

INCLUSIVE LABOUR MARKET

A handbook for refugees and asylum seekers on working in Cyprus



May 2023



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FIELDS OF WORK ALLOWED	6
UNLAWFUL EMPLOYMENT	7
LABOUR RELATIONS	7
INFORMATION TO EMPLOYEES	7
WORKING HOURS	8
PROTECTION OF WAGES	8
MINIMUM WAGE AND COMPENSATION	9
SOCIAL SECURITY CONTRIBUTIONS AND INCOME TAX WITHHOLDINGS	9
FIXED-TERM WORK	10
TERMINATION OF EMPLOYMENT	10
ANNUAL PAID LEAVE	11
SICK LEAVE	11
SOCIAL INSURANCE BENEFITS	11
UNEMPLOYMENT AND SICKNESS ALLOWANCES	12
MATERNITY	13
PATERNITY	13
PARENTAL LEAVE	13
LEAVE ON GROUNDS OF <i>FORCE MAJEURE</i>	14
CARERS' LEAVE	14
SOCIAL WELFARE BENEFITS	14
GENERAL HEALTHCARE SYSTEM	15
COLLECTIVE RELATIONS	15
ANTI-DISCRIMINATION LEGISLATION	16
DATA PROTECTION	16
WHISTLEBLOWING	17
MINORS	17
USEFUL CONTACTS	19



FIELDS OF WORK ALLOWED

Recognised refugees and beneficiaries of subsidiary protection are entitled to equal treatment as Cypriot citizens regarding gainful employment or independent professional activity according to the regulations of the particular profession and of public administration, without particular formalities, other than the standard registration with the Tax Department and the Social Insurance Services. They have the same rights as citizens to remuneration, access to social security benefits, and other conditions of employment.

In the case of asylum seekers, access to the labour market is allowed one month from the date of submission of the application for asylum, expected to be increased to nine months as of 1 August 2023, provided that they have a contract of employment, duly stamped by the Department of Labour.

However, employers are entitled to submit a Declaration of Temporary Employment of Asylum Seekers to the Department of Labour, in order to then be able to register employees with the Social Insurance Services and commence employment. Within a week from the date of submission of this declaration, the employer is required to submit a full application to the Department of Labour. If the contract is then rejected by the Department of Labour, and thus will not be stamped, the temporary employment will have to stop with immediate effect.

Please be informed that a problem which employees may encounter is that they may actually receive the stamped contract months after commencement of work, due to delays at the Departments of Labour and of Labour Relations in reviewing and stamping the contracts. To this effect, it may take months for employed asylum seekers to receive their terms of employment. In light of this, it is advisable that asylum seekers request a copy of the employment contract before the original is submitted for stamping, so that they can be properly informed of their rights and obligations from day one. In fact, as noted further below, they anyway have the right to receive, within seven calendar days from commencement of employment, in writing or electronically, the material terms of the employment relationship and certain further information within one month.

At present, asylum seekers can only work in the following professions:

- ▶ Agricultural workers
- ▶ Livestock workers
- ▶ Poultry workers
- ▶ Fishery workers
- ▶ Fish farm workers
- ▶ Animal caretakers
- ▶ Feed production workers
- ▶ Night shift production workers in bakeries and dairies
- ▶ Loading and unloading porters
- ▶ Night shift poultry workers
- ▶ Sewerage and sewage and waste management workers
- ▶ Garbage and dog waste collection and processing workers
- ▶ Recycling workers
- ▶ Animal waste and abattoir by-products processing workers
- ▶ Petrol station workers – car washers
- ▶ Loading and unloading porters
- ▶ Fish shop workers
- ▶ Assistant car straighteners – Assistant car painters
- ▶ Building and outdoor cleaning workers in cleaning crews
- ▶ Distributors of promotional and informational material
- ▶ Ready-made food delivery
- ▶ Garden cleaning workers
- ▶ Pest / rodent extermination workers in homes and offices
- ▶ Kitchen assistants and kitchen cleaners
- ▶ Laundrette workers

It is noted that asylum seekers are only allowed to have one employer at a time, so their employment must either be terminated, or they must resign before proceeding with employment at a new employer – a relevant release document may also need to be filed.

It is also noted that persons who, at the time of their application for asylum, were already working in the agriculture/livestock sector, cannot be employed in another field.



UNLAWFUL EMPLOYMENT

Kindly note that employment of an asylum seeker in a profession other than the above permitted professions, or employment of an asylum seeker after either the failure to file a recourse against a negative administrative decision on the asylum application within the deadline or after a negative judgment of the Administrative Court of International Protection that rejects the recourse, is a criminal offence punishable by up to three months' imprisonment and/or up to 2 000 euros for the asylum seekers, as well as up to the three years' imprisonment and/or up to 8 000 euros for the employer.

LABOUR RELATIONS

Asylum seekers that wish to file a complaint against their employers need to file a letter outlining the facts and complaint with the District Unit of the Aliens and Immigration Service of the Police, at the district of the employer. The complaint is then passed on to the competent District Office of the Department of Labour Relations. The relevant District Office, then, calls both parties (employee and employer) to a meeting, so that they may take a position on the matter. Following, an Inspector of the Department of Labour Relations prepares a statement of facts with a relevant recommendation, which they, then, send to the Labour Disputes Resolution Committee, which comprises an official of the Ministry of Labour and Social Insurance, an official of the Civil Registry and Migration Department of the Ministry of Interior, and an official of the Aliens and Immigration Service of the Police. A final decision is, then, taken by the Assistant Director of the Civil Registry and Migration Department, who notifies the two parties in writing.

