

FROM HIRING TO FIRING:

Get To Know Your Employment Rights



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Understanding your rights at work is essential in today's rapidly changing workplace, where many employees face illegal treatment. Nonetheless, the main issue does not only concern violations, but the lack of awareness. This blog shall shed light upon numerous rights that each employee should be aware of in Malta.

Many employees frequently ask whether they should start working without signing the contract first. It is crucial to note that the contract is an essential document which must include all the terms and conditions that will regulate the relationship between an employee and the employer as per the **Employment and Industrial Relations Act, Chapter 452 of the Laws of Malta**. The employer is obliged by law to provide the contract with all the terms and conditions, particularly in terms of the **Transparent and Predictable Working Conditions Regulations, Subsidiary Legislation 452.126 of the Laws of Malta**. The employment contract makes employees aware of their working conditions such as working hours, salary, and whether the contract is on a definite or indefinite basis. The contract is also essential to determine the applicable contractual arrangements between the employer and the employee should a dispute about working conditions arise.

Moreover, the **probation period** is a significant phase in an employment relationship since it serves as a trial period, allowing the parties to verify whether they are fit for the job or otherwise. The probationary period is generally that of **six months** as stipulated in article **36 of Chapter 452 of the Laws of Malta**.¹ However, in case of managerial, executive, administrative and technical roles, the probation period is that of **one year**. During this period, either party may terminate their employment relationship without providing any reason. If the employer or employee decide to terminate the employment during the probationary period, then a week notice period is applicable, if the employee would have been in employment for at least one month.

After the probation period is concluded, if the employee's contract is an indefinite one, the employer cannot terminate an employee without a valid reason. If an

¹ < <https://dier.gov.mt/en/services/employment-conditions/starting-a-new-job/probation-period/> > accessed 24 November 2025

employee's contract is a definite one and therefore a date of termination is specified, the employer is bound by law to pay half of the remaining salary as compensation if they decide to dismiss an employee prior to the specified termination date.

Expecting mothers are entitled to eighteen weeks of maternity leave in total. Fourteen weeks are to be paid by the employer and the remaining four weeks are to be paid by the Social Security Department in Malta. The weekly rate is 140.29 euro for those employed with a company or entity, whereas self-occupied individuals are entitled to a total of 221.78 euro weekly.² The first four weeks of maternity leave must be utilized before the due date unless alternative arrangements are made with the employer. Furthermore, it is mandatory that mothers utilize a total of six weeks of maternity leave after giving birth.

It is no secret that unfortunately many individuals get injured at their workplace, especially those working in the construction sector. It is valuable to note that employees are entitled to **injury leave** if they are injured and therefore unable to work. The employer **is bound to pay** for this injury leave which is a maximum of one year unless the employee recovers earlier.

Ultimately, it is significant that every company or entity promotes employee rights which they may do so in numerous ways such as making sure that they are compliant with the law given that laws are constantly being amended, promoting company policies and procedures – in this way, it is clear what their values are. In addition, companies and entities may also introduce benefits to their employees including health insurance, flexible working hours, employee discounts, together with professional development. In this way, they are not only strengthening the company's success, but also supporting employees' well-being and compliance.

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² < <https://mysocialsecurity.gov.mt/BenefitPaymentRates.aspx> > accessed on 24 November 2025

REFERENCES:

- Employment and Industrial Relations Act, Chapter 452 of the Laws of Malta.
- Transparent and Predictable Working Conditions Regulations, Subsidiary Legislation 452.126
- <https://dier.gov.mt/en/services/employment-conditions/starting-a-new-job/probation-period/> accessed on 24 November 2025
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