L.N. 137 of 2026

EMPLOYMENT AND INDUSTRIAL RELATIONS ACT (CAP. 452)

Hotels and Clubs (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 Hotels and Clubs (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 engaged in hotels, tourism accommodation establishments, clubs, coffee shops, bars and restaurants:

Provided that hotels shall include any bar, restaurant or shop operated directly by the management of the hotel as part of that hotel:

Provided further that clubs shall include any bar, restaurant or shop operated either directly by the management of the club or under a contract, for the purpose of enhancing the amenities of the club:

Provided further that the term "tourism accommodation establishments" shall have the same meaning as assigned to them in the Tourism Operations (General) Regulations:

S.L. 409.08.

Provided further 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.

PART I
Employees in Hotels and Tourism Accommodation Establishments

Application of Part I.

2. This Part shall apply to employees in hotels and tourism accommodation establishments.

Hours of work.

3. Subject to the provisions of articles 6, 7 and 8, the minimum weekly remuneration for all employees to whom this Part

applies shall be related to a week of not more than:

(a) forty (40) hours of work spread over six (6) days for a maximum of thirteen (13) weeks to be availed of between the last week in June and first week in October and thirty-nine (39) hours of work spread over five (5) days for the rest of the year in the case of all employees other than watchpersons and musicians;

(b) sixty (60) hours of work in the case of watchpersons; and

(c) thirty (30) hours of work in the case of musicians.

Minimum remuneration.

4. (1) Subject to the provisions of articles 3, 6, 7 and 8, the minimum weekly remuneration payable to whole-time employees, other than watchpersons and musicians, shall be the appropriate rate established in Columns 1, 2 or 3 thereof:

RATES PER WEEK			
	Column 1	Column 2	Column 3
	Where the employer supplies one (1) main meal per day.	Where the employer supplies two (2) main meals per day.	Where neither column 1 nor column 2 is applicable.
	€229.37	€227.97	€230.61:

Provided that Column 1 or 2 only apply where the meal or meals are supplied by the employer in agreement with the employee.

(2) The minimum weekly remuneration payable to watchpersons shall be as follows:

(a) watchpersons whose duties are mainly performed indoors..... €345.92;

(b) watchpersons whose duties are mainly performed outdoors..... €348.24.

(3) The minimum weekly remuneration payable to musicians shall be €247.54.

Minimum daily rest.

5. (a) All whole-time employees, other than musicians, shall be allowed intervals of not less in the aggregate, than one (1) hour for meals and rest in any day on which the hours of work exceed five and a half (5½) hours .

(b) Whole-time musicians shall be allowed intervals of not less in the aggregate, of half an hour for rest in any day.

Minimum overtime rates for maintenance workers.

6. Whole-time employees employed on maintenance work shall be entitled to overtime remuneration as follows:

(a) for all time worked on Sundays and customary holidays..... double-time;

(b) for all time worked in any week in excess of the hours as indicated in article 3(a), exclusive of any time paid for at overtime rates.....time and a half:

Provided that in any week which includes a customary holiday, overtime shall be payable for work in excess of thirty-six (36) hours for a maximum of thirteen (13) weeks between the last week in June and first week in October in the case of employees working a six (6) day week and thirty-one and one quarter (31¼) hours during the rest of the year in the case of employees working a five (5) day week, exclusive of any time paid for at overtime rates.

Minimum overtime rates for whole-time employees other than musicians and those employed on maintenance work.

7. Whole-time employees, other than those employed on maintenance work, shall be entitled to the following overtime remuneration:

(a) for all time worked in excess of seven and one quarter (7¼) hours daily for a maximum of thirteen (13) weeks between the last week in June and first week in October or seven and three quarters (7¾) hours daily during the rest of the year..... time-and-a-half;

(b) for all time worked in excess of the weekly hours of work as indicated in article 3(a), exclusive of any time paid for under paragraph (a) ..... time-and-a-half:

Provided that employees shall be entitled to overtime payment for hours worked in excess of thirty-nine (39) hours per week only if the average hours of work in a whole calendar year exceeds an average of forty (40) hours per week;

(c) for all time worked on each day of rest... double-time;

(d) in the case of watchpersons:

(i) for all time worked in excess of ten (10) hours on any day..... time-and-a-half;

(ii) for all time worked on each day of rest and customary holidays..... double-time:

Provided that:

(i) the Director may authorise an employer in writing, to pay overtime to specified employees, or groups of employees, in respect only of the hours of work in excess of the weekly average of forty-three (43) hours or thirty-nine (39) hours, as the case may be, calculated over a period including such a number of consecutive weeks as the Director may deem reasonable, and in such case the provisions of paragraph (a) shall not apply;

(ii) the hours of work in relation to any one employee acting as night porter on any day in any one establishment shall include only half the time included in a sleeping period.

