



MANUAL
ON WORK-LIFE BALANCE
MEASURES



MANUAL ON WORK-LIFE BALANCE MEASURES

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Provisions marked with an asterisk (*)
are also applicable to
Public Sector Employees.

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Introduction

The Public Service is a model employer in the creation and promotion of work-life balance. The aim of these benefits is to create a better balance between workplace and workforce needs. This manual delineates the wide range of measures that public employees may benefit from to achieve a healthy work-life balance.

This manual is divided into three (3) different sections as follows:

1. PAID LEAVE FOR FAMILY REASONS APPROVED BY DIRECTORS
2. UNPAID/ PARTIALLY PAID LEAVE FOR FAMILY REASONS APPROVED BY DIRECTORS
3. MODERN WORK PRACTICES

As regards the 'Reckoning of Paid/Unpaid Leave for the purpose of Service in the Grade', attention is being drawn to PAHRO Circular No 4/2015.

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1.1 Marriage/Civil Union Leave¹

Eligibility

Public employees who contract marriage / civil union.

Duration

Three (3) working days.

Application Procedure

The respective employee is to request such leave by submitting the relevant e-form at least one (1) week in advance. The respective Director/Head of Department/Organisation shall, in due course, verify such absence in terms of Directive 3.

The e-form may be accessed [here](#).

Conditions

Marriage/Civil Union Leave can only be availed of at a stretch and should not start later than the first working day following the occasion.

1.2 Release to Attend Ante-Natal Examinations²

Eligibility

Pregnant employees are entitled to attend ante-natal examinations, if these take place during working hours, without loss of pay or any other benefit.

Duration

Up to confinement.

Application Procedure

The employee is to inform one's respective Director/Head of Department/Organisation, as soon as practicable. When returning to work, the employee is to provide to the respective Director/Head of Department/Organisation verifiable documentation supporting such absence.

¹ OPM Circular No 23/79 and OPM Circular No 103/80

² LN 439/2003

1.3 Maternity Leave and Breastfeeding Facilities³

For the purposes of this Section the following definitions apply:

- 'pregnant employee' means an employee who informs the respective Director of one's pregnancy in writing and, who within the subsequent fifteen (15) calendar days, presents the respective Director with a certificate issued by a registered medical practitioner or midwife confirming one's pregnancy and the expected date of confinement;
- 'breastfeeding employee' means an employee who is breastfeeding during a period of twenty-six (26) weeks after one's date of confinement and who has informed the respective Director by means of a certificate issued by a registered medical practitioner or midwife;
- 'confinement' will be taken to mean the birth of a living child or a stillbirth (at or after 22 weeks of pregnancy or as certified by the competent authorities).

Applicable Occupational Health and Safety Regulations are published under the Occupational Health and Safety Authority Act (CAP 424).

Eligibility

Pregnant employees.

Duration

An uninterrupted period of eighteen (18) weeks. The first fourteen (14) weeks of maternity leave on full pay may be availed of as follows:

- i. a period of six (6) weeks immediately after the date of confinement;
- ii. the remaining eight (8) weeks may be availed of immediately before or after confinement.

An employee may choose to avail oneself of up to four (4) weeks additional maternity leave beyond the fourteen (14) weeks. This additional maternity leave may be availed of, in whole or in part, immediately after the above period. If the employee is unable to avail oneself of the maternity leave entitlement before the date of confinement, such remaining balance of entitlement may be availed of after confinement. During this additional four (4) week period of maternity leave, the employee shall be entitled to the applicable benefits in terms of the Social Security Act.

In cases where, owing to a pathological condition arising out of confinement, employees are unable to resume duties at the end of the maternity leave, they will be entitled to a further period of absence of up to five (5) weeks. Such absence shall be deducted from the period of paid sick leave to which the employee may be entitled to at the time of the absence. Any period of absence in excess of the paid sick leave entitlement is reckoned as sick leave without pay. The rules regarding sick leave, including the regulations concerning notification of sick absence, shall apply.

³ PAHRO Circular No 1/2012 , MPO Circular No 173/2007, MPO Circular No 55/2003, OPM Circular No 48/2001, OPM Circular No 16/2001, MPO Circular No 68/97 and OPM Circular No 47/1981
LN No 439 of 2003
LN No 130 of 2011

Application Procedure

At least four (4) weeks prior to the commencement of maternity leave, the employee is required to submit the e-form to the respective Director/Head of Department/Organisation. The application should be supported by a certificate issued by a registered medical practitioner or midwife indicating the expected date of confinement. If the e-form is not submitted in due time the employee will only be entitled to that part of the maternity leave which includes the confinement date and the period of six (6) weeks following such date.

The respective Director/Head of Department/Organisation shall decide on the request within three (3) working days from receipt of the application. The applicant shall be informed of the decision by an automatically-generated email. The Director responsible for People Management shall receive a copy of the notification for records purposes and shall, in due course, confirm the birth of the child through the Common Data Base (CDB), if such birth is registered in Malta.

The e-form may be accessed [here](#).

Conditions

1. During pregnancy, as well as during the twenty-six (26) weeks starting from the date of confinement in the case of a live birth, and fourteen (14) weeks in the case of a stillbirth, Directors should take measures to protect the health and safety of an employee, after a risk assessment has revealed a risk to the safety or health, or an effect on the pregnancy or breastfeeding of the employee. Measures may include the temporary adjustment of the working environment, the assignment of employee to suitable alternative work and/or the adjustment of hours of work of the employee concerned. Any request for alternative duties/work arrangements should be made within reasonable time to allow for adequate arrangements to be made.

When employees cannot be given suitable alternative working arrangements, they shall be granted special maternity leave for the whole period necessary, up to the time limits stipulated in the previous paragraph. During the special maternity leave, employees shall be paid a special allowance, in lieu of the salary, equivalent to the rate of sickness benefit payable in terms of the Social Security Act. An employee who without justification refuses to perform suitable alternative work provided by the respective Director/Head of Department/Organisation, which is considered acceptable in the circumstances by the OHSa, shall not be entitled to the special allowance. If during the period of special maternity leave:

- a. the Director/Head of Department/Organisation either takes the necessary measures to ensure that employees are no longer exposed to any risk by virtue of which they were given special maternity leave, or is able to provide suitable alternative working arrangements:
 - i. the Director/Head of Department/Organisation shall notify employees in writing that they can return to work on their previous tasks or other suitable work arrangements in view that exposure to that risk has been addressed.
 - ii. the special maternity leave shall cease seven (7) days after the notification is received by the employees, or on the day as formally notified by the employees and approved by the respective Director/Head of Department/Organisation, they return to work on their previous duties or on alternative working arrangements, whichever is the earlier.

- b. the employees become aware that their condition is no longer such that they are vulnerable to the risk by virtue of which they were given the special maternity leave, they shall, at the earliest practical time, notify their respective Director/Head of Department/Organisation, in writing, that they are no longer at risk. When the Director/Head of Department/Organisation is in receipt of the notification and is satisfied that if the employees return to work they would no longer be exposed to risk:
 - i. the Director/Head of Department/Organisation shall take all measures to enable the employees to return to work in the job which they held immediately prior to the commencement of their special maternity leave and shall then notify the employees in writing that they can resume work in their previous tasks;
 - ii. the special maternity leave shall cease seven (7) days after the notification is received by the employees, or on the day they return to work, whichever is the earlier.
- 2. when employees are on maternity leave or special maternity leave, the employees shall be deemed to have been in the employment of the employer and during any such absence they shall be entitled to all rights and benefits which may accrue to other employees of the same class or category of employment at the same place of work, including the right to apply for promotion opportunities at their place of work. Furthermore, on return to work, they shall be entitled to return to the same job, or when this is no longer possible for a valid reason, to equivalent or similar work which is consistent with their original conditions of employment.
- 3. with the exception of bonuses or allowances related to performance or production, all automatic or fixed allowances which are specifically incorporated in the pay package shall not be deducted during such leave. Allowances related to attendance after office hours are to be deducted.
- 4. When a public holiday falling on a day of work or on a weekly day of rest not being a Saturday or a Sunday, falls within the period of Maternity Leave, employees shall be entitled to the equivalent in hours of an additional day of work. This amount is added to the employee's vacation leave entitlement of the same year the Maternity Leave finishes.
- 5. employees shall not be obliged to work overtime during pregnancy and for a period of twelve (12) months from the birth of their child (LN No. 503 of 2011); and
- 6. in the case of pregnant employees availing themselves of maternity leave during probation, Sub-Section 1.8.6 of the Manual on Resourcing Policies and Procedures applies.

Resumption Of Duties

An employee who has been granted paid maternity leave is required to work for an uninterrupted period of six (6) months for each period of maternity leave. The six (6) month period must be actual service and may not be covered by any leave other than vacation leave or sick leave and may be worked either before or after utilisation of unpaid parental leave/ career break.