Recognised refugees and beneficiaries of subsidiary protection may file their complaint directly with the Department of Labour Relations [online](#).

Such complaints may include non-payment or arbitrary reductions to wages, breaches of the conditions of the employment relationship, independent claims that arise from the employment contract, claims to annual leave or other rights that arise from employment legislation, breaches of legislation on protection of maternity, paternity, parenthood, carers et al.

INFORMATION TO EMPLOYEES

Employees must (and are entitled to) receive, within seven calendar days from commencement of employment in writing or electronically, at least the following information:

- a |** the identities of the parties to the employment relationship;
- b |** the place of work; where there is no fixed or main place of work, the principle that the worker is employed at various places or is free to determine his or her place of work, and the registered place of business or, where appropriate, the domicile of the employer;
- c |** either:
 - i -** the title, grade, nature or category of work for which the worker is employed or
 - ii -** a brief specification or description of the work;
- d |** the date of commencement of the employment relationship;
- e |** in the case of a fixed-term employment relationship, the end date or the expected duration thereof;
- f |** the duration and conditions of the probationary period, if any;
- g |** the remuneration, including the initial basic amount, any other component elements, if applicable, indicated separately, and the frequency and method of payment of the remuneration to which the worker is entitled;
- h |** if the work pattern is entirely or mostly predictable, the length of the worker's standard working day or week and any arrangements for overtime and its remuneration and, where applicable, any arrangements for shift changes
- i |** if the work pattern is entirely or mostly unpredictable, the employer shall inform the worker of:
 - i -** the principle that the work schedule is variable, the number of guaranteed paid hours and the remuneration for work performed in addition to those guaranteed hours;
 - ii -** the reference hours and days within which the worker may be required to work;
 - iii -** the minimum notice period to which the worker is entitled before the start of a work assignment and, where applicable, the deadline for cancellation of the employment relationship.





Employees must also (and are entitled to) receive, within one calendar month from commencement of employment in writing or electronically, the following information:

- a | in the case of temporary agency workers, the identity of the user undertakings, when and as soon as known;
- b | the training entitlement provided by the employer, if any;
- c | the amount of paid leave to which the worker is entitled or, where this cannot be indicated when the information is given, the procedures for allocating and determining such leave;
- d | the procedure to be observed by the employer and the worker, including the formal requirements and the notice periods, where their employment relationship is terminated or, where the length of the notice periods cannot be indicated when the information is given, the method for determining such notice periods;
- e | any collective agreements governing the worker's conditions of work or in the case of collective agreements concluded outside the business by special joint bodies or institutions, the name of such bodies or institutions within which the agreements were concluded;
- f | where it is the responsibility of the employer, the identity of the social security institutions receiving the social contributions attached to the employment relationship and any protection relating to social security provided by the employer.

Nevertheless, as explained earlier on, in any case, in order to engage an asylum seeker, employers are obliged to submit a contract within seven days of submission of the Declaration of Temporary Employment of Asylum Seekers, which shall then need to be stamped, even though employment can already commence beforehand.

The template employment contract provided by the Department of Labour is available only in Greek. Therefore, it is advisable to request either a certified translation of the contract into the employee's first language or a language that they can understand, prior to signing, or pertinent legal advice.

WORKING HOURS

There is a statutory average maximum of 48 hours a week, over a reference period of four months, and a minimum of 24 consecutive hours' rest per week. Whenever daily work exceeds six hours, the employee is entitled to at least fifteen minutes' continuous break (not consecutive to the beginning or the end of the work), at which time the employee is entitled to leave their job position.

Derogations from maximum working hours provisions may be made, provided that the general safety-and-health-at-work provisions are complied with, under certain conditions, in particular, consent is required by employees, no consequence can be incurred by them for refusing to perform such work, the employer must maintain and update a relevant register to this effect, which is at the disposal of the Minister of Labour and Social Insurance, who can impose restrictions on such derogations (on safety-and-health-at-work grounds), and the employer must give information to the Minister, upon their request, in relation to employee consent.

There are also special provisions for certain professions, in particular staff in the retail sector, tourist sector, mining, as well as clerical staff, where the maximum working time has further limitations.

PROTECTION OF WAGES

No deductions may be made to current wages, unless (a) they are foreseen by statute or regulations or applicable collective agreement(s), or (b) they are in accordance with regulations of pension, provident or medical funds, or (c) they are made pursuant to a court judgment, (d) they are made as compensation for damage caused by intention or gross negligence of the employee to the business (after consultation with the employee or employee representatives, or upon mediation of the Ministry of Labour and Social Insurance), or (e) made upon written and signed consent of the employee. Any such deductions shall be limited to the degree to which the employee will be able to sustain themselves and their family. Otherwise, the employer may incur criminal liability.

Please also note that the minimum frequency of payment, i.e. maximum period between one payment of salary to the next one is one month.

Kindly also note that all payments of salary have to be made either into a bank account or by cheque. However, during the first four months of employment payment can be made in cash, pending the opening of a bank



account. By exception, payment can continue being made in cash past the four months, if the opening of the bank account is rejected for any reason and the relevant decision of the bank is notified by the employer to the Department of Labour Relations. In addition, if payment of wage is made on a weekly basis, payment in cash can take place permanently, only if foreseen so specifically in the applicable collective agreement (if any) or the individual employment contract which bears full name and signature of the two parties.

MINIMUM WAGE AND COMPENSATION

In general, apart from the minimum standards of protection set out below, salaries are not regulated by law and can be negotiated by the employer and the employees (or their representatives) through individual or collective agreements.

