

L.N. 118 of 2010

**EMPLOYMENT AND INDUSTRIAL RELATIONS ACT
(CAP. 452)**

**Minimum Special Leave Entitlement (Amendment)
Regulations, 2010**

IN exercise of the powers conferred by article 48 (2) of the Employment and Industrial Relations Act, the Prime Minister has made the following regulations –

1. The title of these regulations is the Minimum Special Leave Entitlement (Amendment) Regulations, 2010 and they shall be read and construed as one with the Minimum Special Leave Entitlement Regulations, 2007, hereinafter referred to as “the principal regulations”.

Title.

L.N. 432 of 2007.

2. In regulation 3 of the principal regulations, for sub-regulation (1) thereof there shall be substituted the following:

Amends regulation 3 of the principal regulations.

“(1) A whole-time employee whose entitlements are not covered by a Wages Council Wage Regulation Order, shall on employment, be entitled to sick leave, of at least the equivalent in hours, calculated as provided for in sub-regulation (3), of two working weeks sick leave in every calendar year on full pay, less an amount equal to the sum set for sickness benefit entitlement at the rate established under the Social Security Act, and part-time employees shall have a pro rata entitlement to sick leave in hours on full pay, less an amount equal to the sum set for sickness benefit entitlement at the rate established under the Social Security Act, which amount is also to be calculated on a pro rata basis;

Cap. 318.

Provided that -

(a) the first three days of any claim for sick leave shall be paid in full by the employer; and

(b) persons in receipt of a social security pension in respect of retirement or widowhood in terms of the Social Security Act shall, for the purpose of calculating the sick leave pay due, be deemed to have received an amount equal to the sum set for sickness benefit entitlement at the rate established under the Social Security Act.”.

