------------------------|
| 37. | My employer ensure equal pay for equal/similar work (work of equal value) without any discrimination |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 38. | My employer take strict action against sexual harassment at workplace |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 39. | I am treated equally in employment opportunities (appointment,promotion, training and transfer) without discrimination on the basis of:* |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Sex/Gender |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Race |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Colour |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Religion |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Political Opinion |  | <input type="checkbox"/> | <input type="checkbox"/> |




* For a composite positive score on question 39, you must have answered "yes" to at least 9 of the choices.

	Nationality/Place of Birth		<input type="checkbox"/>	<input type="checkbox"/>
	Social Origin/Caste		<input type="checkbox"/>	<input type="checkbox"/>
	Family responsibilities/family status		<input type="checkbox"/>	<input type="checkbox"/>
	Age		<input type="checkbox"/>	<input type="checkbox"/>
	Disability/HIV-AIDS		<input type="checkbox"/>	<input type="checkbox"/>
	Trade union membership and related activities		<input type="checkbox"/>	<input type="checkbox"/>
	Language		<input type="checkbox"/>	<input type="checkbox"/>
	Sexual Orientation (homosexual, bisexual or heterosexual orientation)		<input type="checkbox"/>	<input type="checkbox"/>
	Marital Status		<input type="checkbox"/>	<input type="checkbox"/>
	Physical Appearance		<input type="checkbox"/>	<input type="checkbox"/>
	Pregnancy/Maternity		<input type="checkbox"/>	<input type="checkbox"/>
40	I, as a woman, can work in the same industries as men and have the freedom to choose my profession		<input type="checkbox"/>	<input type="checkbox"/>





11/13 Minors & Youth

41.	In my workplace, children under 15 are forbidden		<input type="checkbox"/>	<input type="checkbox"/>
42.	In my workplace, children under 18 are forbidden for hazardous work		<input type="checkbox"/>	<input type="checkbox"/>

12/13 Forced Labour

43.	I have the right to terminate employment at will or after serving a notice		<input type="checkbox"/>	<input type="checkbox"/>
44.	My employer keeps my workplace free of forced or bonded labour		<input type="checkbox"/>	<input type="checkbox"/>
45.	My total hours of work, inclusive of overtime, do not exceed 56 hours per week		<input type="checkbox"/>	<input type="checkbox"/>

13/13 Trade Union Rights

46.	I have a labour union at my workplace		<input type="checkbox"/>	<input type="checkbox"/>
47.	I have the right to join a union at my workplace		<input type="checkbox"/>	<input type="checkbox"/>
48.	My employer allows collective bargaining at my workplace		<input type="checkbox"/>	<input type="checkbox"/>
49.	I can defend, with my colleagues, our social and economic interests through "strike" without any fear of discrimination		<input type="checkbox"/>	<input type="checkbox"/>

Results

Your personal score tells how much your employer lives up to national legal standards regarding work. To calculate your DecentWorkCheck, you must accumulate 1 point for each YES answer marked. Then compare it with the values in Table below:



is your amount of "YES" accumulated.

Cyprus scored 46 times "YES" on 49 questions related to International Labour Standards

If your score is between 1 - 18

This score is unbelievable! Does your employer know we live in the 21st century? Ask for your rights. If there is a union active in your company or branch of industry, join it and appeal for help.

If your score is between 19 - 38

As you can see, there is ample room for improvement. But please don't tackle all these issues at once. Start where it hurts most. In the meantime, notify your union or WageIndicator about your situation, so they may help to improve it. When sending an email to us, please be specific about your complaint and if possible name your employer as well. Also, try and find out if your company officially adheres to a code known as Corporate Social Responsibility. If they do, they should live up to at least ILO standards. If they don't adhere to such a code yet, they should. Many companies do by now. You may bring this up.

If your score is between 39 - 49

You're pretty much out of the danger zone. Your employer adheres to most of the existing labour laws and regulations. But there is always room for improvement. So next time you talk to management about your work conditions, prepare well and consult this DecentWorkCheck as a checklist.