By decree of the Council of Ministers, as of 1 January 2023, a new minimum wage is set for all employees working in the Republic of Cyprus, excluding the below categories:

- ▶ domestic workers;
- ▶ agricultural and livestock workers;
- ▶ maritime workers;
- ▶ employees that benefit from more favourable arrangements by law, contract, practice or custom;
- ▶ employees in the hotel industry covered by the Decree on Minimum Wage in the Hotel Industry of 2020; and/or
- ▶ any employee who receives training or education provided for by law, practice or custom to obtain a diploma and/or to practice a profession.

In the case of seasonal workers under 18 years of age, whose duration of work does not exceed two consecutive months, the minimum wage may be reduced by 25%. Further, the minimum wage of employees whose food is covered by the employer may be reduced by 15% and when accommodation is covered by further 10%. The employee nevertheless retains the right to terminate such an arrangement by providing a 45 days' notice to the employer.

The new minimum wage for a full-time employment is set at 885 euros per month, which increases to 940 euros after six months of continuous employment with the same employer.

There is also an additional decree concerning minimum wages for different job positions within hotels. Depending on the job position, these vary between 870 to 1 070 Euros per month and/ or between 5.28 to 6.32 euros per hour.

Overtime pay is not generally regulated by law in Cyprus, and it is usually regulated by individual or collective agreement or employer practice or custom. There are a few exceptions regulated by law, such as the retail sector and sections of the hospitality industry.

SOCIAL SECURITY CONTRIBUTIONS AND INCOME TAX WITHHOLDINGS

The following constitute the applicable income tax brackets and statutory contributions, deductions and withholdings:

▶ Personal income tax, per year

- Up to 19 500 euros: 0%
- 19 501 – 28 000: 20%
- 28 001 – 36 300: 25%
- 36 301 – 60 000: 30%
- 60 001 and over: 35%

▶ Contributions and deductions

- Social Insurance Fund: employee – 8.3% / employer – 8.3% / state – 4.9%
- Redundancy Fund: employer – 1.2%
- Human Resource Development Fund: employer – 0.5%
- Social Cohesion Fund: employer – 2%
- General Healthcare System: employee – 2.65% / employer 2.9% / state – 4.7%
- Central Holiday Fund: 8% (if leave is not paid directly to employee)



FIXED-TERM WORK

Where an employer has employed an employee on a fixed-term contract or upon renewal of the contract or otherwise, and this employee has worked in total for 30 months or more at that place of business the contract is then considered for all intents and purposes as a contract of indefinite duration, unless the employer can prove objective grounds, i.e. (a) the needs of the company for the specific operation are temporary, (b) the employee replaces another employee, (c) the particularity of the work justifies the definite term, (d) the employee is employed on probation, (e) the employment on fixed term is upon application of a judicial decision, (f) the duties of the position require a perfect physical condition, or (g) military-related work.

Whether an employment relationship is fixed-term or indefinite-term is important because when it is a fixed-term relationship it is terminated according to the terms of the contract/relationship, while if it is considered to be of indefinite duration relationship it must be objectively grounded on the provisions of applicable law, otherwise it is “unfair dismissal” and the employer is liable for compensation in accordance with applicable law.

TERMINATION OF EMPLOYMENT

Dismissals that cannot be justified under any one of the grounds exhaustively listed in section 5 of Law 24/1967 are considered unlawful and the employee has the right to compensation unless the employee is still on probation (probation is for a maximum of six months, and can be extended up to two years only for managerial staff):

- a | unsatisfactory performance (excluding temporary incapacitation due to illness, injury, and childbirth);
- b | redundancy;
- c | force majeure, act of war, civil commotion, or act of God;
- d | termination at the end of a fixed period;
- e | conduct rendering the employee subject to summary dismissal; and
- f | conduct making it clear that the relationship between employer and employee cannot reasonably be expected to continue, commission of a serious disciplinary or criminal offence, indecent behaviour, or repeated violation or ignorance of employment rules.

Compensation to which employee is entitled cannot exceed the equivalent of two years’ wages and is payable by the employer insofar as it does not exceed the employee’s annual wages and from the Redundancy Fund to the extent that such compensation exceeds the employee’s annual wages.

Minimum compensation that shall be awarded by the court in case of a successful unlawful dismissal claim is calculated as follows:

- a | two weeks’ wages for each year of service up to four years;
- b | two-and-a-half weeks’ wages for each year of service from five to 10 years;
- c | three weeks’ wages for each year of service from 11 to 15 years;
- d | three-and-a-half weeks’ wages for each year of service from 16 to 20 years;
- e | four weeks’ wages for each year of service beyond 20 years.

Employees are also entitled to a written notice of termination, outlining the grounds for the termination, unless the employee has been terminated on (e) or (f) grounds explained further above, with a notice period calculated on a graduated scale as follows:

- a | 0 days for 26 continuous weeks’ employment;
- b | One week for 26 – 52 continuous weeks’ employment;
- c | Two weeks for 52 – 104 continuous weeks’ employment;
- d | Three weeks for 104 – 156 continuous weeks’ employment;
- e | Five weeks for 156 – 208 continuous weeks’ employment;
- f | Six weeks for 208 – 259 continuous weeks’ employment;
- g | Seven weeks for 260 – 311 continuous weeks’ employment;
- h | Eight weeks for 312 continuous weeks’ employment or more.

Otherwise, compensation for immediate termination can be paid in lieu of notice.