1. If following a period of paid maternity leave, employees avail themselves of unpaid parental leave/career break, they may be granted paid maternity leave once again, during which the period of unpaid leave is suspended. However, when resuming duties, the six (6) month period in the preceding paragraph is extended in accordance with the number of maternity leave periods availed of.
2. In cases of employees who resume duties on a reduced hours schedule, the six (6) months shall be computed on a pro-rata basis.
3. Employees who fail to resume duty after the utilisation of maternity leave (including any further period of absence owing to a pathological condition), or who after having resumed work resigns or abandons employment without sufficient cause prior to the six (6) months obligatory service period(s), shall be liable to pay Government a sum equivalent to the salary received during the maternity leave period(s).
4. Employees on a definite contract shall not be liable to refund the salary received during maternity leave if their contract of employment is not extended at the employer's discretion, for up to a period of time which is sufficient for them to fulfil the six (6) month obligation.
5. If after availing themselves of maternity leave a public officers are transferred or promoted to another post/position in the Public Service, the six (6) months service required after maternity leave may be rendered in their new post, provided there is no break of service. This applies also if the new post/position is in a different career stream.

Breastfeeding Facilities

In line with Government's policy to promote breastfeeding, the conditions of work of breastfeeding employees should be facilitated through the temporary adjustment of the work environment and/or the hours of work of the employees concerned.

Absences of a maximum of one (1) hour each working day availed of by breastfeeding employees for the expression of milk or to leave the place of work for breastfeeding, shall not incur loss in pay. Such absences may be taken in the form of:

- i. One 60 minute interval;
- ii. Two 30 minute intervals;
- iii. Three 20 minute intervals.

In case of requests for breastfeeding facilities, Ministries should provide employees with adequate, clean and private facilities for the expression and storage of milk. The breastfeeding parents can opt to breastfeed in such facilities.

Even where Ministries provide breastfeeding facilities, the employee may still request to be allowed temporary adjustment to the working environment and/or the hours of work, including the possibility of reporting for work closer to home, provided that this is technically viable.

Requests to “work close to home” are to be considered “technically viable” only if it is possible for the individual to work within the same Department or Directorate but closer to home.

The alternative working arrangement to “work closer to home” is limited to a maximum period of twenty-six (26) weeks from confinement of birth of a child who is being breastfed for the whole period.

Employees who are allowed to “work closer to home” are to endorse an agreement, countersigned by the employee’s Director/Head of Department/Organisation, outlining the:

- i. conditions tied with the approval of the temporary alternative work arrangements;
- ii. duration period and termination date upon which the employee will be bound to resume one’s normal duties with the parent department.

Employees who refuse to return to the original workplace at the end of the twenty-six (26) week period shall be liable to disciplinary proceedings.

1.4 Parent Leave⁴

Eligibility

Fathers or, equivalent second parents.

Duration

Ten (10) working days paid leave on the birth or the adoption of each child.

Application Procedure

The respective employee is to request such leave as soon as practicable following the birth of one's own child. The Director responsible for People Management shall, in due course, confirm the birth of the child through the Common Data Base (CDB), if such birth is registered in Malta.

Conditions

- i. This leave is to be availed of at a stretch, within fifteen (15) days following the birth or adoption of each child.
- ii. This leave is also applicable in the case of stillbirths (as defined in the Maternity Leave policy).
- iii. Parents shall not be obliged to work overtime for a period of twelve (12) months from the birth of their child.

⁴ OPM Circular No 23/1979
OPM Circular No 11/2022

1.5 Leave for Medically Assisted Procreation (I.V.F. Leave)

Eligibility

Prospective parents meaning any employee, regardless of gender or sexual orientation, who has attained the age of majority and is a receiver or user of the medically assisted procreation techniques regulated under the Embryo Protection Act.

Public employees who are human oocyte donors.

Duration

Public employees who are single prospective parents and who undergo the process of medically assisted procreation, provided that the process of the transfer of the embryo is undertaken on the single prospective parent's own body, whether in or outside Malta, shall be entitled to sixty (60) hours of paid leave for medically assisted procreation. Leave shall be utilised at any time during the process of medically assisted procreation and may be taken in a non-continuous manner. The entitlement to sixty (60) hours of paid leave shall be granted for every process of medically assisted procreation, up to a maximum of three (3) processes.

Public employees who are both prospective parents undergoing the process of medically assisted procreation, whether in or outside Malta, where one is the receiving person and the other is the prospective parent who is not acting as the receiving person, shall be entitled to paid leave for medically assisted procreation. The receiving person shall be entitled to sixty (60) hours of leave, and the other prospective parent who is not acting as the receiving person shall be entitled to forty (40) hours of paid leave. This leave can be used concurrently by both prospective parents up to a maximum of three processes.

In the case of two (2) public employees who are prospective parents undergo the process of medically assisted procreation, whether in or outside Malta, and one (1) of the prospective parents is a human oocyte donor and the other prospective parent is the receiving person, both public employees who are prospective parents, shall be entitled to sixty (60) hours of paid leave for medically assisted procreation. Leave for medically assisted procreation shall be utilized at any time during the process of medically assisted procreation and may be utilised in a non-continuous manner. The entitlement to one hundred and twenty (120) hours of paid leave for medically assisted procreation shall be granted one time for the human oocyte process.

In the case of a public employee who is a human oocyte donor and who is not a prospective parent shall still be entitled to sixty (60) hours of paid leave. Such leave shall be utilized at any time during the process of human oocyte donation and may be utilised in a non-continuous manner. The entitlement to sixty (60) hours of paid leave shall be granted one time for the human oocyte process irrespective of the entitlements of the receiving person.

Application Procedure

At least two weeks (2) prior to the commencement of leave for medically assisted procreation leave (I.V.F. Leave), whether in Malta or abroad, a prospective public employee/ human oocyte donor is required to submit the e-form to the respective Director/Head of Department/ Organisation indicating the date or dates when s/he intends to avail of such entitlement. The request should be supported by full documentation, which shall include a written certification by the medical practitioner in charge of the procedure of medically assisted procreation.

The respective Director/Head of Department/Organisation shall decide on the request within three (3) working days from receipt of the application. The applicant shall be informed of the decision by an automatically-generated email. The Director responsible for People Management shall receive a copy of the notification for records purposes. Authorisation for paid I.V.F. leave, as outlined in the duration section of this policy, is to be granted after having consulted the central authority and/or the designated agency.

The e-form may be accessed [here](#).

Conditions

- i. In those cases where the prospective parent/human oocyte donor wishes to avail of the I.V.F. leave in a non-continuous manner, the public employee shall present the employer with relevant certification every time s/he wishes to use part of that leave, and such certification shall be forwarded to the employer at least two (2) working days before each part of the leave commences.
- ii. It is important that Directors responsible for people management keep a record of every entitlement utilised.

1.6 Adoption Leave⁵

Eligibility

Adoptive parents.

Duration

Public employees may apply for paid adoption leave for an uninterrupted period of eighteen (18) weeks. The first fourteen (14) weeks of adoption leave shall be on full pay. During the additional four (4) week period of adoption leave, the employee shall be entitled to the applicable benefits in terms of the Social Security Act.

In cases of international adoptions which involve lengthy processing abroad, special consideration will be given for the granting of additional separate periods of unpaid leave, which should not exceed three (3) months in aggregate.

Application Procedure

At least four (4) weeks prior to the commencement of adoption leave, the employee is required to submit an e-form to the respective Director/Head of Department/Organisation. The application should be supported by full documentation. The Director/Head of Department/Organisation shall decide on the request within three (3) working days from receipt of the relevant documentation.

The e-form may be accessed [here](#).

Authorisation for paid and unpaid adoption leave, as outlined in the Duration section of this policy, is to be granted by the respective Director responsible for People Management, after having consulted the central authority and/or the designated agency.

Conditions

1. Adoption leave may be availed by either of the adoptive parents or shared by both adoptive parents if they are both public employees, provided that the aggregate adoption leave availed of between the two does not exceed the prescribed limit. Adoption leave should be taken in one uninterrupted period. If adoption leave is shared by both adoptive parents, it may be taken concurrently.
2. Adoption leave commences on the day that a child passes into the care and custody of the adoptive parents. Those employees who fail to resume duties at the expiration of this leave, or who, after having resumed duties, resign or abandon their employment without sufficient cause within six (6) months from such resumption, shall be liable to pay government a sum equivalent to the salary they received during the paid adoption leave. If adoption leave is shared, the obligation of six (6) months service to government is computed pro-rata, with each parent being bound by his/her respective period of service.

