

MEMORANDUM FOR THE CABINET
BY THE HONOURABLE PRIME MINISTER

Claim for double pay for work performed on Sundays

On the 24th February, 1966, Staff Side of the Malta Government Joint Council submitted the following motion:-

"That this Council agrees that any duties performed on a Sunday should be compensated as indicated hereunder:-

- (i) to all shift workers by means of an additional day's pay;
- (ii) to all other grades of employees by means of double pay.

2. Staff Side base their claim on the fact that Sunday is considered to be a day of rest and obligation both by tradition and by our religious concepts, and as such employees detailed for duty on Sundays are deprived of their legitimate leisure in the environment of their homes and forced to depart from tradition and belief. They contended that such sacrifices should therefore be adequately compensated.

3. Staff Side's claim was examined by an 'ad hoc' Board which made the following recommendations:-

- (i) shift workers should not be given any additional remuneration for work performed on Sundays, since Sundays have always been considered by Government as ordinary working days in the case of these employees.
- (ii) That work performed by non-shift industrial employees on Sundays and Public Holidays be remunerated at overtime rates, i.e. at time and a half. The existing concession allowing these employees an extra day's pay if they put in a minimum of three hours attendance on Sundays and Public Holidays should however be withdrawn.
- (iii) That in the case of non-industrial employees no change in the present method of remuneration for work performed on Sundays and Public Holidays should be made.

4. It is relevant to point out that the principle at (i) had been accepted by Staff Side. As a matter of fact this argument was brought forward by them in support of a claim made

in respect of compensation for Public Holidays falling on a Sunday and, as a result shift workers were eventually granted an extra day off when a Public Holiday fell on a Sunday. With regard to points (ii) and (iii) it should be pointed out that at present normal overtime payment i.e. at time and a half rates is made for attendances of less than 3 hours by non-shift industrial employees on Sundays and Public Holidays. Non-industrial employees are allowed an extra day's pay for work performed on Sundays and Public Holidays subject to a minimum attendance of 3 hours. Overtime at plain time rates is paid for attendances of less than 3 hours and of more than 7½ hours in winter and 5½ in summer.

5. The recommendations made by the Board were passed to Staff Side of the Malta Government Joint Council who found them completely unacceptable, as, in their opinion, these proposals failed to eliminate the discrimination that existed between those who work on Sundays. The withdrawal of the concession mentioned in para.3 (ii) would actually have meant a lower payment to staff and the Staff Side stand is therefore understandable.

6. On the 15th March, 1967, Staff Side requested the Chairman of the Malta Government Joint Council to consider their motion as officially withdrawn. Staff Side went on to say that this was being done at the specific request of the General Workers' Union, which desired to be free to take any separate action it might deem necessary. The other component Unions of Staff Side concurred with this line of action. Staff Side have since agreed to have this motion put back on the Agenda.

7. It is here relevant to point out that the principle of double pay for work performed on Sundays is recognised and accepted nearly the whole world over. Even locally this principle has been adopted by all major industrial concerns and by the Electricity and the Gas Boards. It is therefore felt that Government should not deny this concession to its employees who work on Sundays.

8. The estimated additional annual expenditure that would be involved if Staff Side's claim were to be met in full is £100,000. With the adjustment of anomalies and the grant of 4% increase, this figure may go up to £110,000.

9. The Hon. Minister of Finance, Customs & Port has approved in principle the payment of additional compensation in respect of work performed on Sundays, subject to the following conditions:-

- (a) that compensation should be in the form of overtime at double time rates for every hour put in by the employees concerned;
- (b) that the present system of allowing 3 hours plus to count as a full day should be eliminated;

- (c) that an immediate survey of Sunday work should be conducted with the help of the U.N. Efficiency Expert who is at present in Malta, with a view to seeing whether it will be possible to reduce Sunday attendances by Government employees;
- (d) that the new arrangements for remuneration at double the normal rates on Sunday would be implemented as soon as such study is completed.

10. Establishments agree with the conditions at (a) and (b) above, provided that the time spent in travelling from home to work and vice-versa be considered as part of the attendance and remunerated accordingly. Establishments agree that a survey of Sunday work should be carried out. It is not considered, however, that implementation of the arrangements proposed at (a) and (b) should wait for such a survey or that departments, in conjunction with Finance and Establishments, should be absolved from the responsibility of ensuring the efficient performance of work. If the claim is agreed to, it would be appropriate to stop the arrangement whereby shift workers are granted an extra day off whenever a public holiday falls on a Sunday since otherwise these employees would be enjoying a double benefit.

11. Hon. Ministers are therefore asked to advise whether:-

- (i) Staff Side's claim for double pay for work performed on Sundays should be met as suggested at (a) and (b) of para.9 with the amendment suggested by Establishments at para.10;
- (ii) after implementation of the new payment arrangements, a survey of the number of employees performing work on Sundays, should be carried out by departments in consultation with Finance and Establishments; and
- (iii) the concession by which shift workers are allowed an extra day off when a Public Holiday falls on a Sunday should be withdrawn (vide para.3 (i)).

12th July, 1967.

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