

## ANNUAL LEAVE

How many days of paid annual leave an employee is entitled to for each year of service?

Depends on what has been agreed by both Parties in their contract of service.

If its not stated in the contract of service, the annual leave shall be in accordance to their year of service as per stated in the Employment Order, 2009.

## SICK LEAVE

How many days of paid sick leave an employee is entitled to for each year of service?

14 days outpatient sick leave per year and 60 days hospitalization leave (including the 14 days outpatient sick leave)

## MATERNITY LEAVE

All citizen or permanent residents are entitled to 15 weeks (105 days) as follows:-

- The period of 2 weeks immediately before the delivery of the child;
- The period of 13 weeks immediately after the delivery of the child.



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DEPARTMENT OF LABOUR  
MINISTRY OF HOME  
AFFAIRS

EMPLOYMENT ORDER  
2009



EMPLOYEES GUIDELINE ON  
PAYMENT OF SALARY, WORKING  
HOURS AND LEAVE  
ENTITLEMENT IN THE PRIVATE  
SECTOR

## PAYMENT OF SALARY

No salary period shall exceed one month.

All salary other than overtime payment must be paid within 7 days after the end of salary period.

Salary for overtime must be paid within 14 days after the end of the salary period.

**Any employer who fails to pay the salary of an employee in accordance with the provisions of this Part is guilty of an offence and liable on conviction to a fine not exceeding BND\$3,000.00, imprisonment for a term not exceeding one year or both.**

## WORKING HOURS

How many hours can an employee normally be expected to work in a day/week?

### Non-Shift Workers

The hours of work shall not be more than 8 hours a day or more than 44 hours a week.

### Shift Workers

The hours of work shall not be more than an average of 44 hours a week over any continuous period of 3 weeks subject to a maximum of 12 hours a day.

## OVERTIME

In the event, where an employee is required to work beyond his contractual hours of work i.e. 8 hours per day or 44 hours per week is regarded as overtime.

How many hours can an employee normally be expected to work overtime in a day?

An employee is not allowed to work for more than 12 hours in a day (inclusive of overtime work).

Overtime has to be paid if the employee is required to work beyond his contractual hours of work.

### Formula for Overtime Payment

**Hourly Basic Rate of Pay X 1.5 X No. of Hours Overtime Worked**

An employee is permitted to work up to a limit of 72 hours of overtime in a month.

**Any employer who fails to pay the overtime of an employee in accordance with the provisions of this Part is guilty of an offence and liable on conviction to a fine not exceeding BND\$3,000.00, imprisonment for a term not exceeding one year or both.**

## REST DAY

An employee is entitled to 1 rest day each week. The rest day shall be on a Sunday or any other day as scheduled and informed by an employer before the beginning of each month.

## PUBLIC HOLIDAYS

An employee is entitled to 11 days public holidays in a year:-

- 1) 1st January
- 2) First Day of Hijrah
- 3) Chinese New Year
- 4) 23rd February (Brunei's National Day)
- 5) Maulud Prophet Muhammad's Birthday
- 6) 15th July (His Majesty's Sultan and Yang Di-Pertuan's Birthday)
- 7) First Day of Ramadhan
- 8) Anniversary of the Revelation of Quran
- 9) Hari Raya Aidilfitri
- 10) Hari Raya Aidiladha
- 11) 25th December (Christmas Day)

**Any employer who fails to provide a rest day is guilty of an offence and liable on conviction to a fine not exceeding BND\$800.00, and for a second or subsequent offence to a fine not exceeding BND\$1,600.00, imprisonment for a term not exceeding one year or both.**