3. Public employees will be entitled to their full salary for the first fourteen (14) weeks adoption leave. If the employee chooses to avail oneself of leave beyond the paid fourteen (14) weeks, the additional four (4) weeks may be availed of in whole or in part immediately after the above period and will be considered as special leave and payable at a fixed weekly rate equivalent to the Maternity Leave allowance in terms of the Social Security Act.
4. In cases of international adoptions, prospective adoptive parents may utilise one (1) week adoption leave from the eighteen (18) weeks entitlement for travel purposes, in connection with the last court session for the award of the adoption decree, i.e. before the adoption is officially approved by the competent authorities. Applications to utilise the one (1) week adoption leave must be recommended by the applicant's Director, before being sent to the People Relations (PRD) Directorate for approval. Applications should include the relevant documentary evidence. In exceptional and specially deserving cases, the PRD Directorate may consider extending this special concession from one (1) week to two (2) weeks.
5. If the adoption is not approved by the competent authorities, the prospective adoptive parents shall have the equivalent amount of hours deducted from their vacation leave entitlement. If the vacation leave entitlement would have been exhausted, the equivalent amount would be deducted from the salary. In cases of international adoptions, prospective adoptive parents may also apply for periods of unpaid leave as outlined in the duration section of this policy.
6. Adoptive parents may utilise one (1) year parental leave, two months of which are paid at the same rate and in the same manner as established in terms of the Work-Life Balance for Parents and Carers Regulation (S.L.452.125 which may be accessed [here](#)) for each adopted child and a once only career break of a maximum of five (5) years for the same purpose, subject to the provisions outlined in these policies.
7. A public employee who has been granted paid adoption leave is required to work for an uninterrupted period of six (6) months for each period of adoption leave. The six (6) month period must be actual service and may not be covered by any leave, other than vacation leave or sick leave, and may be worked either before or after utilisation of parental leave/career break on no pay.
8. Employees on a definite contract shall not be liable to refund the salary received during adoption leave if their contract of employment is not extended at the employer's discretion, for up to a period of time which is sufficient for them to fulfil the six (6) month obligation.
9. If a public employee is transferred or promoted to another post/position in the Public Service, after having availed oneself of adoption leave, the six (6) months service may be rendered in the new post/position, provided there is no break of service. This applies also if the new post/position is in a different career stream.
10. Public employees shall not be obliged to work overtime for a period of twelve (12) months from the effective date of adoption of their child.
11. Public employees who benefit from adoption leave are precluded from performing private work during this leave, even after official hours.

⁵ PAHRO Circular 2/2012

1.7 Bereavement Leave⁶

Eligibility

All employees who suffer the death of a near relative, namely spouse/partner in a civil union, parent (or the person who at the time was acting as parent), son or daughter, brother or sister.

Duration

Two (2) working days.

Application Procedure

The respective employee is to inform one's respective Director/Head of Department/Organisation as soon as practicable. The respective Director/Head of Department/Organisation shall, in due course, verify such absence in terms of Directive 3.

Conditions

1. Bereavement Leave can only be availed of at a stretch and should start on the first working day following the occurrence.
2. When a near relative dies abroad, additional paid leave may be granted on authority of the officer's Director.
3. Following bereavement, employees who would like professional and confidential support may access the services of the Employee Support Programme (ESP) Unit for an appointment. Further information about the services provided by the ESP Unit is available at www.esp.gov.mt. The ESP Unit may also be contacted on 2200 1210.

⁶ OPM Circular No 23/1979

1.8 Urgent Family Leave⁷

Urgent family leave may be utilized for urgent family reasons in cases of sickness or accident which require the immediate presence of the employee.

Urgent family leave is granted when the immediate family of the employee is involved in accidents, sudden illness or sickness requiring assistance or presence of the employee and presence during births and deaths.

Immediate family is taken to mean spouse/partner in a civil union, children, parent, brother and sister.

Eligibility

All employees.

Duration

A maximum of sixteen (16) hours per calendar year can be taken in not more than four (4) sessions.

Application Procedure

The employee is to inform one's respective Director/Head of Department/Organisation as soon as practicable. In cases where the employee has to leave the workplace, s/he is to inform his/her direct superior prior to leaving the workplace. On the first day of one's return to work, the employee is to provide to the respective Director/Head of Department/Organisation verifiable documentation supporting such absence.

Conditions

- 1 Vacation leave used for the purpose of urgent family leave is deducted from the employees' annual vacation leave entitlement.

⁷ MPO Circular No 9/2004, MPO Circular No 3/2008

1.9 Donation of Vacation Leave/Time-Off-In-Lieu (TOIL) for Humanitarian Reasons

This policy provides for the voluntary donation, in part or in full, of:

- the vacation leave entitlement⁸, and/or any accumulated vacation leave/TOIL.
- vacation leave and/or TOIL of public employees due to retire and who for some reason could not avail themselves of such.

At any time during the calendar year, public employees may, at their discretion, donate any amount of their vacation leave/TOIL:

- to the Central Fund;
- on a person to person basis (to a specific employee).

Prior to donating hours, employees are to ensure that they retain a balance of hours to be utilised for their own personal needs.

The respective Director responsible for People Management/Head of Organisation is responsible for assessing and approving, or otherwise, requests for the utilisation of donated vacation leave/TOIL.

The People Relations (PRD) Directorate is responsible for the management of the central fund and for the co-ordination and monitoring of the distribution of the donated vacation leave and TOIL across the Public Administration.

⁸ In the case of teaching grades, the special leave entitlement applies for donation purposes.

1.9.1 DONATION OF VACATION LEAVE/TOIL IN THE CENTRAL FUND

1. By Employees Collectively

Directors responsible for People Management/Heads of Organisation should, during the first week of December, request their employees to indicate whether they intend to utilise, accumulate or donate, in part or in full, their unutilised balance of vacation leave/TOIL for that calendar year.

Processing Procedure

Employees wishing to donate any amount of vacation leave/TOIL shall notify the respective Director responsible for People Management/Head of Organisation through their superior, who shall fill in and submit the pertinent e-form found [here](#) to the PRD Directorate, by inserting the aggregate amount of hours donated by all employees. The PRD Directorate shall, on its part, issue a confirmation receipt confirming the deposit of the donated hours in the central fund. The Director responsible for People Management/Head of Organisation shall inform the respective employees that donated hours have been deposited in the central fund.

The Director responsible for People Management/Head of Organisation is to ensure that records of all employees donating vacation leave/TOIL are updated.

2. By Individual Employees

An employee may, at any time of the calendar year, donate vacation leave/TOIL in the central fund to be utilised for justified humanitarian reasons.

Processing Procedure

The employee shall submit the pertinent e-form found [here](#) to the respective superior who shall in turn process the form to the Director responsible for People Management/Head of Organisation.

After having verified the employee's vacation leave/TOIL records, the Director responsible for People Management/Head of Organisation shall submit the e-form which shall be automatically forwarded to the PRD Directorate who shall, on its part, issue a confirmation receipt confirming the deposit of the donated hours in the central fund. The Director responsible for People Management/Head of Organisation shall inform the respective employee of the donated hours in the central fund.

In the event of unforeseen circumstances arising from urgent personal/family matters, the employee donating vacation leave/TOIL retains the right to utilise, by the end of the calendar year, any balance of hours indicated for donation, provided that hours in the central fund are not exhausted. The employee shall inform the Director responsible for People Management/Head of Organisation of the balance of hours to be utilised accordingly.

3. Donation Of Vacation Leave/TOIL Due To Retirement

Prior to the date of retirement, public employees due to retire and who for some reason could not avail themselves of all of their vacation leave and/or TOIL, may choose to donate the unavailed hours by indicating this in writing to their Director responsible for People Management/Head of Organisation.

Public officers who decide not to utilise their pre-retirement leave, whether in part or in full, will have half of the unutilised balance deposited in the central fund. Such balance will be directly transferred to the central fund by the respective Director responsible for People Management, the day following the employee's retirement.

1.9.2 REQUEST FOR THE UTILISATION OF DONATED HOURS FROM THE CENTRAL FUND

Eligibility criteria for receiving donated hours

1. Donated vacation leave and TOIL is used for justified humanitarian reasons such as:
 - a. when public employees themselves, or a family member up to the fourth degree, or a member officially residing in the same household, is suffering from a serious and prolonged illness;
 - b. when public employees are undergoing a full-time substance abuse rehabilitation programme and are required to undertake any part thereof during office hours.
 - c. when public employees are undergoing a full-time residential / semi-residential medical assistance programme for the treatment of eating disorders and weight behavioural problems.
2. Donation of vacation leave/TOIL is regulated by the following parameters:
 - a. Employees suffering from personal illness may only avail themselves of this policy after they would have exhausted their own vacation leave (the present year's entitlement, calculated on a pro-rata basis and the full amount of vacation leave accumulated from the previous year), TOIL and full pay sick leave (including any accumulated full-pay sick leave).
 - b. Employees benefiting from donated vacation leave/TOIL, for any humanitarian reason other than personal illness, may only avail themselves of this policy after having exhausted their own vacation leave (the present year's entitlement, calculated on a pro-rata basis and the full amount of vacation leave accumulated from the previous year) and TOIL.

Supporting Documentation

The request for the utilisation of donated hours must be supported by a covering letter attached to the e-form and documentary evidence as listed below:

1. In the case of serious and prolonged illness, a certificate from a medical specialist certifying the illness, as well as a medical certificate to cover for the period of absence. In those cases where the donated vacation leave is to be utilised for the care of a family member up to the fourth degree, or a household member, a certificate from a medical specialist certifying the illness and the familial relationship between the employee and the sick individual is to be provided.
2. In the case of substance abuse, a specialist certificate from the Rehabilitation Centre to confirm enrolment in a full-time substance abuse rehabilitation programme.
3. In the case of eating disorders and weight behavioural problems, a specialist certificate from the confirming enrolment in a residential medical assistance programme.
4. A declaration whether the applicant is already in receipt of donated hours, on a person to person basis and/or from the central fund.
5. A declaration whether the applicant is already in receipt of any related financial assistance from Government.

