L.N. 121 of 2026

EMPLOYMENT AND INDUSTRIAL RELATIONS ACT (CAP. 452)

Canning Industry (Conditions of Work) Regulation Order, 2026

IN EXERCISE of the powers conferred by article 4(1) of the Employment and Industrial Relations Act, the Minister responsible for employment and industrial relations has made the following order:-

Citation, commencement and applicability.

1. (1) The title of this order is the Canning Industry (Conditions of Work) Regulation Order, 2026.

(2) This order shall come into force within two (2) months from its date of publication in the Gazette.

(3) The provisions established in this order shall apply to all employees in any undertaking or in any part of an undertaking the activities of which consist wholly or mainly of the following:

(a) canning and preserving, including packing in airtight containers of fruits, vegetables, and fruit and vegetable juices; dehydrating and quick freezing of fruits and vegetables; and any other process incidental thereto;

(b) manufacture of preserves, jams, jellies, pickles, sauces or canned soups, including the canning and preserving of meat, meat products and any other form of meat processing; and the manufacture of ice;

(c) canning and preserving of fish and other sea foods, including salting, drying, smoking, curing, pickling, dehydrating, packing in air-tight containers, quick-freezing and any other form of processing;

(d) cold storage of fruits, vegetables, meat, fish and other foods:

Provided that in the event that there is a collective agreement applicable to the class of employees covered by this order, the more favourable conditions in that agreement or in this order shall prevail.

Interpretation.

3. In this order, unless the context otherwise requires:

"Act" means the Employment and Industrial Relations Act; Cap. 452.

Cap. 452. "collective agreement" shall have the same meaning as assigned to it in the Act;

"customary holidays" means the days, other than Sundays, declared for the time being to be public holidays under the Cap. 252. National Holidays and other Public Holidays Act;

"day" means a period running from midnight (12:00 a.m.) of one day to midnight (12:00 a.m.) of the next following day;

"double-time" means twice the minimum time rate applicable to the employee;

"half-day" means a period of twelve (12) consecutive hours ending at 1.00p.m. or 1.00a.m.;

"hours of work" shall have the same meaning as assigned to it in the Act;

"part-time employee" shall have the same meaning as assigned to it in the Act;

"period of employment" shall have the same meaning as assigned to it in the Act;

"time-and-a-half" means one and a half times the minimum time rate applicable to the employee;

"wages" means remuneration or earnings, payable by an employer to an employee and includes any bonus payable under article 23 of the Act other than any bonus or allowance related to performance or production;

"week" means a calendar week;

"weekly day of rest" means a period of twenty-four (24) consecutive hours commencing at the time at which the worker would normally commence his turn of duty;

"whole-time employee" shall have the same meaning as assigned to it in the Act.

Hours of work. **3.** The minimum weekly wage shall be related to a week of not more than:

(a) forty (40) hours in the case of all whole-time employees, other than watchpersons; and

(b) sixty (60) hours of work, spread over a six (6) day

week, in the case of watchpersons.

Minimum wages of whole-time employees.

4. The minimum weekly wage payable to whole-time employees shall be the following:

(a) watchpersons ...	€344.16
(b) other employees.....	€229.44

Uniform allowance.

5. (1) When the employee is required to wear a uniform in the performance of his duties, such uniform shall be provided by the employer free of any charge.

S.L. 646.13.

(2) Personal protective equipment according to the Minimum Requirements for the use of Personal Protective Equipment at Work Regulations shall also be provided by the employer free of charge.

Minimum daily rest.

6. Whole-time employees, other than watchpersons, shall be allowed intervals for meals and rest of not less than in the aggregate, one (1) hour every day.

Minimum weekly rest. S.L. 452.87.

7. All employees shall be entitled to a rest period according to the Organisation of Working Time Regulations.

Minimum overtime rates.

