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EUROPEAN SOCIAL CHARTER

Responses to the ECSR additional
questions on the
18th National Report on the implementation of the European
Social Charter

submitted by

THE GOVERNMENT OF CYPRUS

Articles 2, 3, 4, 5, 6, and 20

Responses registered by the Secretariat on
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CYCLE 2026

CYPRUS

Additional questions concerning the 18th national report

Article 2.1

Please provide information on sectors and functions where it is possible to extend weekly working hours to 60 and where the reference period can reach or exceed 12 months? Please provide information on whether inactive on-call periods when no actual work is carried out are compensated (especially for inactive on-call outside the employer's premises) and, if so, what are the rules on compensation?

The Organisation of Working Time Law provides that working time in any week may not exceed 48 hours on average, including overtime. The reference period is four months. The Law does not specifically provide for the possibility of extending the weekly working time to up to 60 hours, or for the reference period to be extended to 12 months. However, it provides that, subject to the general principles on the protection of the safety and health of workers, that the working time and the reference period shall not apply to workers whose duration of the working time is not measured and/or predetermined or can be determined by the workers themselves, on account of the specific characteristics of the activities concerned, in particularly in the case of— (a) managing executives or other persons with autonomous decisionmaking powers; (b) family workers; or (c) workers officiating at religious ceremonies in churches of worship and religious communities. Moreover, it is provided that, **subject to the legislation in force, derogations can be permitted for the reference period, by means of collective agreements or agreements between employers and representatives of workers, provided that the workers concerned are afforded equivalent periods of compensatory rest or that, in exceptional cases in which it is not possible, for objective reasons, to grant such equivalent periods of compensatory rest, the workers concerned are afforded appropriate protection –**

- (a) in the case of activities where the worker's place of work and his place of residence are distant from one another, such as offshore work, or where the worker's different places of work are distant from one another;
- (b) in the case of security and surveillance activities requiring a permanent presence in order to protect property and persons, particularly the activities of security guards and caretakers or security firms;
- (c) in the case of activities involving the need for continuity of service or production, particularly-
 - (i) services relating to the reception, treatment and/or care provided by hospitals or similar establishments, including the activities of doctors in training, residential institutions and prisons;
 - (ii) dock and airport workers;
 - (iii) press, radio, television, cinematographic production, postal and telecommunications services, ambulance, fire and civil defence services;

- (iv) gas, water and electricity production, transmission and distribution, household refuse collection and incineration plants services;
- (v) industries in which work may not be interrupted on technical grounds;
- (vi) research and development activities;
- (vii) agricultural;
- (viii) workers concerned with carriage of passengers on regular urban transport services;

(d) where there is a foreseeable surge of activity, particularly in— (i) agriculture; (ii) tourism; (iii) postal service;

(e) in the case of persons working in railway transport— (i) whose activities are intermittent; (ii) who spend their working time on board trains; or (iii) whose activities are linked to transport timetables and to ensuring the continuity and regularity of traffic; (f) in cases of occurrences due to unusual or unforeseeable circumstances beyond the employer's control, or exceptional events, the consequences of which could not have been avoided despite the exercise of taking of all due care; (g) in the case of accident or imminent risk of accident:

It must be noted that the option to derogate from the reference period of 4 months may not result in the establishment of a reference period exceeding six months, but they can be extended to 12 months for objective or technical reasons or reasons concerning the organization of work, any reference periods given that they are agreed by means of collective agreements or agreements, concluded between employers and representatives or workers. Subject to compliance with the general principles relating to the protection of safety and health of the workers.

It is important to note that in Cyprus, collective agreements are not legally binding. This means that collective agreements are voluntarily applied to workers which are members of Trade Unions and any breaches are resolved between them without legal interventions. Furthermore, it should also be noted that, there is no sectoral collective agreement that provides for weekly working hours to be 60 and/or the reference period to reach or exceed 12 months.

Labour Law does not provide for on-call periods. As a result, there is no Law to provide for remuneration for inactive on-call periods during which no actual work is performed (even when the on-call duty takes place outside the employer's premises). Such cases can be agreed through collective agreement or personal agreement (between the employer and the employee).

Article 3.1

Please provide specific information on the content and implementation of national policies on psychosocial or new and emerging risks in jobs requiring intense attention or high performance.

Cyprus adopts a preventive, EU-aligned approach by treating psychosocial and emerging occupational risks along with physical risks, with particular relevance for high-attention and high-performance occupations. Based on this, Cyprus addresses these risks through its general Occupational Safety and Health at Work (OSH) framework (the Safety and Health at Work Laws (1996–2026) and

the Management of Safety and Health Issues at Work Regulations of 2021), rather than through a dedicated law. The Cyprus Department of Labour Inspection (DLI), which is the competent Authority for policy implementation, enforcement, and awareness, requires employers to carry out comprehensive risk assessments that include psychosocial risks such as stress, workload, and cognitive demands.