Processing Procedure

Employees shall submit the pertinent e-form to the respective Director/Head of Department at least ten (10) working days prior to the day(s) needed, or as soon as practicable.

The employee's respective Director shall decide on the request and submit the recommendation to the respective Director responsible for People Management/Head of Organisation for approval within two (2) working days of receiving the request. The Director responsible of People Management/Head of Organisation shall decide on the request and process the e-form to the PRD Directorate within three (3) working days.

The e-form may be accessed [here](#).

In those cases where a request is not recommended or approved, the employee may appeal to the respective Permanent Secretary who shall investigate the case and decide whether to accede to the request or otherwise.

The PRD Directorate shall, subject to the availability of donated hours in the central fund and after taking into account the number of requests, transfer, in full or in part, the amount of hours requested from the central fund to the respective Ministry/Organisation for utilisation in terms of the specific request. A confirmation receipt shall be issued by the PRD Directorate, within three (3) working days, confirming the transfer of donated hours from the central fund. The Director responsible for People Management/Head of Organisation shall inform the employee accordingly. In cases of repeated requests for Donation of Vacation Leave, the PRD Directorate, may inform the respective Department to consider a referral to the medical board to evaluate such requests.

Managing the Donated Hours in the Central Fund

1. Allocation of hours will be based on a first come first served basis, following the recommendation from the employee's Director and approval from the respective Director responsible for People Management/Head of Organisation.
2. Employees may benefit from this policy more than once. However, in order to ensure a fair and equitable distribution of accumulated hours to as many individual humanitarian cases as possible, employees who have applied for the first time, and therefore, have not benefited from this policy, will be given priority. Persons who are applying for a second time will be considered when requests from persons applying for the first time have been satisfied.
3. In cases where requests cannot be considered owing to a depletion of donated hours in the central fund, the PRD Directorate may issue a notice requesting the donation of vacation leave/TOIL. Unsatisfied requests will be placed on a waiting list and will benefit from this policy if and when further vacation leave or TOIL is donated to the central fund.
4. The balance of unutilised hours in any calendar year will accumulate in the central fund.

1.9.3 DONATION OF VACATION LEAVE / TOIL ON A PERSON TO PERSON BASIS

A public employee or a group of employees may, for justified humanitarian reasons, donate hours of vacation leave/TOIL to support a specific employee, within their Ministry or any other Ministry.

Processing Procedure

The employee/s donating hours shall notify their respective superiors by filling in the e-form and including the details of the person who shall be receiving the donated hours. The superior shall process the application to the respective Director responsible for People Management/Head of Organisation who shall decide on the request and process it via e-form accordingly within three (3) working days of receiving the completed application. All parties concerned shall be informed of the decision by an automatically-generated email. In cases where the beneficiary is employed in another Ministry, the e-form is automatically sent to the beneficiary's respective Director responsible for People Management who shall decide on the request and process it accordingly so that all parties are automatically informed of the decision.

The e-form may be accessed [here](#).

02

In computing special unpaid leave every day of absence is to be counted. Saturdays, Sundays and public holidays falling at the beginning or at the end of such leave are, however, to be excluded. This provision does not apply in respect of those categories of staff for whom Saturdays and Sundays are normal working days.

Any of the unpaid leave entitlements in section 2 of this Manual as well as all special unpaid leaves granted not on grounds of public policy (details are shown in the Manual on Special Leaves), may be followed by one another, subject to an overall maximum of eight (8) years, whether taken at a stretch or broken up by periods of resumption of duty. The eight (8) year limit applies also to Paid Leave for Development Work Abroad.

With the exception of Carers' Leave, before utilising any unpaid leave, applicants must utilise their vacation leave which must be computed pro-rata to the period of service actually worked during the calendar year prior to commencement of the unpaid leave.

Approvals of special leave without pay are to be recorded in the officer's Personal Record Sheet (GP 46) and the Service and Leave Record Form (GP 47). The Gozo Salaries section shall also be notified accordingly.

Officers in the teaching profession who avail themselves of unpaid leave are allowed to resume duty by the end of February, or in September, at the end of the scholastic year, after the summer holidays. This is intended to minimise as much as possible the disruption of classes.

Officers on unpaid leave are not entitled to any paid benefits before they resume duty. If officers resume duty on the summer time-table following unpaid leave or reduced hours, they should be paid for the actual hours worked, unless they opt to compensate for the shortfall in hours by working longer hours.

Officers who have been away from work for two (2) years or more will have to undergo an induction course, on resuming duties.

All unpaid leave, even for family reasons, is not reckonable as service for Treasury pension purposes and if officers retire while on unpaid leave, their Treasury pension will be based on the last salary earned, before availing themselves of unpaid leave. When officers fail to resume duty at the expiration of unpaid leave, necessary action should be taken in terms of the **Disciplinary Procedure in the Public Service Commission Regulations**.

2.1 Leave To Accompany Spouse/Partner in a Civil Union on Government-Sponsored Courses or Assignments⁹

Eligibility

Public employees who have successfully completed their respective probationary period.

Duration

A maximum of four (4) years unpaid leave, renewable on application yearly. These four (4) years may be utilised at a stretch or broken up by periods of resumption of duty.

Application Procedure

At least one (1) month prior to the commencement/renewal of this leave, employees are to submit their request to the respective Director/Head of Department/Organisation, by filling in the e-form. The request should be supported by full relevant documentation. The Director/Head of Department/Organisation shall be automatically informed and shall decide on the request within five (5) working days from receipt. The applicant shall be informed of the decision by an automatically-generated email. The Director responsible for People Management shall receive a copy of the notification for records purposes. Refusals should include a justified reason.

The e-form may be accessed [here](#).

⁹ MPO Circular No 70/2004 and MPO Circular No 31/2005

2.2 Parental Leave - Applicable to Parents, Legal Guardians and Foster Carers¹⁰

Eligibility

Public employees who have successfully completed their respective probationary period, are entitled to parental leave on the grounds of birth, adoption, legal custody, and foster care of children who are under ten (10) years of age.

Duration

A maximum of twelve (12) months, which may be utilised in aggregates of four (4) month, six (6) month, nine (9) month periods or the maximum of twelve (12) months. Four (4) months of the parental leave entitlement may be broken down in periods of two (2) weeks at a time, without causing prejudice to any agreement reached by the Director and the public employee, or by a collective agreement. The Director concerned, together with the employee, may decide that these four (4) months are granted on a full-time or a part-time basis, in a piecemeal way or in the form of a time credit system.

Employees, whose child's birth, adoption, legal custody or foster care occur on or after 2nd August 2022, are entitled to paid parental leave for the duration of two (2) months, paid at the same rate and in the same manner as established in terms of the Work-Life Balance for Parents and Carers Regulations (S.L. 452.125 which may be accessed [here](#)).

The entitlement of two (2) months paid parental leave are to be taken and paid as follows:

- (a) fifty per centum (50%) of entitlement will be paid, where the child/children for whose care parental leave was granted have not attained four (4) years of age. This entitlement may be broken down in periods of two (2) weeks at a time;
- (b) twenty five per centum (25%) of entitlement will be paid, where the child/children for whose care parental leave was granted have attained the age of four (4) years but have not yet attained the age of six (6) years; and
- (c) twenty five per centum (25%) of entitlement will be paid, where the child/children for whose care parental leave was granted have attained the age of six (6) years but have not yet attained the age of eight (8) years.

If any entitlement is taken when the child/children for whose care parental leave was granted have attained that age of eight (8) years but have not yet attained the age of ten (10) years, then they are to be taken from the unpaid leave entitlement.

¹⁰ OPM Circular No 117/92, MPO Circular No BI/6/94, MPO Circular No 28/96, OPM Circular No 15/1998, OPM Circular No 29/1998, MPO Circular No 108/2005 and MPO Circular No 3/2008, OPM Circular No 11/2022

Application Procedure

Employees are required to apply at least, two (2) weeks in advance by filling in and submitting the e-form, attaching the necessary supporting documentation to the request.

The Director/Head of Department/Organisation shall be automatically informed of the application and shall decide on the request within ten (10) working days from receipt of notification. The applicant shall be informed of the decision by an automatically-generated email. The Director responsible for People Management shall receive a copy of the notification for records purposes.

The e-form may be accessed [here](#).

Directors responsible for People Management and/or HR Managers are to invariably keep records of the parental leave granted to each employee. This is necessary to maintain reliable, accurate and timely data for utilisation by the ministry concerned, the beneficiary and the Research & Personnel Systems Directorate within the People & Standards Division. Directors shall, on the demand of the public employee which may be made even after termination of employment, deliver to the public employee a written statement of the leave, within two (2) weeks of a written request.

