

35. Notification of vacancies

(1) Every person employing an employee shall notify the district labour officer of any employment vacancy whenever it occurs

(2) The Minister may by regulations exempt specified categories of employers from the provisions of this section.

53. Length of working hours per week

(1) Subject to subsections (2) and (3), in all establishments, the maximum working hours for employees shall be forty eight hours per week.

(2) The employer and the employee may agree that the maximum working hours per week shall not be less than forty eight hours.

(3) Subject to subsection (4), an employer and employee may, agree that the normal working hours in a week shall be more than forty eight hours.

(4) Hours of work shall not, except as provided in subsection (5), exceed ten hours per day or fifty six hours per week.

(5) Where persons are employed in shifts, it shall be permissible to employ persons in excess of ten hours in anyone day or forty-eight hours in anyone week, where the average number of hours over a period of three weeks exceeds neither ten hours per day nor fifty six hours per week.

(6) In any establishment where the maximum working hours are at least eight hours per a day, a thirty-minute break shall be granted each day to the employees.

(7) The Minister may, after consultation with the Labour Advisory Board, and subject to the provisions of this section and section 54, regulate the maximum number of hours per week including overtime work, which may be worked in any industry or occupation and may, by order, provide for temporary exceptions in extraordinary situations where the public interest so requires.

(8) Where hours in excess of eight hours per day or forty eight hours per week are worked, they shall, in the absence of a written agreement to the contrary, be remunerated at the minimum rate of one and a half times of the normal hourly rate if the overtime is on

the normal working days, and at two times the hourly rate where the overtime is worked on gazetted public holidays.

56. Maternity leave

(1) A female employee shall, as a consequence of pregnancy, have the right to a period of sixty working days leave from work on full wages hereafter referred to as "maternity leave", of which at least four weeks shall follow the childbirth or miscarriage.

(2) A female employee who becomes pregnant shall have the right to return, to the job which she held immediately before her maternity leave or to a reasonably suitable alternative job on terms and conditions not less favourable than those which would have applied had she not been absent on maternity leave.

(3) In the event of sickness arising out of pregnancy or confinement, affecting either the mother or the baby, and making the mother's return to work inadvisable, the right to return mentioned in subsection (2) shall be available within eight weeks after the date of childbirth or miscarriage.

(4) A female employee is entitled to the rights mentioned in subsections (1), (2) and (3) if she gives not less than seven days' notice in advance or a shorter period as may be reasonable in the circumstances, of her intention to return to work.

(5) The notices referred to in subsection (4) shall be in writing if the employer so requests.

(6) A female employee who seeks to exercise any of the rights mentioned in this section shall, if requested by the employer, produce a certificate as to her medical condition from a qualified medical practitioner or midwife.

57. Paternity leave

(1) A male employee shall, immediately after the delivery or Miscarriage of a wife, have the right to a period of four working days' leave from work yearly herein referred to as paternity leave.

(2) An employee referred to in subsection (1) shall be entitled to the payment of his full wages during the said paternity leave.

(3) A male employee shall, after the paternity leave, have the right to return to the job which he held immediately before his paternity leave.

66. Notification and hearing before termination

(1) Notwithstanding any other provision of this Part, an employer shall, before reaching a decision to dismiss an employee, on the grounds of misconduct or poor performance, explain to the employee, in a language the employee may be reasonably expected to understand, the reason for which the employer is considering dismissal and the employee is entitled to have another person of his or her choice present during this explanation.

(2) Notwithstanding any other provision of this Part, an employer shall, before reaching any decision to dismiss an employee, hear and consider any representations which the employee on the grounds of misconduct or poor performance, and the person, if any chosen by the employee under subsection (1) may make.

(3) The employer shall give the employee and the person, if any, chosen under subsection (1) a reasonable time within which to prepare the representations referred to in subsection (2).

(4) Irrespective of whether any dismissal which is a summary dismissal is justified, or whether the dismissal of the employee is fair, an employer who fails to comply with this section is liable to pay the employee a sum equivalent to four weeks' net pay.

(5) A complaint alleging a failure on the part of the employer to comply with this section may be joined with any complaint alleging unjustified summary dismissal or unfair dismissal, and may be made to a labour officer by an employee who has been dismissed, and the labour officer shall have power to order payment of the sum mentioned in subsection (4) in addition to making an order in respect of any other award or decision reached in respect of the dismissal.

(6) A complaint under subsection (5) shall be made within three months after the date of dismissal.