At the European level, Cyprus follows guidance from the SLIC EMEX (Senior Labour Inspectors Committee – New and Emerging Risks Working Group), which promotes systematic identification and management of psychosocial risks through preventive and organisational measures, including improved work design and reduced work intensity.

The Cyprus Strategy for Safety and Health at Work 2021–2027, provides the national policy framework, aligned with EU priorities on digitalisation and changing work patterns. It recognises emerging risks in high-performance environments, such as cognitive overload, constant connectivity (such as platform workers), and remote work stress, and is implemented through a multi-stakeholder action plan involving the DLI through the Cyprus Ministry of Labour and Social Insurance, and Social Partners.

Inspection evidence from the Senior Labour Inspectors Committee 2012 inspection campaign on psychosocial risks in Cyprus shows that psychosocial risks are systematically examined, including workload, organisational changes, workplace relations, and exposure to violence and stress. However, findings also indicate that many enterprises either lack adequate psychosocial risk assessments or only partially comply with legal requirements, highlighting ongoing challenges in practical application.

Article 3.2

Please provide additional detailed information on the specific measures taken to ensure the occupational safety and health of domestic workers in law and in practice, in conformity with Article 3§2 of the Charter. Please refer to all categories of domestic workers present in Cyprus, regardless of their employment status and including migrant workers employed by a specific employer under a so-called “standard domestic work contract”.

The Cyprus Occupational Safety and Health (OSH) legislation applies to all workers, including domestic workers, irrespective of their employment status. The National Safety and Health at Work Law of 1996 to 2026, and the Management of Safety and Health Issues at Work Regulations of 2021 (R.A.A 158/2021) set obligations on every employer such as risk assessment, preventive measures, provision of information and training, and the maintenance of safe working conditions. These provisions apply equally to all categories of domestic workers, including Cypriots, EU citizens, and third-country citizens employed under a “standard domestic worker contract”.

In addition, other competent public authorities contribute to the protection of domestic workers beyond the Department of Labour Inspection. The Department of Labour is responsible for monitoring employment conditions, including contracts, working hours and the handling of complaints related to employment terms. The Migration Department supervises the residence and employment status of third-country national domestic workers employed under the standard domestic worker contract and ensures compliance with the applicable migration framework.

Article 3.3

Please provide information on the specific measures taken to ensure the supervision of implementation of health and safety regulations by the labour inspection or other competent authorities concerning domestic workers, including information on inspections and their results, as well as information on awareness raising activities to inform workers and employers of their rights and obligations.

According to the National Safety and Health at Work Laws of 1996 to 2026, the DLI is the competent authority for supervising the implementation of the Occupational Safety and Health (OSH) legislation in all workplaces. The annual workplace inspection program implemented by the DLI does not include inspections of domestic premises and consequently there are no statistics on inspection results concerning domestic workers.

Other competent public authorities exercise complementary supervisory roles within their respective mandates. The Department of Labour examines complaints related to employment conditions and handles complaints related to employment terms. The Migration Department monitors compliance with the immigration conditions attached to the employment of third-country domestic workers, including the requirement to work for a specific employer under the approved contract.

In general, the DLI implements horizontal information and awareness-raising actions for employers and workers, such as the publication of instructions, information material and general guidelines for the prevention of occupational risks. These materials are publicly available on the official website of the DLI, which provides guidance on key OSH topics such as risk assessment, chemical safety, ergonomics, and safe work practices across economic sectors.

For this specific matter, the DLI has issued a guide entitled “Safety and Health of Domestic Workers – Concise Guide for the Identification, Assessment and Management of Risks”. The guide describes the main hazards to which domestic workers may be exposed and the preventive and protective measures that employers should take for their protection. The Guide is accessible to all employers and domestic workers on DLI’s website.

Article 5

Please provide information on whether domestic law recognises the freedom of association and the right to form and join trade unions of platform workers regardless of their legal status or employment classification.

Please provide information on the status and prerogatives of minority trade unions; and the existence of alternative representation structures at company level, such as elected employee representatives.

Please provide information on whether and to what extent members of the police and armed forces are guaranteed the right to organise.

Article 21 of the Constitution safeguards the right to freedom of association. This right is further protected by the Trade Unions Law/Legislation, Workers' Representatives Convention (Ratification) Laws of 1995 to 2012, and the Revised European Social Charter. These legal instruments provide protection to Trade Union members and their representatives against any action taken against them on the basis of their Trade Union membership or representative capacity.

It should be noted, however, that according to the relevant legislation, a Trade Union may only admit as members persons who actually practice the same profession, occupation, or trade which is being provided for in its constitution. Consequently, a Trade Union can admit members who have completed their 16th year of age and who are exclusively either employees or self-employed persons and/or employers, depending on the constitution of the Trade Union.

Minority trade union organizations possess the same rights regarding representation, with the sole difference being that, in the case of minority unions, the employer is more redundant to negotiate with them.

The Law does not provide for the existence of alternative representation structures at the enterprise level, such as elected employee representatives.

It is important to note that self-employed may be members of trade unions, whose constitution provides that they can be members.

