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Government Notice No. 226 of 2020

**THE EMPLOYMENT RELATIONS ACT**

**Regulations made by the Minister under section 93 of  
the Employment Relations Act**

1. These regulations may be cited as the Export Enterprises (Remuneration) (Amendment) Regulations 2020.
2. In these regulations –  
“principal regulations” means the Export Enterprises (Remuneration) Regulations 2019.
3. The First Schedule to the principal regulations is amended, in Part I –
  - (a) in paragraph 2 –
    - (i) by inserting, after subparagraph (4), the following new subparagraphs –

(4A) Notwithstanding subparagraph (4) but subject to paragraphs 5 and 6, where an employee, other than a watchperson, works during the period starting on 1 September 2020 and ending on 31 December 2020, the employee may be –

      - (a) remunerated for work which is performed –
      - (i) on a public holiday, at not less than twice the basic rate for each hour of work;

- (ii) in excess of 45 hours in any week, except for work performed on a public holiday, at not less than –
    - (A) one and a half times the basic rate per hour for the first 10 hours;
    - (B) twice the basic rate per hour for the next 5 hours;
    - (C) 3 times the basic rate per hour thereafter; or
  - (b) granted in any pay period, in lieu of remuneration under sub subparagraph (a), such number of hours of paid time off calculated in accordance with the rate at which remuneration is paid under that sub subparagraph.
- (4B) (a) Paid time off in any period may be granted to an employee by the employer or at the request of the employee.
- (b) Where an employee has not been granted paid time off wholly or partly under sub subparagraph (a), any outstanding period of

time off shall be accumulated up to the date the employee ceases, in any manner whatsoever, to be in the employment of the employer or up to 31 December 2021, whichever is earlier.

(4C) Where an employee cannot avail himself of the total number of hours of time off accumulated under subparagraph (4B)(b), he shall be paid remuneration in lieu of any time off left at the rate specified in subparagraph (4A)(a) and such payment shall be made at the time the employee ceases, in any manner whatsoever, to be in the employment of the employer or by 31 December 2021, whichever is earlier.

- (ii) in subparagraph (5), by inserting, after the words “authorised leave”, the words, “whether with or without pay,”;
- (b) in paragraph 6, by adding the following new subparagraph –
  - (3) Notwithstanding subparagraph (2)(b), where, during the period starting on 1 September 2020 and ending on 31 December 2020, an employee is required to perform piece work on a public holiday, he shall be paid –
    - (a) at not less than twice the rate at which the work is remunerated when performed during the normal hours on a weekday; and
    - (b) 10 per cent of the pay under subparagraph (a).
- (c) in paragraph 7, by inserting, after subparagraph (1), the following new subparagraph –

(1A) Notwithstanding subparagraph (1), an employee specified in that subparagraph shall not be entitled to payment of any attendance bonus during the period starting on 1 September 2020 and ending on 31 December 2020.

(d) in paragraph 8, by adding the following new subparagraph –

(8) Notwithstanding subparagraph (7), an employee who is employed on shift work shall not be entitled to any allowance for work performed during night shift during the period starting on 1 September 2020 and ending on 31 December 2020.

4. These regulations shall be deemed to have come into operation on 1 September 2020.

Made by the Minister on 24 September 2020.

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