

Kingdom of Cambodia
Nation Religion King

Ministry of Social Affairs, Labor,
Vocational Training, and Youth Rehabilitation
No. 80/PRK/MOSALVY
Phnom Penh, March 1, 1999

Prakas
on
Overtime Work of Normal Work Hours

The Minister of of Social Affairs, Labour, Vocational Training and Youth Rehabilitation

- Referring to the 1993 Constitution of the Kingdom of Cambodia;
- Referring to Reach Kram No. CS/RKM/0397/01 of March 13, 1997 promulgating the Labour Law;
- Referring to Reach Kret No. NS/RKT/1198/72 of November 30, 1998 on the formation of the Royal Government of Cambodia;
- Referring to Reach Kram No. 02/NS/94 of July 20, 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers.

IT IS HEREBY DECIDED

Article 1:

Owners or directors of enterprises covered under the Labor Law can request for an authorization from MOSALVY for overtime work in addition of the normal working hours in their enterprises in the following situations:

- a. to allow special works to be conducted such as inventory and balance taking, auditing and closing account.
- b. to allow the enterprises to complete extra work load caused by abnormal circumstances where the employer has no other alternative.

Article 2:

The documents required to request overtime work are as follow:

1. a request letter of the enterprise
2. a certified letter from every shop steward or an agreement from half of the workers in an enterprise where there is no shop steward.

Article 3:

All enterprises situated in Phnom Penh shall send their letters to the Department of Labor Inspection located at No. 28 Vithei Samdach Preah Thamalikhet Uk (Street 184), Sangkat Chey Chumneas, Khan Daun Penh, Phnom Penh. Enterprises situated in the provinces shall send their letters to the Provincial Labor Inspection Office.

A request letter shall be sent to the Department of Labor Inspection not later than 15 days before the overtime work begin. In the provinces, the same timeframe limitation shall be applied.

Article 4:

Overtime work must be conducted on a voluntary basis. Enterprise owners shall not coerce or take any disciplinary action against workers/employees who do not voluntarily accept to work overtime.

Article 5:

Enterprise owners shall pay for overtime work in accordance with the following formula:

- equal to 150% ($1\frac{1}{2}$) of the normal workday pay for the overtime work performed on normal work day.
- equal to 200% (2 times) of the normal workday pay for the overtime work performed at night (from 22:00 to 05:00).

Article 6:

For enterprises which have night workers/employees, enterprise owners shall provide sleeping place for night workers, and if not, shall provide them with transportation when they finish their work at night.

Article 7:

Any violation of the provisions of this Prakas shall be punishable in accordance with Chapter 16 of the Labor Law.

Article 8:

This Prakas shall enter into force on the date of its signature.

Minister
Signature and Seal

Ith Sam Heng