



Commencement: 26/10/2009

REPUBLIC OF VANUATU

**EMPLOYMENT (AMENDMENT) ACT
No. 31 Of 2008**

Arrangement of Sections

1. Amendment
2. Commencement

REPUBLIC OF VANUATU

Assent: 08/06/2009

**EMPLOYMENT (AMENDMENT) ACT
No. 31 of 2008**

An Act to amend the Employment Act.

Be it enacted by the President and Parliament as follows-

1. Amendment

The Employment Act [CAP 160] is amended as set out in the Schedule.

2. Commencement

This Act commences on the day on which it is published in the Gazette.

**SCHEDULE
AMENDMENTS OF EMPLOYMENT ACT [CAP 160]**

1. Subsection 29 (1)

Delete "1", substitute "1.75"

2. subsection 29(2)

Delete "2", substitute "3"

3. Subsection 34(1)

Delete “12”, substitute “6”

4. Subsection 36(1)

After “confinement”, insert “and 6 weeks after her confinement”

5. Subsection 36(2)

Delete “not less than half of the”, substitute “full”

6. Subsection 36(2)

Insert

“(2A) If a woman continues to work during the pre – confinement period, she must produce to her employer, a medical certificate certifying that she is fit to work during that period.

(2B) If there is more than one employer from whom the woman would be entitled to claim wages under this section, the Commissioner of labour, labour officer or labour inspector must determine the amount of wages that must be paid by each employer if she has worked for 4 or more days for the same employers.”

7. Subsection 36(3)

Delete “half an hour”, substitute “1 hour”

8. At the end of section 36

Add

“(4). A woman who returns to her employment after maternity leave:

- (a). must return to the same or equivalent position held prior to proceeding on maternity leave, without any loss of salary, wages, benefits or seniority; or
- (b). may be appointed to a higher position.”

9. At the end of section 49

Add

“(5) If an employee fails to give to the employer appropriate notice under this section, the employer may deduct from the employee’s entitlements the sum required for the period of notice.”

10. Paragraph 54(1)(d)

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Delete “Where the employee has been in continuous employment with the same employer for a continuous period of not less than 10 consecutive years,”

11. Subparagraphs 56(2)(a)(i) and (ii)

Repeal the subparagraphs.

12. Paragraph 56(2)(a)

After “12 months-” insert “2 months remuneration;”