In the case of platform workers, regardless of their legal status or their classification as employees, they have the right to be represented by trade unions, and trade unions can negotiate their terms of employment. It has to be noted that most of them are either employees of the main employer or employees of a sub-contractor. There is no different treatment regarding Trade Union membership for persons performing platform work and their rights regarding that matter are the same like any other sector.

Finally, both members of the armed forces and members of the police force can be members of a Trade Union and to exercise their constitutional right to freedom of association. However, this right is subject to the restriction that they are prohibited from participating in strike action.

Article 6.1

Please provide additional information on, the Labour Advisory Board (LAB): Its composition (representation of social partners, eligibility/exclusion criteria for participation) The frequency and agenda of LAB meetings Results/Outcome of LAB meetings How (in which format and between which social partners) have joint consultation on the issues listed in the reply to targeted question 2 been conducted?

Please provide further information on the format and the outcome of any joint consultations on matters related to (i) the digital transition and (ii) the green transition.

The Labour Advisory Board is the supreme tripartite body for social dialogue in Cyprus, established in 1948. Its purpose is to examine labor-related issues and submit proposals regarding labor legislation. It is composed of representatives of the Government - chaired by the Minister of Labour and Social Insurance or his/her representative, trade union organizations (the Pancyprrian Federation of Labour, the Cyprus Workers' Confederation, the Democratic Labour Federation of Cyprus), and employers' organizations (the Cyprus Employers and Industrialists Federation and the Cyprus Chamber of Commerce and Industry). Two more Trade Unions (Pancyprrian Public Servants' Trade Union (PASDYD) and Pancyprrian Organization of Independent Trade Unions (POAS)) are observers.

The Labour Advisory Board acts as an advisory body for the Minister of Labour and Social Insurance:

- on all labour matters and the promotion of industrial peace
- on matters of common interest to employers and employees
- on ways and means of encouraging systematic study by both employers and employees
- on all matters affecting the progress and prosperity of industry.

It also submits recommendations and proposals regarding labour legislation.

It does not have a set or fixed meeting schedule (e.g., monthly) but is convened on an ad hoc basis by the incumbent Minister of Labour whenever the need for consultation arises. During periods of intensive consultation, the Body may meet frequently within a short period of time.

Regarding the issues mentioned in the answer of targeted question 2, joint consultations were held through meetings between the Ministry of Labour and Social Insurance and the representatives of trade union organizations (the Pancyprrian Federation of Labour, the Cyprus Workers' Confederation, the Democratic Labour Federation of Cyprus), and employers' organizations (the Cyprus Employers and Industrialists Federation and the Cyprus Chamber of Commerce and Industry).

Article 6.2

Please provide information on the measures taken or planned to guarantee the right of self employed workers who are economically dependent or in a situation comparable to that of employees, including platform workers, to bargain collectively, as well as on the practical application of those measures.

According to Cypriot labor law, self-employed persons are considered to have the right to join trade unions whose constitution provides that they can be members. It is not possible to participate in a trade union representing workers, and consequently, they cannot be compared to employees.

Article 6.4

Do members of the armed forces have means, other than the exercise of the right to strike, allowing them to effectively negotiate the terms and conditions of employment, including remuneration? Are civil servants or certain categories of civil servants prohibited from striking, or do specific restrictions apply to them as regards the exercise of the right to strike?

Members of the armed forces and members of the police force are entitled to belong to a Trade Union and to exercise their constitutional right to freedom of association. Thus, they have the right to negotiate their working conditions such as remuneration. However, under Article 27 of the Constitution of the Republic of Cyprus, the right to strike is prohibited for members of the Police and the Armed Forces, due to the nature of their duties and their direct link to public order, public safety, and national security.

Moreover, public servants, as members of the trade unions of public servants or other trade unions representing employees, generally have the right to strike. However, Trade Unions of the public sector signed a voluntary agreement named the Agreement on the Procedure for Labour Disputes in Essential Services, which provides that the sectors which are considered essential services, (i.e., services, works, operations, or activities must continue without interruption in order to safeguard the life, personal safety, or health of the whole or part of the population) can strike, provided that they provide a minimum service. These sectors mainly belong to the public or semi-public sector and include:

- Continuous supply of electricity
- Water supply for domestic consumption
- Operation of telecommunications
- Safe operation of air transport and air traffic control
- Operation of hospitals
- Operation of prisons
- Repair or maintenance of equipment and electromechanical installations of the National Guard and the Police, including the Fire Service
- Safe operation of port traffic

For all designated essential services, minimum service requirements must be maintained in the event of a dispute.

The procedure applies once a deadlock is formally declared, in accordance with the Industrial Relations Code (a voluntary procedural agreement for resolving labour disputes). In such cases, when negotiations for a new collective agreement (or renewal of an existing one) have exhausted all available procedures and no further progress is possible, both parties are obliged to refer the dispute to an Arbitration Committee. The referral may be made jointly or separately, and the parties must notify the Minister of Labour and Social Insurance accordingly. Minimum service obligations remain in force throughout this process.