



STATUTORY INSTRUMENTS.

S.I. No. 607 of 2022



SICK LEAVE ACT 2022 (PRESCRIBED DAILY RATE OF PAYMENT)
REGULATIONS 2022

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I, LEO VARADKAR, Minister for Enterprise, Trade and Employment, having had regard to the matters specified in paragraphs (a) to (g) of section 6(1) of the Sick Leave Act 2022 (No. 24 of 2022), in exercise of the powers conferred on me by sections 3 and 7(2) of the Sick Leave Act 2022, hereby make the following regulations:

1. These Regulations may be cited as the Sick Leave Act 2022 (Prescribed daily rate of payment) Regulations 2022.

2. These Regulations shall come into operation on the 1st day of January 2023.

3. For the purposes of section 7(1) of the Sick Leave Act 2022 (No. 24 of 2022), the prescribed daily rate of payment payable to an employee is as follows:

- (a) if the employee's pay is calculated by reference to –
 - (i) a fixed wage, salary, allowance or bonus for each week, month or any other fixed period, or
 - (ii) a fixed hourly or other time rate for a set number of hours (or other period of time) per week, month or any other fixed period,

the gross amount payable in respect of any statutory sick leave day shall be the lesser of €110 or 70% of the sum (including any regular bonus or allowance the amount of which does not vary in relation to the work done by the employee but excluding any pay for overtime or commission) paid to the employee in respect of the normal daily hours last worked by him or her before the statutory sick leave day;

- (b) if the employee's pay is calculated by reference to a fixed hourly or other time rate for a variable number of hours (or other period of time) per week, month or any other fixed period, the gross amount payable in respect of any statutory sick leave day shall be the lesser of €110 or 70% of the sum (including any regular bonus or allowance the amount of which does not vary in relation to the work done by the employee but excluding any pay for overtime or commission) that would have been payable to the employee had he or she worked the statutory sick leave day;

- (c) if the employee's pay is not calculated by reference to any of the matters referred to in paragraphs (a) or (b), the gross amount payable in respect of statutory sick leave shall be the lesser of €110 or the sum that is equal to 70% of the average hourly rate of pay (including any regular bonus or allowance the amount of which does not vary in relation to the work done by the employee but excluding any overtime or commission) of the employee, calculated over –
- (i) the period of 13 weeks ending immediately before the statutory sick leave day commences, or
 - (ii) if no time was worked by the employee during that period, the period of 13 weeks ending on the day on which time was last worked by the employee before the statutory sick leave day commences,
- multiplied by the number of hours that he or she was due to work on the statutory sick leave day.



GIVEN under my Official Seal,
29 November, 2022.

LEO VARADKAR,
Minister for Enterprise, Trade and Employment.

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