

TRANSPARENT AND PREDICTABLE TERMS OF EMPLOYMENT

BROCHURE 2: TERMS AND CONDITIONS OF EMPLOYMENT

To whom do the provisions of the Law, on the Terms and Employment Conditions apply?

The provisions apply to **all employees with the exception** of civil servants, teachers in the public educational service, public emergency services, armed forces and police authorities, judges, prosecutors, investigators, other law enforcement agencies, as well as employees of legal entities governed by public law. The terms of employment of the exempted employees are regulated by other Laws and Regulations.

How long can an employee's probationary period be?

- The probationary period, if any, **may not exceed six months**.
- In the case of **fixed-term work**, the **probationary period must be proportionate** to the duration of the contract, but not longer than six months. Also, in cases of **renewals of fixed-term contracts** for the same post and duties, **probationary period is not required**.
- In the case of employees holding the position of **advisor, chairman, director, secretary or other similar position** in a legal entity, the probationary period **may exceed six months** but may not exceed two years.
- In cases where an employee **was absent from work** during the probationary period, her/his employer has the right to **extend the probationary period** for a period that does not exceed the actual period of absence of the employee.



"Probationary period cannot exceed six months"

Can the employee work for another employer at the same time?

The employer may not prohibit employment or treat unfavourably an employee who works **for another employer outside his working hours** (i.e. parallel employment). Parallel employment may, however, be restricted for reasons relating to health and safety, confidentiality, integrity of the public sector and conflict of interest. The affected employee must be notified in **writing** of the reasons for any restrictions to parallel employment.

In cases of an unpredictable work schedule, under what conditions can an employee be required to work?

The employee **must accept a work assignment only when the assignment:**

- is **within the predetermined hours and days** agreed and recorded in the written notification.
- is **within the notice period** prior to the start time of work agreed and recorded in the written notification.

If any of the above conditions are not met, the affected employee has the right to refuse the work assignment, without any adverse consequences.

If a work assignment is cancelled, is the employee entitled to compensation?

When the cancellation of the assignment is within the agreed deadline specified in the written notification, the employer does not have to compensate the employee. However, when the cancellation of the assignment takes place outside the specified agreed deadline, then the employee shall receive compensation which equals to the daily wage for that day.

Is it possible for an employee to work on an on-demand contract?

On-demand contracts are allowed for employees who work on a casual basis. Employment on a casual basis is considered:

- employment with a total duration that does not exceed 8 weeks per year with the same employer, with a maximum continuous duration of 3 weeks, or,
- employment for a total duration of employment that does not exceed 5 hours per week.

When can an employee request a transition to another form of employment?

If such employment is available, a request for transition to a form of employment with more predictable and secure working conditions can be submitted by any employee who has served for **more than 6 months with the same employer** and has completed the probationary period. In the event of such a request, the employer must **respond to the employee in writing** within one month of the request.

How is employee training regulated?

Training of the employee refers to training which is compulsory to perform the work for which the employee has been employed. Such training shall be regulated by Law or collective agreements. Training that falls within the above mentioned requirements is considered working time and it should be provided free of charge. If possible, it must take place during normal working hours. This obligation **does not cover** training for professional qualifications which are not compulsory to perform the work as provided for by Law or collective agreements.

How can an employee request more information and file a complaint?

By contacting the Department of Labour Relations of the Ministry of Labour and Social Insurance:

- **in writing:** Department of Labour Relations, 1431 Nicosia
- **by email:** info@dlr.mlsi.gov.cy
- **online by completing the form** at: <http://www.mlsi.gov.cy/dlr>
- **by visiting the Department in person, or by telephone:**
 - Nicosia: 54, Grivas Digenis Ave., 4th floor, 1096 Nicosia, tel.: 22803100
 - Limassol: 80, Franklin Roosevelt Ave., 3012 Limassol, tel.: 25819440/820
 - Larnaca: 5, Artemidos Ave., 1st floor, 6020 Larnaca, tel.: 24817800/801
 - Paphos: 1, Agiou Spyridonos Str., 8021 Πάφος, tel.: 26822614/640
 - Famagusta: 82, Eleftherias Avenue, 5380 Deryneia (Service on Fridays)

Department of Labour Relations
MINISTRY OF LABOUR AND SOCIAL INSURANCE
Website: <http://www.mlsi.gov.cy/dlr>