Parental leave shall commence as from the date when the public employee provides the Director with the following documentation:

- a. the proof of placement in the case of foster carers;
- b. In the case of adoptive parents:
 1. evidence that the legal proceedings necessary for the adoption to be completed in accordance with the law have been initiated, and
 2. a written certificate from the competent authority, designated for this purpose by the Minister responsible for social policy, certifying that a positive home study report has been completed; or
 3. certified evidence that the couple have legal custody of the child.
- c. In the case of parents taking leave because of the legal custody of a child, parental leave shall commence from the date when the employee provides certified evidence that the couple have the legal custody of the child; and
- d. In cases other than those mentioned in paragraphs (a), (b) and (c), parental leave may be availed of following the birth of the child. The Director responsible for People Management shall, in due course, confirm the birth of the child through the Common Database (CDB), if such birth is registered in Malta.

Conditions

1. The maximum of twelve (12) months parental leave may be availed of in respect of each child.
2. Parental leave may be availed of by either of the parents or shared by both parents, if they are both public employees, provided that they do not utilise parental leave concurrently and that together they do not exceed the prescribed limit. Only two (2) months of unpaid parental leave may be transferred to the other parent.
3. Upon the granting and during the period of parental leave, the public employee has the right to apply for promotion opportunities arising within the workplace.
4. In the event that the parental leave was not availed of or there is still an existing balance of parental leave, an employee shall remain entitled to such leave even if there is a change in the employer or in employment.
5. Employees, who have availed themselves of the fourteen (14) weeks paid maternity leave, are bound by a six (6) months service obligation. The six (6) months service must be actual service and may not be covered by any leave other than vacation leave or sick leave, and may be worked either immediately before or immediately after the utilisation of the parental leave and/or the career break.
6. Parental leave of foster carers shall commence from the date when the employee provides either official documentation issued by the Fostering Board or by the central authority, as the case may be, that the employee has been accepted as a foster carer, or with official documentation provided by the Fostering Board that the review report drawn up by an accredited agency has been accepted by the Fostering Board in terms of the Foster Care Act, whichever is the latest.
7. Officers occupying a Headship/Directorship/Assistant Directorship position are entitled to avail themselves of a period of up to four (4) months parental leave on the grounds of birth, adoption, fostering or legal custody of a child. Two (2) months from the four (4) months' entitlement shall be paid at the same rate and in the same manner as established in terms of the Work-Life Balance for Parents and Carers Regulations (S.L.452.125 which may be accessed [here](#)). The parental leave may be utilised at any time until the child attains ten (10) years of age. The following provisions apply:
 - i. up to 4 months parental leave may be availed of in respect of each child;
 - ii. the Headship/Directorship/Assistant Directorship need not be terminated;
 - iii. any period taken as unpaid parental leave will be reckonable as forming part of the number of years in the Headship/Directorship/Assistant Directorship position required for tenure as Officer in the respective Grade;
 - iv. this leave shall be availed of in established periods of one (1) month each, and, in agreement between the Director/Head of Department/Organisation and the officer concerned, may be taken on a full-time or a part-time basis or in a piecemeal way. Four (4) months of the parental leave entitlement may be broken down in periods of two (2) weeks at a time, without causing prejudice to any agreement reached by the Director and the public employee, or by a collective agreement.

8. Public employees in the teaching profession who avail themselves of parental leave are allowed to resume duties by the end of February, or in September, at the end of the scholastic year, after the summer holidays. The date of resumption has to be declared when employees apply for parental leave. In those cases where the resumption of duties at the end of February or at the end of the scholastic year, in September, results in the utilisation of parental leave in excess of the twelve (12) months entitlement, the resultant balance is to be covered by career break.
9. The Director and the public employee are obliged to maintain contact during the period of leave in order to facilitate the return to work following parental leave. Upon returning from parental leave, an employee may request changes to the working hours and patterns for a specific period of time. Directors shall consider and respond to such requests in terms of the policy being applied for, taking into account the needs of both the workplace and the employee.
10. In an effort to explore arrangements for any appropriate reintegration measures as may be required and in order to facilitate return to work following the utilisation of parental leave, the Director and the employee concerned are encouraged to liaise prior to the return to work of the officer.
11. Parental leave is specifically meant to assist parents/legal guardians/foster carers in taking care of their children who are under ten (10) years of age. Engagement in full-time or part-time employment or the exercise of one's profession concurrent with the utilisation of parental leave constitutes an abuse of such leave¹¹.
12. Employees benefitting from this measure will continue to be entitled to receive e-mails and notifications through their official e-mail account however, they will not have access to send e-mails. They shall however continue to be entitled to receive e-mails and notifications.

Suspension and Postponement Of Parental Leave¹²

1. Unless the Director and the public employee agree otherwise, the Director shall not, during the period of parental leave, have the right to suspend the parental leave and to request the employee to return to work before the agreed date of resumption of duties. Similarly, public employees shall not have the right to return to work prior to the agreed date of resumption of duties.
2. When considering requests for parental leave, Directors shall, prior to any postponement, offer, to the extent possible, flexible ways of taking parental leave.
3. Directors may postpone the granting of parental leave for justifiable reasons related to the operations of the place of work. Within two (2) weeks of the date of the request for parental leave, the Director is bound to inform the employee in writing of the reasons necessitating the postponement of parental leave. When parental leave is postponed, employees retain the right to avail themselves of parental leave. If any entitlement is still unutilised by the time the child reaches ten (10) years of age, employees shall be immediately entitled to utilise the unavailed balance of parental leave.

¹¹ MPO Circular No 36/2010

¹² LN No. 225 of 2003

2.3 Carers' Leave¹³

Eligibility

Public employees, are entitled to carers' leave to provide personal care or support to a relative, or to a person who lives in the same household as the public employee, and who is in need of care or support for a medical reason.

Duration

A maximum of five (5) working days per year, of which one (1) day shall be paid and the remaining four (4) days shall be unpaid.

Application Procedure

Employees who need to utilize Carers' Leave are to notify their superior officer, at the very start of working time. Public employees shall present medical proof that the relative, or person who lives in the same household as the public employee and in relation to whom carers' leave is requested, is suffering from an illness and is in need of care and support. The medical proof is to be handed personally to the officer in charge of the employee on the date when the public officer resumes duty.

Conditions

1. "Relative" means a worker's son, daughter, mother, father, spouse or, partner in civil partnership.
2. Carers' leave shall be reckonable as 'service in the grade'.

¹³ OPM Circular No 11/2022

2.4 Career Break

Eligibility

Parents/legal guardians, who have successfully completed their respective probationary period, are entitled to unpaid Career Break to be utilised for the care of child/children under ten (10) years of age.

Duration

A maximum of five (5) years.

Application Procedure

Employees are required to apply, at least, three (3) months in advance by submitting the e-form to the respective Director/Head of Department/Organisation, attaching the necessary supporting documentation to the request. In cases where such leave does not exceed three (3) months, a one (1) month notice would suffice. The period/s of unpaid leave to be availed of must be declared in the application and any changes may only be made by giving three (3) months' advance notice.

The Director/Head of Department/Organisation shall be automatically informed of the application and shall decide on the request within ten (10) working days from receipt of notification. The applicant shall be informed of the decision by an automatically-generated email. The Director responsible for People Management shall receive a copy of the notification for records purposes.

The e-form may be accessed [here](#).

Conditions

1. The five (5) years must be utilised in aggregate, and may be reduced by multiples of three (3) months. Any career break declared in the application form which has not been utilised, is forfeited and may only be taken for the care of another child/children. Unpaid leave from the entitlement of five (5) years may be shared once by both parents, for each child.
2. Public employees in the teaching profession may need to utilise part of the career break to meet the specific requirements stipulated in clause 7 under conditions in section 2.2 of this Manual. In such cases, any period of the career break utilised for this purpose shall be deducted from the total five (5) year entitlement, without prejudice to the employees' right to utilise the remaining balance of the career break.
3. Unless worked after the maternity leave or parental leave, the six (6) months which have to be worked by female employees who avail themselves of paid maternity leave must be worked immediately before/after the career break.
4. Employees benefitting from this measure will continue to be entitled to receive e-mails and notifications through their official e-mail account however, they will not have access to send e-mails. They shall however continue to be entitled to receive e-mails and notifications.

2.5 Responsibility Leave¹⁴

Eligibility

Public employees who have successfully completed their respective probationary period may avail themselves of unpaid responsibility leave to take care of dependent elderly parents, sons and daughters, or the spouse/partner in a civil union.

Duration

The approved arrangement is valid for twelve (12) months, which may be renewed on a yearly basis.

Application Procedure

Employees are required to apply for or renew Responsibility Leave by submitting the e-form to the respective Director/Head of Department/Organisation at least one (1) month in advance. Employees are to attach a certificate by a medical specialist outlining the situation of the dependent they wish to look after. In serious humanitarian cases, this one (1) month period may be waived owing to humanitarian reasons.

The Director/Head of Department/Organisation shall be automatically informed of the application and shall decide on the request within ten (10) working days from receipt of notification. The applicant shall be informed of the decision by an automatically-generated email. The Director responsible for People Management shall receive a copy of the notification for records purposes.

The e-form may be accessed [here](#).

