

xogħol vakanti fl-ażjenda u jippermettilhom japplikaw filwaqt li jipprovdihom l-informazzjoni rilevanti fi żmien raġjonevoli qabel issir l-għażla.

**Prinċipal ma jistax iġiegħel impjegat part-time sabiex jibdel l-istat għal self-employed.**

#### Ksur tar-regolamenti

Il-kundizzjonijiet tax-xogħol għal min jaħdem *part-time* huma rregolati mir-Regolamenti tal-2002 dwar Impjegati *Part-time* (Avviż Legali 427 tal-2002, kif emendat bl-Avviżi Legali 140 tal-2007, 240 tal-2008 u 117 tal-2010).

Id-Dipartiment jinvestiga każijiet li dwarhom ikun hemm allegat ksur tal-Att dwar l-Impiegi u r-Relazzjonijiet Industrijali. Dawn l-allegati ksur tal-liġi jistgħu jiġu rrapportati billi wieħed iżur it-Taqsima dwar il-Kundizzjonijiet tal-Impieg, jew billi wieħed jikkuntattja l-istess taqsima permezz tat-telefon, ittri, *e-mails* jew bl-użu tal-websajt tad-Dipartiment.

Id-Dipartiment jinvestiga l-każijiet kollha li jaslu għandu, inkluż dawk li jirċievi b'mod anonimu. Ir-rapporti u l-investigazzjonijiet kollha jiġu trattati bl-aktar mod kunfidenzjali u skont l-Att dwar il-Protezzjoni tad-Data.

Aktar informazzjoni tinsab fuq is-sit: [www.industrialrelations.gov.mt](http://www.industrialrelations.gov.mt)

versa. The employer must inform part-timers about full-time vacancies within the place of work, allowing them to apply while providing the related information at a reasonable time before selection.

**An employer cannot force a part-timer to change his/her status to self-employed.**

#### Infringement of regulations

The relevant conditions of employment for part-time employees are regulated by the *Part-Time (Employees) Regulations, 2002* (Legal Notice 427 of 2002, as amended by Legal Notices 140 of 2007, 240 of 2008 and 117 of 2010)

The Department investigates alleged breaches of the Employment and Industrial Relations Act (EIRA). Such alleged breaches of the law can either be reported by visiting the Conditions of Employment Office or by contacting this section by phone, letters, e-mails or from our website.

The Department investigates all reports that reach its offices, including those received in an anonymous manner. All reports, complaints and investigations are followed with strict confidentiality and in accordance with the Data Protection Act.

Further information can be accessed on the website: [www.industrialrelations.gov.mt](http://www.industrialrelations.gov.mt)



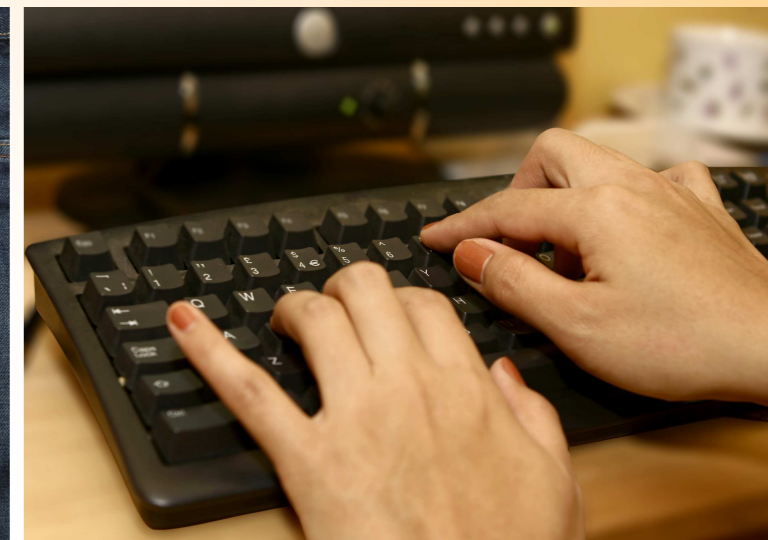
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# IMPIEG Part-Time

# PART-TIME Employment

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## Min hu kunsidrat Impjegat *Part-Time*?