8. Whole-time musicians shall he entitled to overtime remuneration as follows: Minimum overtime rates for musicians.

(a) for all time worked in excess of five (5) hours daily..... time-and-a-half;

(b) for all time worked in excess of thirty (30) hours in any one week..... time-and-a-half;

(c) for all time worked on the weekly day of rest..... double-time.

PART II
Employees in Clubs

9. This Part shall apply to employees in clubs. Application of Part II.

10. Subject to the provisions of articles 13 and 14 of this order, the minimum weekly remuneration for all whole-time employees shall be related to a week of not more than: Hours of work.

(a) forty (40) hours in the case of all whole-time employees except watchpersons;

(b) sixty (60) hours in the case of watchpersons.

Minimum remuneration.

11. (1) The minimum weekly remuneration payable to whole-time employees, other than watchpersons, shall be two hundred twenty-nine euro and forty-four cents (€229.44):

(2) The minimum weekly remuneration payable to watchmen in clubs shall be as follows:

(a) those whose duties are mainly performed indoors..... €344.16;

(b) those whose duties are mainly performed outdoors..... €346.49.

Minimum overtime rates.

12. All whole-time employees shall he entitled to overtime remuneration as follows:

(a) for all time worked in excess of six and three quarter (6 ¾) hours..... time-and-a-half;

(b) 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;

(c) for all time worked on the weekly day of rest..... double- time;

(d) in the case of watchpersons:

(i) for all time worked in excess of ten (10) hours on each one day..... time-and-a-half;

(ii) for all time worked on each day of rest and customary holiday..... double-time:

Provided that:

(i) the Director may authorise an employer in writing to pay overtime to a specified employee or group of employees in respect only of the hours of work in excess of a weekly average of forty (40) hours calculated over such a number of consecutive weeks as the Director may deem reasonable, and in that case the provisions of paragraph (a) shall not apply;

(ii) the hours of work in relation to one (1) employee acting as night porter on any day in any one establishment shall

include only half the time included in a sleeping period.

Split shifts.

13. Employees working on a system of split shifts shall be entitled to an additional payment of fifty cents (50c) per day worked on such system.

PART III
Employees in Coffee Shops, Bars and Restaurants

Application of Part III.

14. This Part shall apply to all employees in coffee shops, bars and restaurants.

Interpretation.

15. In this Part, unless the context otherwise requires:

Cap. 452.

"Act" means the Employment and Industrial Relations Act;

"half day" means a period of twelve (12) consecutive hours ending at 1:00 p.m. or 1:00 a.m., except in the case of bars and restaurants where it ends at 2:00 p.m. or 2:00 a.m. respectively;

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

"restaurant" means an establishment where meals are prepared for consumption by customers on the premises;

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

Hours of work.

16. Subject to the provisions of article 20, the minimum weekly remuneration payable to whole-time employees, other than watchpersons, shall be related to a week of not more than forty (40) hours of work and, in the case of watchpersons, to a week of not more than sixty (60) hours of work.

Minimum remuneration payable to whole-time employees.

17. Subject to the provisions of article 16 the minimum weekly remuneration payable to whole-time employees shall be as follows:

(a) whole-time employees in restaurants, other than watchmen, shall be two hundred and thirty-euro and sixty-one cents (€230.61):

Provided that the employer shall have the right to deduct twenty-three cents (23c) from the rate indicated in Column 2 above for every day on which the employer, in agreement with the employee, provides one main meal to the employee;

(b) whole-time employees, other than watchmen or

employees in restaurants, to whom this order applies shall be entitled to the appropriate rate of remuneration indicated in Column 2 thereof.

Whole-time employees, other than watchpersons, in establishments other than restaurants:

Column 1	Column 2
	€230.61:

(c) watchpersons shall be paid as follows:

(i) those whose duties are mainly performed indoors..... €345.92;

(ii) those whose duties are mainly performed outdoors..... €348.24.

Minimum daily rest.

18. All whole-time employees shall be allowed intervals of not less in the aggregate, than one hour for meals and rest every day.

Minimum weekly rest. S.L. 452.87.

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

Provided that this article shall not apply in respect of any week in which an employee is employed on a Sunday or customary holiday and is paid at double-time in accordance with the provisions of article 20.

Minimum overtime rates.