Conditions

1. In cases requiring care of children, this unpaid leave may be availed by either of the parents or shared by both parents, provided that this leave is not taken concurrently and that together they do not exceed the prescribed limit. If both parents intend to avail themselves of responsibility leave, the leave of each parent should be taken in one period.
2. In cases requiring care of an elderly parent/spouse/partner in a civil union, the dependent must have no other responsible persons living with him/her during the day. It must be certified by a medical specialist that the dependent requires care. If both elderly parents are alive they must be certified as being dependent on care.
3. If the reason for which the Responsibility Leave was approved is no longer applicable, the employee is required to resume duties provided an advance notice of one (1) month is given. Employees who resume duties will not normally be allowed to avail themselves of Responsibility leave again for the same specific reason, before the lapse of twelve (12) months. Exceptions may be made in special circumstances.
4. Responsibility leave should be availed of for the purpose for which it is authorised and employees who abuse of this concession will immediately have their approval withdrawn and will be liable to disciplinary action.

¹⁴ OPM Circular No 25/1999

2.6 Leave for a Special Reason¹⁵

Eligibility

Employees working on full-time or part-time basis are allowed a maximum of three (3) months special leave without pay, for a special reason (including work-life balance reasons), in any period of twelve (12) months.

Application Procedure

Applicants should submit the e-form to the respective Director at least two (2) weeks in advance, attaching the relevant documentation. The respective Director shall decide on the request within five (5) working days from receipt of full documentation. The applicant shall be informed of the decision by an automatically-generated email. The Director responsible for People management shall receive a copy of the notification for records purposes.

The e-form may be accessed [here](#).

¹⁵ OPM Circular No 117/92

03

Introduction

Work-life balance is key for employee wellbeing, which in turn, contributes towards increased motivation and productivity which are essential elements in offering a service of excellence. The enhanced modern work practices in this section and the introduction of new ones, are intended to provide a higher flexibility in working schedules with the aim to facilitate employees' work-life balance whilst ensuring the continuation of service delivery.

The Management of the Public Service is entrusted to public officers following the procedure adopted by the Senior Appointment Advisory Committee (SAAC). Such posts carry a high degree of responsibility wherein these individuals administer teams, sections, departments and Ministries. These responsibilities require a high level of dedication, attention and trust, amongst other qualities. It is no secret that the Management grades across the Public Administration understand the weight of their responsibilities and attend to them outside set and prescribed norms. The Public Administration continues to invoke employees in these positions to perform their duties and establish the necessary working conditions to meet the respective demands and ensure maximum service delivery. As such, it is their responsibility to operate within the spirit of this organisational culture and promote and endorse a working relationship which is conducive to service delivery with their employees and their superiors. In this regard, the measures provided in this section are not considered congruent with the level of responsibility, dedication and commitment required in such positions. Nevertheless ad hoc arrangements are to be discussed on a case by case basis with the respective Permanent Secretary.

To this extent, the Public Service does not offer a blanket proviso regarding working hours and modern work practices and places the responsibility on the respective individual who is to ensure that the desired level of efficiency and productivity is met. In any cases where a difference may arise the Permanent Secretary will have the ultimate say.

The approach taken for approvals of modern work practices will invariably necessitate a level of initiative and weighted considerations to be taken by all levels of Management, in close collaboration with the respective Permanent Secretary. This approach is intended to encourage the dynamic adoption of available modern work practices and is not to be used as an excuse to shy away from approving requests from employees.

This is the first phase. The Administration is committed to evaluate other different working schedules, and explore possibilities on how the principles emanating from these modern work practices could be implemented when taking into consideration other different realities, whilst ensuring the continuous delivery of a service of excellence.

Internal Policies

Owing to the various service delivery requirements affecting different sectors, Directors are encouraged to draw up an internal written policy, clearly defining the acceptable parameters by the respective Department/Directorate, in respect of reduced hours, flexitime, flexi-week and remote working. This will ensure equity and fairness amongst employees. It is to be ensured that internal policies are in line with the provisions stipulated in this Manual.

Each internal policy may include such clauses as:

- i. staff ratios (i.e. the proportion of employees that are required to be in the office).
- ii. particular requirements resulting from operational demands of the Department/Directorate concerned;
- iii. arrangements for employees working on a shift/roster basis;
- iv. arrangements regarding technical support (i.e. equipment required, telephone diversion etc.);
- v. impact on counterparts who are not benefitting from Work-Life Balance Measures.

The internal policy shall be communicated to all employees.

When considering applications for any of these measures (including renewals), Directors/Heads of Department are encouraged to convene a meeting with the applicant to discuss whether the application/renewal/modification is in line with the PSMC parameters and the Department's internal policy.

Eligibility and Applicability

The modern work practices in this section are applicable to all Public Officers in the Public Service.

Public officers are eligible to apply for modern work practices, so long as the service they deliver, traits and skills are compatible with such measures.

3.1 Work On Reduced Hours¹

Definition

Work on reduced hours means that full-time Public Officers work a number of hours which is lower than their full-time working schedule. Reduced hours may vary from twenty (20) to thirty-five (35) hours, to the nearest hour, per week.

Eligibility

Full-time public officers who have been in their current position for three (3) months.

Duration

The approved arrangement is valid for twelve (12) months, which may be renewed yearly.

Application Procedure

Employees who wish to apply for work on reduced hours shall complete the Application for Reduced Hours form available [here](#). Completed application forms are to be submitted to the respective Director/Head of Department/Organisation for approval, at least two (2) weeks in advance. Any employees needing assistance are to seek such assistance from their respective Director responsible for People Management.

Employees who wish to renew their reduced time-table for a further period of twelve (12) months, under the same terms and conditions, shall complete the Renewal of Reduced Hours application form available [here](#). Any changes to the existing arrangements are to be indicated in the application form at renewal stage. Completed renewal forms are to be submitted to the respective Director/Head of Department for approval, at least two (2) weeks in advance.

In cases where due to work exigencies the Management cannot accept all applications from amongst employees within the same division/department/unit, the Management reserves the right to request the employees' reason for such a concession. In such cases, the evaluation of granting such concession is to take into consideration the reason behind such a request thus establishing priority, whilst ensuring continuation of the service provision.

Directors/Heads of Department shall make a decision on the request within ten (10) working days. Refused applications should include a justified reason.

The applicant shall be informed of the decision by an automatically-generated email. Directors responsible for People Management shall receive a copy of the notification for records purposes.

¹⁶ OPM Circular No 25/1999, MPO Circular No 108/200 5, MPO Circular No 101/2009 and MPO Circular No 18/2010

Conditions

1. Eligibility criteria for approval is not required where service provision permits, and if shift patterns are not affected. Management may still apply prioritization criteria.
2. Employees who are required to work a forty (40) hour week schedule may opt to work between twenty (20) and thirty-five (35) hours, to the nearest hour, per week. Employees who work on a shift basis may opt to work between 50% and 87.5% of their usual working hours.
3. Employees may work on a different time-table in winter and in summer.
4. An approval granted for reduced hours may, for operational reasons, be temporarily/permanently suspended by the approving authority, provided that a valid reason and two (2) weeks' notice is given to the employee in writing. The foregoing notice period does not apply whenever the arrangement is terminated due to failure to meet the desired standards and workloads, or if it results that the provisions of this policy are abused. In such cases, the reduced hours arrangement shall be terminated with immediate effect without prejudice to any further action.
5. Working on a reduced time-table does not prejudice the seniority of employees in the particular grade, or the opportunities of these employees for training, or for applying for calls for applications.

Pay and other benefits

Employees working on reduced hours are entitled to the following pay and benefits:

1. their current salary, on a pro-rata basis, depending on the chosen number of hours;
2. any allowances, on a pro-rata basis, which are linked to their duties and to which they would have been entitled to had they been working on a full time-table. Exceptions are made in the payment of the following allowances:
 - i. qualification allowance, CPD allowance and works resources, which are paid in full;
 - ii. disturbance allowance, which is paid when officers exceed the weekly hours worked by a full-time counterpart.

When employees on reduced hours are required to work beyond their usual weekly hours, and are not entitled to a disturbance allowance, are paid at the normal hourly rate for the extra hours worked. Extra hours worked that exceed the weekly hours worked by a full-time counterpart, are paid at overtime rates.

3. Employees in the position of Assistant Director benefitting from reduced hours shall be paid:
 - i. The expense allowance pro-rata,
 - ii. The communication allowance in full, and
 - iii. The performance bonus will be adjusted pro-rata depending on the circumstances of the employees' performance.
4. all leave benefits on a pro-rata basis. If a public holiday falls on the off-day of the employee working on reduced hours the vacation leave entitlement shall be increased pro-rata.
5. sixteen (16) hours urgent family leave.
6. service given on reduced hours counts in full for the purposes of salary increments.
7. the first twelve (12) months of work on reduced hours is reckoned as full-time service for progression/promotion purposes and for eligibility purposes when applying for posts/positions in the Public Service; subsequent periods of work on reduced hours is reckoned pro-rata. This applies each instance an officer is due for progression to a higher scale within the same grade or for promotion to a higher grade after a number of years' service in terms of the Classification Agreements, and for eligibility for calls for applications where applicable.