Impjegat *part-time* huwa impjegat li s-sigħat normali tax-xogħol tiegħu, ikkalkulati fuq bażi ta' ġimgħa jew fuq medja ta' perjodu ta' impieg sa sena, huma inqas mis-sigħat normali tax-xogħol ta' impjegat *whole-time* komparabbli u li mhux impjegat *whole-time* b'sigħat imnaqqsa.

F'dan ir-rigward, il-prinċipal għandu jassigura li l-ammont totali ta' sigħat maħduma minn impjegat *part-time* fuq perjodu ta' sena, ma jilħaqx jew jaqbez l-ammont totali ta' sigħat normali (eskluża s-sahra) maħduma minn impjegat *whole-time* komparabbli fuq l-istess perjodu ta' sena.

Jekk l-ammont totali ta' sigħat maħduma minn impjegat *part-time* ilaħħaq jew jaqbez dak ta' impjegat *whole-time* komparabbli, dak l-impjegat minn hemm 'il quddiem jiġi kkunsidrat bħala impjegat *whole-time*.

## Benefiċċji pro-rata għal impjegati *Part-time*

L-impjegati *part-time* kollha, irrISPettivament jekk l-impieg tagħhom huwiex ix-xogħol prinċipali tagħhom jew le għandhom igawdu l-benefiċċji kollha li impjegati *full-time* huma intitolati għalihom, fuq bażi pro-rata kkalkulati fuq is-sigħat fil-ġimgħa maħduma. Il-benefiċċji pro-rata jinkludu l-bonus statutorju u l-*allowance* fil-ġimgħa, il-festi pubbliċi kollha, *leave* għal vaganza, *leave* għall-mard, *leave* għat-twelid, *leave* minħabba luttu, *leave* għaž-żwieġ, *leave* għal korriment fuq xogħol u kull *leave* ieħor

provdut bil-liġi.

## Kif jiġi kkalkulat benefiċċju fuq bażi pro-rata

Il-pro-rata hi kkalkulata bħala n-numru ta' sigħat fil-ġimgħa maħduma mill-impjegat *part-time* bħala proporzjon tan-numru ta' sigħat normali tax-xogħol fil-ġimgħa maħduma minn impjegat *full-time* li jagħmel l-istess xogħol.

### Eżempju

Il-*leave* għal vaganza ta' impjegat *full-time* li jaħdem 40 siegħa fil-ġimgħa hu ta' 192 siegħa. Jekk impjegat *part-time* jaħdem ħmistax-il siegħa fil-ġimgħa, il-benefiċċju ta' *leave* għal vaganza fuq bażi pro-rata hu ta' 15/40 x 192 siegħa = 72 siegħa.

F'każ li s-sigħat tax-xogħol fil-ġimgħa ta' impjegat *part-time* huma irregolari, il-pro-rata tiġi kkalkulata fuq il-medja ta' xogħol li ħadem fuq perjodi ta' 13-il ġimgħa. (Kull tliet xhur:- Jannar sa Marzu; April sa Ġunju; Lulju sa Settembru; Ottubru sa Diċembru.)

## Trattament Ugwali

Impjegat *part-time* m'għandux jiġi trattat inqas favorevoli fil-kundizzjonijiet tax-xogħol tiegħu minn impjegat *full-time* li jagħmel l-istess xogħol.

Jekk l-impieg *part-time* huwa bbażat fuq aktar minn 8 sigħat fil-ġimgħa u għall-perjodu li jaqbez xahar, il-prinċipal għandu jagħti lill-impjegat dikjarazzjoni bil-miktub li turi l-kundizzjonijiet tax-xogħol applikabbli.

## Who is to be considered a Part-time Employee?

A part-time employee is one whose normal hours of work, calculated on a weekly basis or on an average over a period of employment of up to one year, are less than the normal hours of work of a comparable whole-time employee and who is not a whole-time employee with reduced hours.

