
Labour

Deadline to File Request to Extend Work Permit Postponed to 31 May 2021; Labour Arrangements During Khmer 2021 New Year Holidays

The Ministry of Labour and Vocational Training (“**MLVT**”) has issued two regulations concerning labour law. The first piece of regulations relates to the postponement of deadline to file request for extension of work permits for foreign employees for 2021 and the documentary requirements for newly hired foreign employees. The second piece of regulations relates to paid leave during Khmer 2021 New Year celebration.

Deadline to File Request for Work Permit Extension Postponed to 31 May 2021

Notification No. 013/21 on Postponement of Deadline for Work Permit Extension for 2021 issued on 26 March 2021 (“**Notification No. 013/21**”) postpones the deadline for filing the request for extension of work permit/employment cards of foreign employees from 31 March 2021 to 31 May 2021.

Notification No. 013/21 exempts foreign employees who have already obtained their work permits/employment cards in 2020 from paying any penalty in the event of failure to apply for extension of such work permits/employment cards for year 2021 by 31 March 2021.

However, the newly hired foreign employees are required to fulfil the existing documentary requirements in accordance with the applicable laws when applying for their work permits.

Labour Arrangements During Khmer New Year Holidays from 14-16 April 2021

MLVT has also issued Guideline No. 029/21 on the Implementation of Khmer New Year Holidays for Year 2021 dated 23 March 2021 (“**Guideline**”). According to the Guideline, the owner/director of a factory/enterprise has the discretion to implement either of the two options below in relation to the Khmer New Year Holidays from 14-16 April 2021 (“**Khmer New Year holidays**”):

- **Option One:** Allow employees to take paid leave for three days during Khmer New Year holidays.

Factories/enterprises will allow their employees to take paid leave during the Khmer New Year holidays.

Factories/enterprises which require continuous operations and whose production process will be disrupted when employees are allowed to take leave during Khmer New Year holidays, may

Labour

assign their employees to work and take leave on a rotation basis. An employee who works on the Khmer New Year holidays must be given additional pay at a rate equal to the daily wage of the employee.

The owners/directors of the affected factories/enterprises must maintain a list of employees who are subject to the rotation-day-off schedule for labour inspection.

- **Option Two:** Add the number of days allocated for the Khmer New Year holidays to other public holidays.

Factories/enterprises will add the number of days allocated for the Khmer New Year holidays to Pchum Ben holidays or any other holidays in the future. The employer and the shop steward or the employee's representatives must execute an agreement to reflect this arrangement.

An employee who works during these holidays must be given additional pay at a rate equal to the daily wage of the employee.

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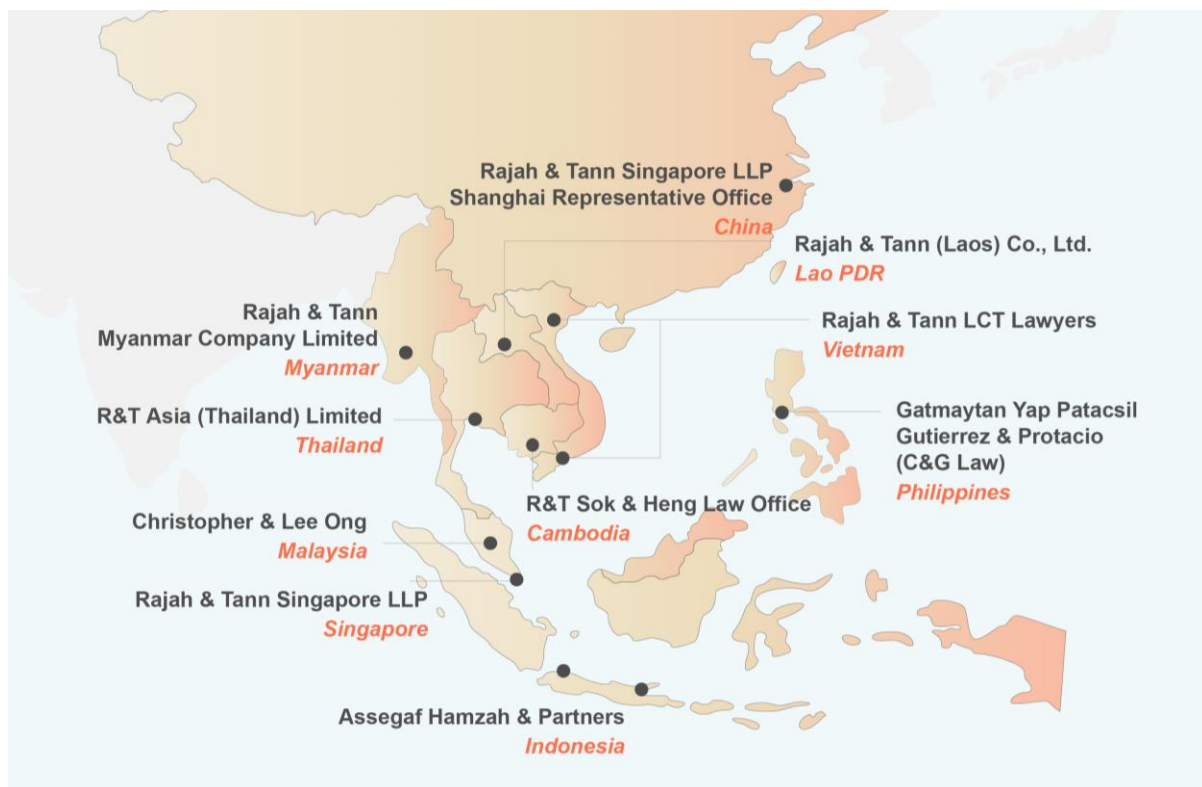
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