Employee must also give notice of resignation according to their length of service as follows:

- a | 0 days for 26 continuous weeks' employment;
- b | One week for 26 – 52 continuous weeks' employment;
- c | Two weeks for 52 – 260 continuous weeks' employment; and
- d | Three weeks for 260 or more continuous weeks' employment.

We note that, upon termination of employment, employees have the statutory right to request a certificate attesting to their employment which does not include any negative reference.

Please note that there is no right to free legal aid from the state in cases of labour disputes, but, in case an employee is the successful party, the employer shall be ordered to pay their legal expenses.

ANNUAL PAID LEAVE

The minimum paid leave entitlement for employees working on a five-day basis is 20 working days and for employees working on a six-day basis it is 24 working days, unless the employee is entitled to more on the basis of individual or collective agreement, employer custom or practice.

The contribution rate to the Central Holiday Fund is 8% for the minimum leave and is payable wholly by the employer. The employee will need to apply through the Social Insurance Services for payment due to absence on annual leave.

However, it is common practice in many businesses to pay the employee directly the annual leave with full pay, in order to be exempted from the contribution to the Central Holiday Fund. Please note that, in such a case, for the employer to be exempted, they also need to be more beneficial than the applicable law, i.e. the legal minimum should be exceeded, for example 21 days for a five-day week or 26 days for a six-day week respectively. Therefore, keep in mind that if your employer pays you the annual leave directly with full pay, they should be granting you more days of leave than the minimum.

Further, with regard to public holidays, they are compulsory only for retail sector workers. There is no statutory entitlement to public holidays otherwise to this effect, but it is a matter of the individual employment contract or the collective agreement or employer custom or practice. It is common practice to grant a number of public holidays and any such public holidays observed by the employer are applicable to all employees.

SICK LEAVE

There is no statutory minimum for paid sick leave that needs to be granted by the employer and there is also no entitlement to payment by the employer for absence due to sickness or injury, unless the employee is entitled to any payment on the basis of individual or collective agreement, employer custom or practice.

However, the employee may still claim a sickness benefit from the Social Insurance Fund, when the number of continuous sick leave days exceeds three, as explained further below.

There is also express protection from dismissal, with limited exceptions, throughout the period of absence due to sickness or injury, plus one quarter, e.g. if one is absent for four months, their protection will span the entire period of absence and for one month after the end of the absence. The maximum protection is for twelve months, plus one quarter.

SOCIAL INSURANCE BENEFITS

The Social Insurance Fund provides the following benefits:

- ▶ maternity allowance;
- ▶ sickness allowance;
- ▶ unemployment benefit;
- ▶ statutory pension (or lump sum due to old age);
- ▶ disability pension;
- ▶ widowhood pension;
- ▶ orphan allowance;
- ▶ missing person benefit;





- ▶ paternity allowance;
- ▶ childbirth benefit;
- ▶ funeral allowance;
- ▶ thalassemia benefit;
- ▶ parental leave allowance; and
- ▶ a number of benefits related to damages caused due to occupational accidents.

Basic insurance conditions: The persons covered by the Social Insurance Fund are employees and self-employed (as well as persons that willingly contribute under certain conditions), provided that they have (a) in total, actual basic insurance at least equal to 0.50 of the insurance unit, (b) contributed to the Fund for at least twenty-six weeks, and (c) has actual or simulated insurance equal to at least 0.39 of the insurance unit in the previous year. The insurance unit changes every year; for your reference it is 10 010 euros in 2023.

Please also note that the different types of pensions have other conditions.

All legally employed persons in Cyprus, including asylum seekers and international protection beneficiaries, are eligible for these benefits, irrespective of nationality. In case social insurance officials refuse to accept an application that fulfils the minimum conditions, an applicant has the right to submit their objection in writing to the Director of the Social Insurance Services. If they are then dissatisfied by the Director's decision they may proceed within fifteen days with a hierarchical recourse before the Minister of Labour and Social Insurance, and then, if they are still dissatisfied with the Minister's decision, they may proceed within seventy-five days with a recourse to the Administrative Court.

In the event of refusal by social insurance officials to accept the application, applicants are advised to request such decision in writing, which will enable them to challenge it (in the way explained, i.e. Director, Minister, Administrative Court).

We note that for most allowances of the Social Insurance Services, the application needs to be made online through the [CY Login platform](#). More information [here](#).

UNEMPLOYMENT AND SICKNESS ALLOWANCES

The basic amount of the allowance (for unemployment or absence due to sickness or injury) per week is, currently in 2023, equal to 0.6×192.47 , plus 20% for each dependent spouse, plus 10% for any other dependent up to two. The further supplementary allowance is equal to $[(\text{weekly wage} - 192.47) / 192.47 \times 0.5]$. Please note that the supplementary allowance cannot exceed 192.47 euros. These amounts are amended every year by ministerial decree.

Please note that the first three days of interruption of employment are unpaid and the maximum is 156 consecutive days.

For the unemployment allowance, applicants need to, first, register on the online platform of the [Public Employment Services of the Department of Labour](#) as jobseekers, wait for a confirmation call/email from the [Services](#) and then apply online through the [CY Login platform](#) for the unemployment allowance. Registration with the Public Employment Services may need renewal when you are out of work for extended period.

Kindly note that, apart from the basic insurance conditions explained in the previous section, for you to qualify for the unemployment allowance you also need to be between 16 and 63 years of age (extended to 65, if not entitled to a statutory pension), unemployed, not engaged in work from which you earn more than 1/12 of the amount of the basic insurable earnings (192.47 euros per week in 2023), be capable of work, and be available to work (actively look for employment).

