

LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED

Instructions on procedures to be followed with respect to overtime in factories and workshops

- **Factories and General Labour Law Inspection Department (“FGLLID”) offices to which factories and workshops must apply for overtime permission**

Sr.	Number of workers in the factory or workshop	Department to apply to
1	Factories or workshops with up to 500 workers	Relevant township, district or industrial zone FGLLID offices
2	Factories or workshops with 501 to 1,000 workers	Relevant district FGLLID office or industrial zone FGLLID offices
3	Factories and workshops with 1,001 and more workers	Relevant regional or state FGLLID offices

- **Details to be submitted by factories and workshops when applying for overtime permission**

- (a) Factories and workshops must submit the application for overtime permission 7 days in advance.
- (b) Undertaking from the business owner or manager certifying that it is necessary to work overtime as allowed.
- (c) Documentation of the consent of the workers who will work overtime.
- (d) Letter from the owner or manager from the factory or workshop acknowledging that he knows that he will be prosecuted if work in addition to the permitted overtime is done.

- **Allowed overtime hours in factories and workshops**

Sr.	Days on which overtime is worked	Overtime hours
Factories that do not have to operate continuously		
1	Monday to Friday	3 hours
2	Saturday	5 hours
Factories that have to operate continuously		



LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

Sr.	Days on which overtime is worked	Overtime hours
1	Monday to Saturday	2 hours 40 minutes
2	If overtime should be worked on Sundays or gazetted holidays, this must be done in compliance with the rules and regulations of the FGLLID.	

➤ **Formulas for calculating overtime pay**

(a) **For workers receiving a monthly wage**

$$\text{Overtime pay for 1 hour} = \frac{\text{Basic monthly wage} \times 12 \text{ months}}{44 \text{ hours or } 48 \text{ hours} \times 52 \text{ weeks}} \times 2$$

(b) **For day labourers**

$$\text{Overtime pay for 1 hour} = \frac{\text{Daily wage} \times 6 \text{ days}}{44 \text{ hours or } 48 \text{ hours}} \times 2$$

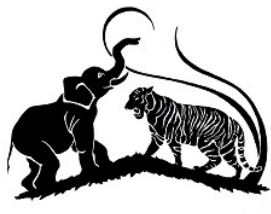
(c) **For part-time workers**

$$\text{Overtime pay for 1 hour} = \frac{\text{Average daily wage} \times 6 \text{ days}}{44 \text{ hours or } 48 \text{ hours}} \times 2$$

➤ **No worker shall work more than 44 hours per week.**

➤ As an exception, workers working in the following processes may work up to 48 hours per week

- (a) Electricity supply business;
- (b) ice machines;
- (c) petroleum refinery;
- (d) timber dehumidifying business;
- (e) water or oil pumping stations;
- (f) wind or gas power stations;
- (g) chemical industry; mills for extracting oil from crops;



LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

(h) sugar mills.

(If the weekly working hours are specified in any other law in force, the working hours shall be calculated according to that law.)

Original published on 23rd June 2022 on www.mol.gov.mm

About Lincoln Legal Services (Myanmar) Limited

Lincoln Legal Services (Myanmar) Limited provides the full range of legal and tax advisory and compliance work required by investors. We pride ourselves in offering result-oriented work, high dependability and a fast response time at very competitive prices. Please do not hesitate to contact us:

- Sebastian Pawlita, Managing Director
Phone: +95-9-262546284 (English)
E-Mail: sebastian@lincolnmyanmar.com
- Nyein Chan Zaw, Director
Phone: +95-9-790488268 (Myanmar)
E-Mail: nyeinchanzaw@lincolnmyanmar.com

Office address: La Pyi Wun Plaza, Room 409 (4th Floor), 37 Alan Pya Pagoda Road, Dagon Township, Yangon

Web: www.lincolnmyanmar.com