B 1492

L.N. 140 of 2026

EMPLOYMENT AND INDUSTRIAL RELATIONS ACT (CAP. 452)

Food Manufacture Industries (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 Food Manufacture Industries (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 part of an undertaking, the activities of which consist wholly or mainly in the manufacture of foodstuffs, including bakeries, pasta factories, confectioneries and ice-cream factories and of balanced fodder and other foodstuffs for animal consumption:

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;

Cap. 252.

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

Cap. 452.

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

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

"double time" means twice the actual time rate applicable to the employee;

"half a day" means a period of twelve consecutive hours beginning or ending at 1.00 p.m. or 1.00 a.m.;

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

"normal time" means one time the actual time rate applicable to the employee;

"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 actual 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;

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

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

Hours of work.

3. (1) The minimum weekly wage shall be related to a week of not more than forty (40) hours in the case of all whole-time employees other than watchpersons.

(2) The minimum weekly wage in the case of watchpersons shall be related to a week of not more than fifty-four (54) hours, inclusive of on the spot breaks for meals.

Minimum wages of whole-time employees.

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

(2) (a) Watchpersons whose duties are mainly performed indoors shall be paid a minimum weekly wage of €309.74; and

(b) Watchpersons whose duties are mainly performed outdoors shall be paid a minimum wage of €312.07.

Uniform allowance.

5. (1) When the employee is required to wear a uniform in the performance of the employee's duties, such uniform shall be provided by the employer free of 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 of not less, in the aggregate, than one (1) hour for meals and rest in any one (1) day:

Provided that:

(a) subject to the provisions of paragraph (b) of this proviso, the interval or intervals shall be allowed after the first hour or before the last hour of the period of employment; and

(b) where the last half hour of the period of employment is allowed as a half hour of rest, the employee shall be entitled to leave the place of work as soon as that half hour commences.

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) Work on customary holidays shall be remunerated at double time, or at normal time plus a day off *in lieu*, in addition to the day or days of rest.

(2) Whole-time employees, other than watchpersons, shall be entitled to overtime remuneration as follows:

(a) for work in excess of forty (40) hours in any one (1) week.....time and a half;

(b) for all time worked on the first pre-determined day of rest of the week..... time and a half;

(c) for all time worked on the second pre-determined day of rest of the week..... double time.

(3) Watchpersons shall be entitled to overtime remuneration as follows:

(a) for work in excess of nine (9) hours daily or fifty-four (54) hours weekly.....

time and a half;

(b) for work on the seventh day, being the weekly day of rest.....double time.

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

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 determined in accordance with the Social Security Act, which amount shall also be calculated on a *pro rata* basis: Sick leave. 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 absence is 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 established for sickness benefit entitlement at the rate determined 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) Whole-time employees employed for less than one (1) year shall be entitled to paid sick leave in proportion to the number of months in employment.

(4) The employer may require a medical certificate by a physician of his choice to certify that the employee was unfit 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.

Waiting time.

11. An employee shall be entitled to the payment of the minimum wages applicable to him for all time during which he is present on the premises of his employer or elsewhere unless he is present thereon in any of the following circumstances:

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

(b) for some purpose unrelated 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 thereon;

(d) during normal meal times and he is not waiting for any 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 any regulations made under the Act.

Repeal and saving
S.L. 452.25.
S.L. 452.67.

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

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