In this regard, an employer should ensure that the total number of hours worked by a part-time employee over a period of one year, do not reach or exceed the total number of normal hours (excluding overtime) worked by a comparable whole-time employee over the same one year period.

If the total number of hours worked by the part-time employee equal or exceed those of a comparable whole-time employee, then that employee shall thenceforth be considered as a whole-time employee.

## Pro-rata entitlements for Part-timers

All part-time employees, irrespective whether their employment is their principal employment or not should enjoy all the entitlements due to comparable full-time employees, on a pro-rata basis calculated on the weekly hours worked. Pro-rata entitlements include statutory bonus and weekly allowance, all public holidays, vacation leave, sick leave, birth leave, bereavement leave, marriage leave, injury

leave and any other leave in terms of law.

## Calculating the Pro-rata entitlement

The pro-rata is calculated as the proportion that the number of weekly hours worked by the part-time employee bears to the number of normal weekly hours worked by a full-time employee performing same work.

### Example

The vacation leave of a full-time employee working 40 hours per week is 192 hours. If the part-time worker works 15 hours a week, the pro-rata vacation leave entitlement is 15/40 x 192 hours = 72 hours.

In case where the working hours of a part-time worker are based on irregular weekly working hours, the pro-rata is calculated over the average of hours worked over a period of 13 weeks (Quarterly:- January to March; April to June; July to September; October to December).

## Equal Treatment

In his conditions of employment a part-timer is not to be treated less favourably than a full-timer performing the same work.

If the part-time employment is based on more than 8 hours of work per week and for a period which is longer than 1 month, the employer shall give to the employee a written

Impjegat *part-time* għandu jithallas bl-istess rata fis-siegħa bħal dik applikabbli għall-impjegat *whole-time* komparabbli (li jwettaq l-istess dmirijiet). Dan jinkludi wkoll rata ta' ħlas ugwali:

- 1) għal kull siegħa żejda ta' xogħol li taqbez is-sigħat normali fil-ġimgħa ta' impjegat *whole-time* komparabbli,
- 2) kwalunkwe sigħat ta' xogħol maħduma fil-Ħdud u l-btajjel pubbliċi, inklużi s-sigħat maħduma fl-iskeda normali jew sigħat maħduma aktar mill-iskeda normali ta' impjegat *whole-time* komparabbli.

Impjegati *part-time* għandhom id-dritt li jippartecipaw f'taħriġ vokazzjonali kif provdut lill-impjegati *full-time*.

Impieg *part-time* huwa suġġett għall-perjodu ta' prova, filwaqt li meta jiġi biex jintemm għandu jingħata l-avviż ta' tmiem tal-impieg skont it-tul tal-perjodu tal-impieg kif provdut fil-liġi.

F'każ ta' sensji fl-istess kategorija ta' xogħol għandha tiġi applikata r-regola ta' *last in/first out*, u tinkludi kemm impjegati *part-time* kif ukoll *full-time* fl-istess proċedura.

## Bdil fl-istat ta' impieg *Part-Time*

Il-prinċipal għandu r-responsabbilta' li jiffaċilita t-trasferiment minn *part-time* għal *full-time* u viċi-versa. Il-prinċipal għandu javża lill-impjegati *part-time* b'opportunitajiet tax-

statement, showing the applicable conditions of employment.

A part-time employee is to be paid at the same hourly rate as that applicable to the comparable whole time employee (performing the same duties). This also includes an equal rate of pay:

- 1) for any extra hours of work exceeding the normal weekly hours of a comparable whole-time employee,
- 2) any hours worked on Sundays and Public Holidays, including hours worked within the normal schedule or hours worked in excess of the normal schedule of a comparable whole-time employee.

A part-time employee has the right to participate in vocational training as provided to full-timers.

Part-time employment is subject to a probationary period and when it is terminated, notice applies according to the length of service as provided by law.

In redundancy procedures, last in/first out apply in the same category comprising both full-time and part-time employees.

## Change of status from Part-Time

The employer is responsible to facilitate transfer from part-time to full-time and vice