B 1354

L.N. 130 of 2026

EMPLOYMENT AND INDUSTRIAL RELATIONS ACT (CAP. 452)

Sextons and Custodians (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 Sextons and Custodians (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 sextons and custodians of churches, museums or buildings open for exhibitions to the public:

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 such agreement or in this order shall prevail.

Interpretation.

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

Cap. 452.

"Act" means the Employment and Industrial Relations Act;

"custodian" means a person wholly employed to take care of a church, museum or other building and any person principally engaged in the cleaning, maintenance or security of such church, museum or other building;

Cap. 252.

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

"double-time" means double the actual time rates applicable to the employee;

"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;

"rest period" shall have the same meaning as assigned to it in the Organisation of Working Time Regulations; S.L. 452.87.

"time-and-a-half" means one and a half times the actual time rates 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;

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

3. (1) The hours of work of sextons shall be five hundred and twenty (520) hours distributed over a period of thirteen (13) weeks commencing from the first week of every quarter, provided that the hours of work shall not exceed sixty (60) hours in any one (1) week, with one (1) day of rest every week. Hours of work.

(2) The hours of work shall be distributed over six (6) days, so that sextons shall be entitled to at least one (1) day of rest in every period of seven (7) consecutive days.

(3) The hours of work of custodians shall be forty (40) hours distributed over a period of six (6) days, so that custodians shall be entitled to one (1) day of rest in every period of seven (7) consecutive days.

4. The minimum weekly wage payable to whole-time employees shall be two hundred twenty-nine euro and forty-four cents (€229.44). Minimum wages for whole-time employees.

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 charge. Uniform allowance.

(2) Personal protective equipment in accordance with the Minimum Requirements for the use of Personal Protective Equipment at Work Regulations shall also be provided by the employer free of charge. S.L. 646.13.

6. Whole-time employees shall be allowed intervals for meals and rest of not less in the aggregate than an hour (1) on any one day. Minimum daily rest.

Minimum weekly rest. S.L. 452.87.

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

Minimum overtime rate.

8. (1) Whole-time sextons shall be entitled to the payment of overtime at time-and-a-half for any hours worked in excess of sixty (60) hours in every one (1) week and, or for any hours worked in excess of five hundred and twenty (520) hours over any period of thirteen (13) consecutive weeks, exclusive of one (1) day of rest every week.

(2) Whole-time custodians shall be entitled to the payment of overtime at time-and-a-half for any hours worked in excess of forty (40) hours in every one (1) week, exclusive of one (1) day of rest every week.

(3) All whole-time employees shall be entitled to the payment of overtime at double time for any hours worked on the weekly day of rest.

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 twenty (20) days sick leave on full pay, less an amount equal to the sum set 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 set for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, which amount shall also be calculated on a *pro rata* basis:

Cap. 318.

Provided that:

(a) the first three (30) days of any claim for sick leave shall be paid in full by the employer;

(b) a medical certificate covering the period of absence shall be produced to the employer on the day of return to work or, if such period of absence exceeds 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 payment due, be deemed to have received an amount equal to the sum set for sickness benefit entitlement at the rate

Cap. 318.

determined in accordance with the Social Security Act.

(2) A whole-time employee shall in every calendar year be entitled to the equivalent in hours of a further twenty (20) days sick leave on half pay, less an amount equal to half the sum set 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 set for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, which amount shall also 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 absence shall be produced to the employer on the day of return to work or, if such period of absence exceeds seven (7) days, within seven (7) days of the onset of sick leave absence;

(c) employees in receipt of 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 pay due, be deemed to have received an amount equal to half the sum set for sickness benefit entitlement at the rate established 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 entitlement shall be calculated *pro rata* according to the date of employment in the relative calendar year.

(4) The employer may require a medical certificate by a physician of his choice to certify incapacity for work during the period of absence due to sick leave.

(5) 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. Employees shall be entitled to the national holidays and to all public holidays with full pay, to all forms of leave in accordance with 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. Other forms of leave. S.L. 452.101.

Repeal and saving.

S.L. 452.70.
S.L. 452.72.

12. The Sextons and Custodians Wages Council Order and the Sextons and Custodians Wages Council Wage Regulation Order are hereby repealed without prejudice to anything done or omitted to be done thereunder.

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