8. (1) In the case of whole-time employees, other than watchpersons, overtime shall be payable as follows:

(a) for all time worked in excess of forty (40) hours in any week, exclusive of any time paid for at overtime rates .....time-and-a-half;

(b) in the case of a five (5) day week, for all time worked in excess of eight (8) hours on any day .....time-and-a-half;

(c) in the case of a six (6) day week, for all time worked in excess of seven (7) hours from Monday to Friday, and five (5) hours on Saturday .....time-and-a-half;

(d) for all time worked on Sundays and customary holidays .....double time:

Provided that in any week which includes a customary holiday, overtime at time-and-a-half shall be payable for work in excess of thirty-three (33) hours, exclusive of time paid for at overtime rates, to whole-time employees other than watchpersons.

(2) Overtime at the rate of time-and-a-half shall be payable to watchpersons for all time worked in excess of sixty (60) hours in a

period of six (6) consecutive days, and for all time worked on the seventh (7) day.

Vacation leave. S.L. 452.87.

9. The employee shall be entitled to annual leave in accordance with the Organisation of Working Time Regulations.

Sick leave.

10. (1) A whole-time employee shall in every calendar year be entitled to the equivalent in hours of twelve (12) days sick leave on full pay, less an amount equal to the sum established for sickness benefit entitlement at the rate determined in accordance with 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 established for sickness benefit entitlement at the rate established in accordance with the Social Security Act, which amount shall also to be calculated on a *pro rata* basis:

Cap. 318.

Provided that:

(a) the first three (3) days of any claim for sick leave shall be paid in full by the employer;

(b) a medical certificate covering the period of sick leave shall be submitted to the employer on the day of return to work or, if such period of sick leave is longer than seven (7) days, within seven (7) days of the commencement of such absence due to sick leave;

(c) employees receiving a social security pension in respect of retirement or widowhood in accordance with the Social Security Act shall, for the purpose of calculating the sick leave due, be deemed to have received an amount equal to the sum established for the sickness benefit entitlement at the rate determined in accordance with the Social Security Act.

Cap. 318.

(2) A whole-time employee shall in every calendar year be entitled to the equivalent in hours of a further twenty-four (24) days sick leave on half pay, less an amount equal to half the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, and part time employees shall have a *pro rata* entitlement to sick leave in hours on half pay, less an amount equal to half the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, which amount is also to be calculated on a *pro rata* basis:

Cap. 318.

Provided that:

(a) the first three (3) days of any claim for sick leave shall be paid at half pay by the employer;

(b) a medical certificate covering the period of sick leave shall be submitted to the employer on the day of return to work or, if such period of sick leave is longer than seven (7) days, within seven(7) days of the commencement of such absence due to sick leave;

(c) employees receiving a social security pension in respect of retirement or widowhood in accordance with the Social Security Act shall, for the purpose of calculating the sick leave due, be deemed to have received an amount equal to half the sum established for the sickness benefit entitlement at the rate determined in accordance with the Social Security Act. Cap. 318.

(3) Sick leave entitlements shall apply from the first (1) day of employment:

Provided that the said entitlements shall be calculated *pro rata* according to the date of employment in the relative calendar.

(4) Employees employed for a lesser period than one (1) year shall be entitled to sick leave in proportion to the number of months in employment.

(5) The employer may require a medical certificate by a physician of his choice to certify that the employee is unfit for work during the period of absence.

(6) The sick leave entitlement shall be calculated on the basis provided for annual leave as specified in regulation 8(1) of the Organisation of Working Time Regulations. S.L. 452.87.

11. An employee shall be entitled to the payment of the minimum wage applicable to him for all time during which he is present on the premises of his employer or in any other place in connection with his employment unless he is present there in any of the following circumstances: Waiting time.

(a) without the employer's express or implied consent;

(b) for some purpose unconnected with his work, other than that of waiting for work to be assigned to him;

(c) solely due to the fact that he is resident there;

(d) during normal meal times in a room or place in which no work is being done, and he is not waiting for work to be assigned to him.

Other forms of leave. S.L. 452.101.

12 Employees shall be entitled to the national holidays and to all public holidays with full pay, to all forms of leave according to the Minimum Special Leave Entitlement Regulations and all other forms of leave that may from time to time be stipulated in the National Standard Orders or regulations made under the Act.

Repeal and saving. S.L. 52.20. S.L. 452.45.

13. The Canning Industry Wages Council Order and the Canning Industry Wages Council Wage Regulation Order are hereby repealed without prejudice to anything done or omitted to be done thereunder.

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