20. Whole-time employees shall be entitled to overtime remuneration as follows:

(a) for all hours of work in excess of eight (8) hours on any day from Monday to Saturday..... time-and-a-half;

(b) for all hours of work on Sundays and customary holidays..... double-time;

(c) for all hours of work in any calendar week in excess of the number of working hours stipulated in the contract of service, being not more than forty (40) hours, but excluding from such number:

(i) all time paid for under the foregoing provisions of this article; and

(ii) the number of hours during which an employee

is on holiday, sick leave or is absent from work without remuneration subject to a maximum of seven (7) hours in respect of any whole day..... time-and-a-half:

Provided that the Director may authorise an employer in writing, to pay overtime to specified employees or groups of employees only in respect of hours of work in excess of a weekly average of the working hours stipulated in the contract of service, which shall not exceed forty (40), calculated over such number of consecutive weeks as the Director may deem reasonable; and in such case paragraph (a) shall not apply;

(d) (i) for all hours of work by watchpersons in excess of ten (10) hours daily or in excess of sixty (60) hours in a period of six (6) consecutive days.....time-and-a-half;

(ii) for all hours of work by watchpersons on the seventh (7th) day (day of rest)..... double-time.

Sick leave.

21. (1) A whole-time employee shall in every calendar year be entitled to sick leave on full pay equivalent in hours of fifteen (15) days, less an amount equal to the sickness benefit entitlement at the rate established in accordance with the Social Security Act. Part-time employees shall be entitled to sick leave in hours on full pay on a *pro rata* basis, less an amount equal to sickness benefit entitlement at the rate established in accordance with the Social Security Act:

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 from 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 sickness benefit entitlement at the rate set 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 thirty-six (36) days sick leave on half pay, less an amount equal to half the sum established for sickness benefit entitlement at the rate set 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 set 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 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 from 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 sickness benefit entitlement at the rate set 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* in accordance with the date of employment in the relative calendar.

(4) The employer may require a medical certificate by a physician of his own choice to certify that the employee is not fit for work during the period of such absence.

(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.

PART IV
Minimum Weekly Rest, Sick Leave and Time Spent on the Premises of the Employer

Application of Part IV.

22. This Part shall apply to all employees in hotels, clubs, guest

houses, holiday complexes, tourist villages and licensed holiday flats.

Interpretation.

23. In this Part unless the context otherwise requires:

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

"maintenance work" means such work, connected with the maintenance and functioning of a hotel as is normally done by fitters, plumbers, carpenters, painters, plasterers, electricians, and handymen, and includes any work done in a power house or boiler room;

"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;

"sleeping period" means a period not exceeding six (6) consecutive hours fixed by the employer, during which a whole-time employee acting as night porter is provided with adequate sleeping accommodation, permitted to sleep, but is also required to render occasional service;

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

Minimum weekly rest. S.L. 452.87.

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

Sick leave.

25. (1) A whole-time employee shall in every calendar year be entitled to the equivalent in hours of eighteen (18) days sick leave on full pay, less an amount equal to the sum established for sickness benefit entitlement at the rate set 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 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 days (3) 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 from 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 sickness benefit entitlement at the rate set in accordance with the Social Security Act.

Cap. 318.

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

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

(3) The employer may require a medical certificate by a physician of his own choice to certify that the employee is not fit for work during the period of sick leave.

(4) 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.

Working time.

26. An employee shall be entitled to the payment of the minimum remuneration applicable to him for all the 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 thereon in any of the following circumstances:

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

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

(c) solely by reason of his residence thereon;

(d) during recognised breaks for meals and rest, and he is not waiting for work to be assigned to him.

PART V
Forms of Leave, Uniform Allowance, Tips, and Repeal and Saving

Application of Part V.

27. This Part shall apply to all employees in hotels, clubs, guest houses, holiday complexes, tourist villages, licensed holiday flats, coffee shops, bars and restaurants.

Interpretation.

28. In this Part unless the context otherwise requires:

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

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

"double-time" means an amount equal to twice the employee's minimum time rate, calculated as if no meals, if any, were provided;

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

"main meal" means lunch or dinner and breakfast or tea;

"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 an amount equal to one and a half times the minimum time rate, calculated as if no meals, if any, were provided;

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

"week" means a calendar week.

29. The employee shall be entitled to annual leave in accordance with to the Organisation of Working Time Regulations. Vacation leave. S.L. 452.87.

30. (1) When the employee is required by the employer to wear a uniform in the performance of his duties, the employer shall provide such uniform free of charge. Uniform allowance.

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

31. The minimum rates prescribed by this order shall in no case include any tips which are earned by the employees in the course of their duties. Tips.

32. 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.

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Repeal and saving. S.L. 452.15. S.L. 452.66.

33. The Hotels and Clubs Wages Council Order and the Hotels and Clubs Wages Council Wage Regulation Order are hereby repealed without prejudice to anything done or omitted to be done thereunder.

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