A person who has exhausted the entitlement to unemployment or sickness benefit (i.e. who has been paid benefits for 156 days) requalifies to receive such allowance if, after exhausting the right, they have been employed for at least 26 weeks (in case of unemployment allowance) or 13 weeks (in case of sickness allowance) and have paid contributions which, in total, are not less than 26 times the weekly amount of basic insurable earnings (192.47 euros per week in 2023).

Recognised refugees and beneficiaries of subsidiary protection can also separately benefit from the Guaranteed Minimum Income by filing this [application](#) with the Deputy Ministry of Social Welfare, provided that:

- a** | no other family members benefit from this benefit;
- b** | they remain habitually and lawfully resident in Cyprus;



- c | the total family income is less than what is assessed as sufficient for the family needs;
- d | no direct family members own immovable property valued at more than 100 000 euros (with the exception of family home up to 300 sq. m.);
- e | no direct family member has deposits of more than 5 000 euros (increased by 1 000 euros for every family member);
- f | no other financial assets exceed the value of 5 000 euros;
- g | they are not voluntarily unemployed;
- h | they are: (i) married, or (ii) single parent, or (iii) orphan or (iv) adult with a disability that was under the care of the Director of Social Welfare Services before turning 18;
- i | they are not: (i) monks, or (ii) military personnel, or (iii) full-time university students (with the exception of students that were under the care of the Director of Social Welfare Services before turning 18, or have a disability, or are orphan).

MATERNITY

Employees have the right to take an 18-week maternity leave (in the case of a second child, there is an entitlement to a further four weeks; in case of third+ child, there is an entitlement to a further eight weeks) Upon return to work, new mothers are also entitled to a paid one-hour breastfeeding break for nine months as of childbirth.

In addition, there is an express protection from dismissal (as well as any steps to dismiss) ranging from the start of the pregnancy until five months after the end of the maternity leave (with certain exceptions) and any violation constitutes a criminal offence.

Maternity leave is applicable also in cases of adoption and surrogacy with certain differences.

Maternity allowance is paid directly out of the Social Insurance Fund, as explained above, but there is a practice, particularly in unionised professions, for employers to supplement that allowance, in order to reach full salary for the period of absence.

Such leave does not affect the continuity of the employment or professional advancement.

PATERNITY

An employee that has a child either through natural maternity or by surrogacy or by adoption up to twelve years old has a right to paternity leave of two continuous weeks at a time during the period that starts from the week of the childbirth or adoption and ends two weeks after the end of the maternity leave. Such employee has to notify the employer of the intention to exercise the right to paternity leave at least two weeks in advance.

In addition, there is an express protection from dismissal (as well as any steps to dismiss) commencing from the date of written notice by the employee of the intention to exercise the right to paternity leave and expires at the end of the paternity leave (with certain exceptions).

Paternity allowance is paid directly out of the Social Insurance Fund, as explained above, but there is a practice, particularly in unionised professions, for employers to supplement that allowance, in order to reach full salary for the period of absence.

Such leave does not affect the continuity of the employment or professional advancement.

PARENTAL LEAVE

Every employee, who is a parent, after six months of continuous employment with the same employer, is entitled to a total parental leave of up to eighteen weeks, due to the birth or adoption of a child, for the purpose of caring for and bringing up the child (in case of a widower parent or single parent, the duration of parental leave may be extended to twenty-three weeks) to be taken up to the completion of the 8th year of the child's age (with slight differences for adoptive children) and up to the 18th year of age of the child, in case of children with disabilities. Such leave may be obtained with a minimum of one week and a maximum of five weeks per calendar year. Such employee has to notify the employer of the intention to exercise the





right to parental leave at least three weeks in advance.

In addition, there is an express protection from dismissal (as well as any steps to dismiss) commencing from the date of written notice by the employee of the intention to exercise the right to parental leave and expires at the end of the parental leave (with certain exceptions).

There is also a right to parental leave allowance paid directly out of the Social Insurance Fund, provided that the parent (a) has worked at least for twelve months during the preceding 24 months, (b) has completed six months of continuous employment with the same employer and (c) does not receive full pay by their employer.

Such leave does not affect the continuity of the employment or professional advancement.

There are also rights for parents to apply for flexible forms of work, such as remote work, reduced or flexible working hours, under certain conditions.

LEAVE ON GROUNDS OF FORCE MAJEURE

An employee is entitled to receive, upon application, unpaid leave of up to seven days a year, on grounds of *force majeure* related to urgent family reasons, pertaining to illness or accident of members of the family, which require the immediate presence of the employee. Such employee has to notify the employer of the intention to exercise the right to leave on grounds of *force majeure* as soon as the event that requires their immediate presence takes place.

In addition, there is an express protection from dismissal (as well as any steps to dismiss) commencing from the date of written notice by the employee of the intention to exercise the right to leave on grounds of *force majeure* and expires at the end of the leave (with certain exceptions).

Such leave does not affect the continuity of the employment or professional advancement.

CARERS' LEAVE

An employee may take out unpaid carers' leave of up to five days per year, in order to provided personal care or support to a relative or a person that resides in the same household who has the necessity of important care or support due to a serious medical reason, provided that they notify the employer in due time and by providing the relevant medical certificate substantiating the need for such leave.

In addition, there is an express protection from dismissal (as well as any steps to dismiss) commencing from the date of written notice by the employee of the intention to exercise the right to carers' leave and expires at the end of the carers' leave (with certain exceptions).

Such leave does not affect the continuity of the employment or professional advancement.