Pensionable service

For the purpose of the Treasury Pension, service on reduced hours which is not less than 50% of the normal timetable, will count in full. The Social Security contributions are based on the income earned by the employee at the rate of 1/10 by the employee and 1/10 by the employer. If the income is less than the minimum weekly wage, then the basic Social Security contribution by the employee is applicable. The Social Security Pension is computed in accordance with the Social Security Act (Cap. 318) which currently bases the pensions on the income of the best three (3) years in the last ten (10) years of service.

3.2 Flexi-time

Definition

Work on flexi-time schedule means working a set number of hours within variations in the starting and end time within agreed limits and whilst ensuring the full hours of work are performed daily.

Eligibility

Public officers who have been in their current position for three (3) months.

Duration

The approved arrangement is valid for twelve (12) months, which may be renewed yearly.

Flexible Arrangements

Public employees have the option to work on flexible hours on any of the following options.

- Employees may choose to start working up to one (1) hour earlier/later than their normal working schedule, and leave up to one (1) hour earlier/later, after having notified their respective Director / Head of Department; Directors/Heads of Department reserve the right to refuse for work related reasons; Or,
- Employees may choose to start working up to two (2) hours earlier/later than their normal working schedule, and leave up to two (2) hours earlier/later, with the approval of their respective Director / Head of Department; Or,
- Employees may choose to work a different working schedule all year round, which may vary in winter and in summer, with the approval of their respective Director / Head of Department.

Application Procedure

No application is required for flexi-time requests as per option (a) above however, the employee is required to notify their respective Director/Head of Department. In cases where the service delivery will be negatively impacted with this arrangement, the Director / Head of Department may refuse to approve such requests.

Employees who wish to apply for work on a flexible arrangement as per options (b) and (c) above, shall complete the e-form available [here](#). Completed forms are to be submitted to the respective Director/Head of Department for approval, at least two (2) weeks in advance.

Employees who wish to renew their existing Flexi-Time arrangement, shall complete the Renewal form available [here](#). If at the renewal stage, the applicant requests to change his/her existing arrangement, this needs to be indicated in the form. Completed renewal forms are to be submitted to the respective Director/Head of Department for approval, at least two (2) weeks in advance. Any employees needing assistance are to seek such assistance from their respective Director responsible for People Management.

When considering such requests, the approving authority needs to consider the needs of the applicant as well as the impact on the service delivery. The following considerations should also be made:

- The hours of work requested matches the number of hours of work required to be worked in a particular day;
- The service delivery is not negatively affected;
- No extra cost shall be incurred to accede to such requests.

In cases where due to work exigencies the Management cannot accept all applications from amongst employees within the same division/department/unit, the Management reserves the right to request the employees' reason for such a concession. In such cases, the evaluation of granting such concession is to take into consideration the reason behind such a request thus establishing priority, whilst ensuring continuation of the service provision.

The respective Director/Head of Department shall decide on the request within ten (10) working days from the date that the request is received. Refused applications should include a justified reason.

The applicant shall be informed of the decision by an automatically-generated email. Directors responsible for People Management shall receive a copy of the notification for records purposes.

Conditions

1. Eligibility criteria for approval is not required where service provision permits, and if shift patterns are not affected. Management may still apply prioritization criteria.
2. Employees may work on different time-tables in winter and in summer
3. In order to ensure the smooth running of service delivery, management may approve requests for flexi-time with a different arrangement than that originally requested by the employee. The respective Director / Head of department shall inform and discuss with the employee the proposed working schedule.
4. Employees working on a flexi-time arrangement are entitled to their salary in full, as well as any other benefits received by counterparts on a normal working time schedule. Hours worked in excess of the normal weekly hours worked by a full-time counterpart are paid at overtime rates.
5. An approval granted for flexi-time may, for operational reasons, be temporarily/permanently suspended by the approving authority, provided that a valid reason and two (2) weeks' notice is given to the employee in writing. The foregoing notice period does not apply whenever the arrangement is terminated due to failure to meet the desired standards and workloads, or if it results that the provisions of this policy are abused. In such cases, the flexi-time arrangement shall be terminated with immediate effect without prejudice to any further action.
6. Employees working on a flexi-time arrangement shall work their normal daily working hours.

3.3 Flexi-Week

Definition:

Work on a flexi-week schedule means that employees may request to spread the working week of forty (40) hours over a period of four (4) to six (6) days.

Eligibility

Public officers who have been in their current position for three (3) months.

Duration

The approved arrangement is valid for twelve (12) months, which may be renewed yearly.

Application Procedure

Employees who wish to apply for work on a flexi-week arrangement shall complete the application form available [here](#). Completed forms are to be submitted to the respective Director/Head of Department for approval, at least two (2) weeks in advance.

Employees who wish to renew their flexi-week arrangement, shall complete the renewal form available [here](#). If at the renewal stage, the applicant requests to change his/her existing arrangement, this needs to be indicated in the form. Completed renewal forms are to be submitted to the respective Director/Head of Department for approval, at least two (2) weeks in advance. Any employees needing assistance are to seek such assistance from their respective Director responsible for People Management.

When considering such requests, the approving authority needs to consider the needs of the applicant as well as the impact on the service delivery. In cases where due to work exigencies the Management cannot accept all applications from amongst employees within the same division/department/unit, the Management reserves the right to request the employees' reason for such a concession. In such cases, the evaluation of granting such concession is to take into consideration the reason behind such a request thus establishing priority, whilst ensuring continuation of the service provision.

The respective Director/Head of Department shall decide on the request within ten (10) working days from the date that the request is received. Refused applications should include a justified reason.

The applicant shall be informed of the decision by an automatically-generated email. Directors responsible for People Management shall receive a copy of the notification for records purposes.

Conditions

1. Eligibility criteria for approval is not required where service provision permits, and if shift patterns are not affected. Management may still apply prioritization criteria.
2. Employees may work on different time-tables in winter and in summer.
3. Beneficiaries of flexi-week arrangements may not work more than twelve (12) hours in a given day, and shall take at least a 15 minutes' break after six (6) hours work. It is to be ensured that the break is availed of neither immediately before nor after working hours.
4. In order to ensure the smooth running of service delivery, management may approve requests for flexi-week schedules with a different arrangement than that originally requested by the employee. The respective Director / Head of department shall inform and discuss with the employee the proposed working schedule.
5. Employees working on a flexi-week arrangement are entitled to their salary in full, as well as any other benefits received by counterparts on a normal working time schedule. Hours worked in excess of the normal weekly hours worked by a full-time counterpart are paid at overtime rates.
6. It is the obligation of employees who are working on a flexi-week arrangement to ensure that they work their normal weekly working hours during that same week.
7. An approval granted for flexi-week may, for operational reasons, be temporarily/permanently suspended by the approving authority, provided that a valid reason and two (2) weeks' notice is given to the employee in writing. The foregoing notice period does not apply whenever the arrangement is terminated due to failure to meet the desired standards and workloads, or if it results that the provisions of this policy are abused. In such cases, the flexi-week arrangement shall be terminated with immediate effect without prejudice to any further action.
8. Vacation leave and hours worked are to amount to the employee's expected normal working hours. Any vacation leave is to be calculated at the equivalence of a standard day's work.
9. Employees working on a flexi-week arrangement are still expected to attend to meetings/training and other work-related events if these are held outside the employee's flexible working week schedule.

3.4 Remote Working

3.4.1 INTRODUCTION

Following an analysis of the implementation of remote working, which was introduced on the 1st October 2021, the policy is being revised with a view to address the changing realities whilst providing an optimized work-life balance measure based on lessons learned.

This policy applies to Public Officers within the Public Service performing job roles classified by the Head of Department as compatible with the concept of remote working. The Public Service as the lead employer, recognizes that different employees have varying needs. In this regard, the concept of remote working is being extended to provide for those instances whereby employees, for various justifications, require to work a larger amount of hours remotely, hence the introduction of Extended Remote Working.

3.4.2 DEFINITION OF TERMS AND ELIGIBILITY CRITERIA

Duration

Remote Working and Extended Remote Working arrangements are valid for a period of twelve (12) months, which may be renewed yearly.

a. Remote Working

Remote working is a way of doing work which provides employees with full flexibility in the locations other than the workstation allocated to the employee by the management. Up to 20% of the weekly working hours may be worked remotely, without the need to provide a justification. Remote working hours are to be worked during the employee's normal office hours. A remote working arrangement is approved by the employee's respective Director/Head of Department.

Eligibility

Public Officers whose nature of their job is suitable for remote working and who have been in their current position for three (3) months.

b. Extended Remote Working

Extended remote working is a remote working arrangement whereby employees may work any number of their weekly working hours remotely. Beneficiaries of extended remote working may work the remote working hours or part thereof, outside their normal hours of work. An extended remote working arrangement is approved by the employee's respective Permanent Secretary. Extended Remote Working is absorbing the existing arrangements of telework.

Eligibility

Public Officers who have been in their current position for three (3) months and whose job is suitable for remote working/extended remote working.

Eligibility criteria for Remote Working is not required where service provision permits, and if shift patterns are not affected. Management may still apply prioritization criteria.