SOCIAL WELFARE BENEFITS

Asylum seekers can benefit from the below social welfare benefits of the Deputy Ministry of Social Welfare, depending on the number of family members:

Number of family members	Feeding, clothing and footwear allowance	Electricity, water and pocket-money allowance (when a rental contract is presented)	Electricity, water and pocket-money allowance (when a rental contract is not presented, e.g. hosted by friends or extended family or at a hotel or temporary housing)
1	186€	75€	28€
2	279€	100€	37€
3	372€	140€	52€
4	465€	170€	63€
5+	558€	200€	74€



Asylum seekers can also benefit from the below rental allowance, depending on the number of family members and district of residence:

Number of family members in the household	District				
	Nicosia	Limassol	Famagusta	Larnaka	Paphos
1	100€	100€	100€	100€	100€
2	200€	218€	146€	174€	146€
3-4	290€	317€	211€	252€	211€
5+	364€	397€	265€	315€	265€

The amounts mentioned above may be subject to change by decree of the Council of Ministers.

GENERAL HEALTHCARE SYSTEM

Cyprus runs a universal healthcare system, called the General Healthcare System (“GeSY”) which includes all public sector medical facilities, healthcare professionals and pharmacies, as well as any private sector medical facilities, healthcare professionals and pharmacies from the private sector that are part of GeSY and follow the same rules. The majority of the private medical sector are part of GeSY.

All recognised refugees and beneficiaries of subsidiary protection are covered by GeSY, while asylum seekers are not eligible for GeSY coverage, even if they work and pay contributions into the system, and they are only covered by the public sector.

Nevertheless, the Board of Directors of the Health Insurance Organisation, which runs GeSY, has the right to extend the coverage to other groups of the population by issuing a pertinent decree, after submission of a relevant application. This has not yet been done to date in relation to asylum seekers.

COLLECTIVE RELATIONS

Article 21 of the Constitution of the Republic of Cyprus protects the right of association, including specifically the right to establish and join a trade union.

Cyprus has a relatively high level of trade union organisation. The main national, multi-sectoral workers’ organisations are the Pancyprian Federation of Labour (PEO), the Cyprus Workers Confederation (SEK), the Democratic Labour Federation of Cyprus (DEOK) and the Pancyprian Federation of Independent Trade Unions (POAS).

Other independent sectoral workers’ organisations are the Pancyprian Union of Public Servants (PASDYD), the Pancyprian Organisation of Greek Teachers (POED), the Organisation of Greek Secondary Education Teachers (OELMEK) and the Union of Banking Employees of Cyprus (ETYK).

In cases of businesses employing at least 30 employees, the company has a general obligation to inform the employees and/or their representatives and consult them by exchanging views and establishing a dialogue between the employees and/or employee representatives and the employer. In particular, such information and consultation shall cover: (a) information on the recent and probable development of the undertaking’s or the establishment’s activities and economic situation; (b) information and consultation on the situation, structure and probable development of employment within the undertaking or establishment and on any anticipatory measures envisaged, in particular where there is a threat to employment; and (c) information and consultation on decisions likely to lead to substantial changes in work organisation or in contractual relations. Failure to comply with the said law may lead to criminal prosecution and imposition of a fine.

Cyprus law also provides for the establishment of European Works Councils for the purpose of safeguarding and improving employees’ rights to information and consultation in EU-scale undertakings and EU-scale groups of undertakings. However, at the time of writing, there are no active European Works Councils in Cyprus.





ANTI-DISCRIMINATION LEGISLATION

First, there is specific statutory prohibition of discrimination against refugees on grounds of sex, race, religion, nationality, membership of a particular social group or political opinion.

Secondly, there is a multitude of anti-discrimination laws prohibiting direct or indirect discriminatory treatment or conduct, provision, term, criteria or practice in both private and public sector activities on grounds of race, community, language, colour, disability, religion, political or other beliefs, national or ethnic origin, or sexual orientation, including in relation to (a) access to employment, self-employment and work, including selection criteria and appointment terms, regardless of sector of activity at all levels of the professional hierarchy, including promotions, (b) access to all kinds and levels of professional orientation, training, education and re-orientation, including obtaining practical professional experience, (c) conditions and terms of employment, including provisions on dismissals and remuneration, (d) capacity of a member and participation in an employees' or employers' organisation or any organisation the members of which exercise a particular profession including advantages granted by such organisations, and (e) social protection, social security, and healthcare.

Thirdly, there is a statutory prohibition of discrimination in the public and private sectors on the basis of gender, including in relation to terms and conditions of remuneration for same work or work of equal value, ensuring equal criteria for men and women, conditions of employment or access to employment or criteria, further protection of maternity, protection from harassment, and ensure active participation and representation. There are also, however, certain exceptions pertaining to residency requirements of third-country nationals and stateless persons or objectively justified discrimination on certain grounds of religion or age, and affirmative action.

We further note additional anti-discrimination laws pertaining to discriminatory treatment of (a) fixed-term employees *vis-à-vis* employees of indefinite duration, (b) full-time *vis-à-vis* part-time employees, (c) persons with disabilities, as well as Law 3/1968 ratifying the International Labour Organisation Convention No. 111 concerning Discrimination in Respect of Employment and Occupation of 1958.

Finally, in relation to potential claims, it is noted that a *prima facie* (based on first impression) discrimination claim shifts the burden of proof on to the employer, in cases of labour disputes, while the relevant legislation also provides for pertinent administrative sanctions, criminal sanctions on perpetrators, enforcement mechanisms, and whistle-blower protection, depending on the breach.

DATA PROTECTION

Employees need to be informed (ideally via a privacy policy or internal circular or any other document) of (a) the identity and the contact details of the employer and, where applicable, of the employer's representative; (b) the contact details of the data protection officer, where applicable; (c) the purposes of the processing for which the personal data are intended as well as the legal basis for the processing; (d) the recipients or categories of recipients of the personal data, if any. There are also specific rules on data transfers to third countries.

In addition, the employer shall, at the time when personal data are obtained, provide the employees with the following further information necessary to ensure fair and transparent processing: (a) the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period; (b) the existence of the right to request from the employer access to and rectification or erasure of personal data or restriction of processing concerning the employee or to object to processing as well as the right to data portability; (c) the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal; (d) the right to lodge a complaint with a supervisory authority; (e) whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the employee is obliged to provide the personal data and of the possible consequences of failure to provide such data; and (f) the existence of automated decision-making, including profiling, and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the employee. Where the employer intends to further process the personal data for a purpose other than that for which the personal data were collected, the employer shall provide the employee prior to that further processing with information on that other purpose and with any relevant further information. It is also noted that a record of processing activities shall need to be maintained in the offices. Of course, in case that data of other categories of data subjects, e.g. clients, are maintained, separate policies shall be required.



WHISTLEBLOWING

Cyprus law requires all private legal entities with 50 or more employees and all public sector legal entities (except local authorities with fewer than 5 000 inhabitants or fewer than 25 employees) to establish reporting channels and procedures for internal reporting and for monitoring. The protection explicitly covers reports on infringements within the scope of EU law, including public procurement, financial services, products and markets and the prevention of money laundering and terrorist financing, product safety and compliance, transport security, environmental protection, radiation protection and nuclear safety, food and feed safety, health and animal welfare, public health, consumer protection, privacy and protection of personal data and security of network and information systems, infringements affecting the economic interests of the EU, and internal market-related infringements. The protection further extends to national law matters that include acts or omissions related to the commission or possible commission of a criminal offence and, in particular, corruption offences, acts or omissions relating to a person's failure to comply with any legal obligation imposed on them, infringements which endanger or are likely to endanger the safety or health of any person, and infringements that cause or are likely to cause damage to the environment. The same law provides prohibition of any form of retaliation, criminal sanctions, and a number of causes of action. There is a transitional period for compliance of private sector entities with 50–249 employees up to 17 December 2023. In addition to the new legislation, whistle-blowers are also protected by their constitutional right to freedom of expression and right of access to courts. Dismissal on grounds of whistleblowing is also considered unlawful *per se*.

MINORS

It is noted that asylum seekers only have access to specific manual labour professions, as explained above. Therefore, unaccompanied minors that have not yet been granted any status, and who form the vast majority of unaccompanied minors, are effectively excluded from the labour market, because no approval shall be given by the Department of Labour for under-15s, while most, if not all, permitted professions are inappropriate for persons between 15 and 18 years old.

When it comes to unaccompanied minors that have already been given refugee or subsidiary protection status, who are a very tiny minority, they enjoy equal access to the labour market as local children, provided the limitations explained below are followed:

First, children under 15 can only be employed for cultural and related activities (e.g. film production), upon prior approval by the Department of Labour. However, there are no prior licensing requirements for persons above 15 years of age.

Secondly, the working hours should be restricted as follows:

Under 15

Under the age of 15 for cultural and related activities (and where a prior licence has been obtained), the total number of permitted daily hours of work as follows:

- ▶ 2 hours per day for children up until 6 years old
- ▶ 3 hours per day for children from 7 until 12 years old
- ▶ 4 hours per day for children from 13 until 15 years old

It is prohibited for the above hours to coincide with school hours.

Further, it is prohibited for children to participate in such activities during the hours between 19:00 to 07:00, except during the months June until September, where the prohibited hours of work are 20:00 to 07:00.

Permitted time of continuous participation in such activities as follows:

- ▶ 30 minutes for children up to 6 years old
- ▶ 45 minutes for children from 7 until 12 years old
- ▶ 1 hour for children from 13 until 15 years old.

For children over the age of 15 until the age of 18 the following apply:

- ▶ Total number of permitted hours of work per week and per day: Total of 7 hours and 45 minutes per day and 38 hours per week, or for teenagers who have not completed their 16th year of age, 7 hours and 15 minutes per day and 36 hours per week.
- ▶ The daily work of teenagers (defined as any young person between the ages 15-18) who study in all





types of secondary education or professional schools should not commence until at least 2 hours after the end or before the commencement of their daily lessons. Further, it is not permissible for teenagers to work overtime.

- ▶ Break time: In case the daily work time exceeds 4.5 hours, a continuous 30 minutes of break should be provided.
- ▶ Daily rest time: At least 12 hours continuously for every 24-hour period
- ▶ Weekly rest time: At least 2 consecutive days (48 hours), one of which should be Sunday, except if organisational or technical reasons require the employment on Sunday. In the latter case, the minimum weekly rest time of 48 hours may, under conditions, be reduced but in no circumstances should it be less than 36 continuous hours. Such reduction is possible where:
 - it is necessary for the continuation of the provision of the services or in case the business does not have any other way of regulating the work due to technical or organisational reasons;
 - the work relates to activities which are characterised by fragmented daily work; and
 - there is no other available adult person that can replace the teenager and the work does not affect the teenager's education and/or training.

In case of reduction by the employer of the weekly rest hour of a teenager as described above, there is an obligation upon the employer to notify in writing the Department of Labour.