Employees are required to provide a justification when applying for Extended Remote Working. The eligibility for Extended Remote Working may include, but is not limited to the following reasons:

- i. Public officers who have children up to sixteen (16) years that need to be taken care of;
- ii. Public officers who have dependent elderly parents, sons and daughters, or spouse/partner in a civil union;
- iii. Public officers who have a valid medical/humanitarian reason. In this case the public officer is required to produce a medical specialist's certificate certifying that for medical or serious humanitarian and/or family reasons, they may not attend their duties fully from the office.
- iv. Other exceptional cases, at the discretion of the Permanent Secretary.

The approving authority may request supporting documentation prior to approving requests for extended remote working.

In cases where due to work exigencies the Management cannot accept all applications from amongst employees within the same division/department/unit, the Management reserves the right to request the employees' reason for such a concession. In such cases, the evaluation of granting such concession is to take into consideration the reason behind such a request thus establishing priority, whilst ensuring continuation of the service provision.

3.4.3 APPLICATION PROCEDURE

Employees are required to apply for or renew Remote Working and Extended Remote Working by submitting the e-form to the respective Director/Head of Department at least two (2) weeks in advance. The Director/Head of Department shall be automatically informed of the application and shall decide on the request within three (3) working days from receipt of notification. In the case of Extended Remote Working, the respective Permanent Secretary will subsequently be automatically informed of the application and shall decide on the request within five (5) working days from receipt.

The applicant shall then be informed of the final decision by an automatically-generated email. The Director responsible for People Management shall receive a copy of the notification for records purposes.

The e-form for Remote Working and Extended Remote Working may be accessed [here](#). Guidelines on how to apply using the e-form may be accessed from [here](#).

3.4.4 CONDITIONS

1. The remote working and extended remote working arrangements are entirely voluntary and may neither be imposed by management nor demanded as of right by the employee.
2. The entitlement of 20% remote working hours do not necessarily need to be worked in one whole day.
3. Beneficiaries of Remote Working shall work their remote working hours during office hours. On the other hand beneficiaries of Extended Remote Working may work their remote working hours or part thereof outside their normal office hours, in agreement with the respective Director/Head of Department and with the approval of the Permanent Secretary.
4. All remote workers are expected to register that they are working remotely by logging onto MyPortal and clicking on the appropriate function each time that they are working remotely. Failure to do so may lead to disciplinary proceedings.
5. Beneficiaries of remote working/extended remote working must ensure that they have viable means of data connectivity allowing them to work remotely effectively.
6. The office telephone line must be diverted to the remote worker's personal phone/mobile phone/Teams during office hours.
7. Beneficiaries are to ensure that they abide by the professional standards at section 3.4.5.
8. The same rights guaranteed by the relevant legislation, policies, and collective and sectoral agreements shall continue to apply to employees working remotely.
9. Employees working on a Remote Working/Extended Remote Working arrangement are entitled to their salary in full, as well as any other benefits received by non-remote working counterparts. Hours worked in excess of the normal weekly hours worked by a full-time counterpart are paid at overtime rates.
10. An approval granted for remote/extended remote working may, for operational reasons, be temporarily / permanently suspended by the approving authority, provided that a valid reason and fifteen (15) working days' notice is given to the employee in writing. The foregoing notice period does not apply whenever the arrangement is terminated due to failure to meet the desired standards and workloads, or if it results that the provisions of this policy are abused. In such cases, the remote/extended remote working arrangement shall be terminated with immediate effect without prejudice to any further action.
11. Employees on remote/extended working who would like to revert to their normal working schedule earlier than the agreed date, shall submit a written request to the respective Director/Head of Department, giving fifteen (15) working days' notice. Approval for reversion to a normal working schedule is subject to the respective Director/Head of Department approval.
12. To maintain effective communication, remote workers are encouraged to work as part of a team and are advised to communicate with their manager and/or colleagues on a regular basis when working remotely.
13. Remote workers must agree not to leave vacation leave accumulate towards the end of the calendar year and shall provide a vacation leave planner in terms of the PSMC provisions.
14. The policy embraces the right to disconnect principle and grants workers with the right to be able to disengage from work and refrain from engaging in work-related electronic communications, such as emails or other messages, during non-office/working hours. In cases, however where a contract of employment specifies otherwise, or a worker benefits from an allowance to cover an irregular schedule of work, this principle shall not apply.
15. If an employee is unable to work owing to sickness, the PSMC sick leave provisions, as well as any internal policy on the communication of sick leave, shall apply.
16. Arrangements should be put in place to ensure that all employees have the same access to Government information as their office-based colleagues. All internal communications such as memos and newsletters are to reach remote workers promptly by means of the formally established digital channels.

3.4.5 PROFESSIONAL STANDARDS

All employees, whether working remotely or otherwise, are bound by the quality service standards established by the Public Service. The rules, regulations, directives, and policies applicable to public officers are to be strictly adhered to when working remotely. These guidelines are to be read in conjunction with the Code of Ethics for Public Employees and the Professional Standards issued through the PSMC.

1. Employees working away from the office are to ensure that appropriate office attire is worn when making video calls.
2. Employees are expected to be connected in time for any online meetings scheduled. Videocalls should be held in quiet places. Headphones should be used in order to ensure confidentiality and the 'raise hand' function should be used, when necessary, to minimise disruption. Cameras should be turned on and microphones should be kept muted unless the participant is speaking.
3. To maintain a professional image of the Public Service, it is important that when making video calls, backgrounds are blurred. Alternatively, if employees are not working from an office setup, they can use corporate backgrounds. Inappropriate and unprofessional backgrounds are not allowed.
4. Whenever an employee needs to record a call, s/he shall ensure that the other person/s taking part in the same call are informed beforehand and shall only proceed with the recording if all parties give their consent to the recording. No calls shall be recorded without the consent of all persons taking part in the same call. Recorded meetings shall be saved in terms of the policy concerning information retention. Failure to abide with these provisions may lead to disciplinary action.
5. During video calls employees shall ensure that they are following what the other participants are saying and should avoid carrying out other tasks such as reading e-mails, browsing, or eating.
6. Employees are to ensure that confidentiality and data protection are maintained at all times. Confidential phone/video calls and meetings shall take place in locations that may not, in any way, compromise confidentiality or lead to leakage of information. Likewise, great care is to be taken to make it impossible in any way for third parties to view, read, or come into possession of official and confidential documents.
7. Employees shall keep any communication system installed on their computer on during office hours to ensure that they can be easily reached.
8. When communicating with clients, the quality service standards stipulated by Directives 4-2 and 8-1, including the established timeframes, are to be adhered to at all times.
9. Active communication is to be maintained at all times to avoid alienation and disassociation from the rest of the team.

3.4.6 DATA PROTECTION

Ministries are responsible for taking all the appropriate measures in order to ensure that any data used by the remote worker in connection with their working activity is fully protected. The Head of Department or their delegate should indicate to the employee the applicable rules and regulations concerning data protection. It is the employee's responsibility to comply with these rules and regulations, and in case of any breaches the remote working agreement may be terminated without prejudice to further action.

The security of equipment, assets, information, confidentiality, and copyright should be in accordance with Government's relevant policies. Employees shall ensure the protection of any work-related and client information accessible from remote places. Measures for security include the use of locked file cabinets and desks, regular password maintenance, and other appropriate measures consistent with the nature of the work. Remote workers shall ensure that other household members or friends do not have access to work related documents, personal and/or confidential data as defined by the Data Protection Act.

3.4.7 PRIVACY

Permanent Secretaries (or their delegate) are to ensure that remote working employees' privacy is respected, whilst also ensuring that the security norms are in place. Any monitoring systems, such as the centrally approved electronic Attendance Verification System, must be proportionate to the objectives to be achieved.

Employees should be advised in cases where their activity is being monitored. This includes cases of the utilisation of key-logging software where all activity on the employee's computer can be tracked and recorded, or where the employee's computer is being controlled remotely.

The GDPR and Data Protection Act (Chapter 586 of the Laws of Malta) may be accessed on www.legislation.mt

3.4.8 HEALTH AND SAFETY

Remote working aims to promote employees' mobility, therefore, the employer's responsibility for the health and safety of remote workers is only limited to the official workplaces provided by the Public Service and cannot be extended to other workplaces which are outside the employer's responsibility, in accordance with the Occupational Health and Safety Authority Act (Cap. 424), and collective agreements.

3.4.9 JOB SUITABILITY

Jobs suitable for remote working include those involving a high degree of information-processing that also have clear objectives and measurable outputs and require minimal supervision. The impact on the service offered to clients, as well as on the employee when delivering the service, should be taken into consideration.

Jobs that require employees' ongoing physical presence and jobs which require face-to-face contact with the public and/or other staff members are not suitable for remote working.

3.4.10 EMPLOYEE SUITABILITY

In order for an employee to conduct their duties remotely successfully, the employee must possess, amongst others, the following traits and skills:

- (a) Ability to work independently and without constant supervision;
- (b) Competence in time management skills;
- (c) Excellent communication skills;
- (d) Ability to work in a team; and
- (e) ICT literacy skills



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