- ▶ Work at night: It is not permissible for any teenager to work between the hours of 23:00 to 07:00. By way of exception, it is possible for a teenager over the age of 16 to work during the aforesaid hours (but in any event not during the hours 24:00 – 04:00) provided that:
 - The next day is not a school day, if they are attending school
 - The maximum number of days of work during the said hours does not exceed 3 days per week
 - They are informed in advance, during working hours and at least 48 hours prior to the commencement of such day of employment
 - In case the teenager cannot, for due reason, work during such night hours, the employer must make arrangements so that they are released from the specific obligation.
 - in case of work related to cultural activities, advertising business, there must be no other way for the business to cover the specific needs for night work and/or such night work is linked with education/training

In case of such night employment of a teenager, there is an obligation upon the employer to notify in writing the Department of Labour.



USEFUL CONTACTS

Asylum Service

- ▶ **Website:** http://www.moi.gov.cy/moi/asylum/asylumservice.nsf/index_en/index_en?OpenDocument
- ▶ **Address:** Arch. Makarios III Ave. 70, Nicosia
- ▶ **Phone:** +357 22 445245
- ▶ **Email:** info@asylum.moi.gov.cy

Cyprus Refugee Council

- ▶ **Website:** <https://www.cyrefugeecouncil.org>
- ▶ **Address:** Stasandrou 9, 4th Floor, 1060 Nicosia
- ▶ **Phone:** +357 22 205959 / +357 99 668709 / +357 97 767329
- ▶ **Email:** info@cyrefugeecouncil.org
- ▶ **Help Refugees Work platform:** <https://www.helprefugeeswork.org/>

United Nations High Commissioner for Refugees (UNHCR) – Cyprus office

- ▶ **Website:** <https://www.unhcr.org/cy/> UNHCR HELP platform: <https://help.unhcr.org/cyprus/>
- ▶ **Address:** Polyviou Dimitrakopoulou, Egkomi
- ▶ **Phone:** +357 22 359043
- ▶ **Email:** cypni@unhcr.org

Department of Labour

- ▶ **Website:** https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument
- ▶ **Address:** Clementos 9, 1061 Nicosia
- ▶ **Phone:** +357 22 400801
- ▶ **Email:** director@dl.mlsi.gov.cy

Department of Labour Relations

- ▶ **Website:** www.mlsi.gov.cy/dlr
- ▶ **Address:** Griva Digeni 54, 1096 Nicosia
- ▶ **Phone:** +357 22 803100
- ▶ **Email:** info@dlr.mlsi.gov.cy

Department of Labour Inspection

- ▶ **Website:** https://www.mlsi.gov.cy/mlsi/dli/dliup.nsf/index_en/index_en?opendocument
- ▶ **Address:** 12 Apellis, 1080 Nicosia.
- ▶ **Phone:** +357 22 405623
- ▶ **Email:** info@dli.mlsi.gov.cy

Social Insurance Services

- ▶ **Website:** https://www.mlsi.gov.cy/mlsi/sid/sidv2.nsf/index_en/index_en?OpenDocument
- ▶ **Address:** Vyronos 7, 1465 Nicosia
- ▶ **Phone:** +357 22 401600
- ▶ **Email:** director@sid.mlsi.gov.cy

Cyprus Bar Association

- ▶ **Website:** <http://www.cyprusbarassociation.org/index.php/en/>
- ▶ **Address:** Florinis 11, Office 101, 1st Floor, 1065 Nicosia
- ▶ **Phone:** +357 22 873 300
- ▶ **Email:** info@cba.org.cy





Ombudsman / Commissioner for Administration and the Protection of Human Rights

- ▶ **Website:** http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/index_en/index_en?opendocument
- ▶ **Address:** Era House, Diagorou 2, 1097 Nicosia
- ▶ **Phone:** +357 22 672 881
- ▶ **Email:** ombudsman@ombudsman.gov.cy

Gender Equality in Employment and Vocational Training Committee

- ▶ **Website:** http://www.eif.gov.cy/mlsi/dl/genderequality.nsf/home_en/home_en?opendocument
- ▶ **Address:** Vyronos Avenue 7, 1463 Nicosia
- ▶ **Phone:** +357 22 400 894/ +357 22 400 895
- ▶ **Email:** genderequalitycommittee@mlsi.gov.cy

Pancyprian Federation of Labour (PEO)

- ▶ **Website:** <https://www.peo.org.cy/en/>
- ▶ **Address:** Archermou 29, 1045 Nicosia
- ▶ **Phone:** +357 22 866 400
- ▶ **Email:** peo@peo.org.cy

Cyprus Workers Confederation (SEK)

- ▶ **Website:** <https://www.sek.org.cy/>
- ▶ **Address:** Leof. Strovolou 11, 2018 Strovolos
- ▶ **Phone:** +357 22 849 849
- ▶ **Email:** sek@sek.org.cy

Democratic Labour Federation of Cyprus (DEOK)

- ▶ **Website:** <https://www.deok.org.cy/>
- ▶ **Address:** Vyronos 40, 1096 Nicosia
- ▶ **Phone:** +357 22 872 177
- ▶ **Email:** contact@deok.org.cy

Pancyprian Federation of Independent Trade Unions (POASO)

- ▶ **Website:** www.poaso.org.cy
- ▶ **Address:** Leof. Athalassas 168, Minos Court, Office 401, 2025 Strovolos
- ▶ **Phone:** +357 22 516 600
- ▶ **Email:** info@poaso.org.cy / info@poas.org.cy





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The project uses the Council of Europe’s intercultural integration approach which underlines that there is sound evidence that diverse and inclusive teams, businesses and communities have increased strategic potential in terms of productivity, creativity, problem-solving and innovation.

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