

SUGAR INDUSTRY (NON-AGRICULTURAL WORKERS) REMUNERATION ORDER

This Remuneration Order was made by the Minister of Labour and Industrial Relations upon recommendations from the National Remuneration Board under section 96 of the Industrial Relations Act 1973. It sets down the minimum rates of wages and conditions of employment in respect of certain categories of workers.

*The first Remuneration Order in respect of this sector was made on **27 September 1974** by the then Minister of Labour and Industrial Relations. Prior to that, the wages and conditions of employment were governed by Wages Regulation Orders made under the Regulation of Wages and Conditions of Employment Ordinance, 1961.*

An employer may pay a worker remuneration at a rate higher than that prescribed in the Remuneration Order and provide him with more favourable conditions of employment but on no account should he reduce a worker's remuneration or alter his conditions of service so as to make them less favourable than what is stipulated in the Remuneration Order.

Any employer who fails to comply with any of the provisions of the Remuneration Order shall commit an offence and shall, on conviction, be liable to imprisonment for a term not exceeding six months and to a fine not exceeding two thousand rupees.

**THE SUGAR INDUSTRY (NON-AGRICULTURAL WORKERS)
(REMUNERATION ORDER) REGULATIONS 1985**

Government Notice No. 129 of 1985

GN 129 of 1985	wef	23.10.85	GN 80 of 1987	wef	1.07.87
Act 36 of 1988	“	10.12.88	GN 47 of 1989	“	8.04.89
GN 146 of 1990	“	1.02.90	GN 10 of 1995	“	30.01.95
GN 11 of 1995	“	30.01.95	Reprint 3 of 1995		
GN 46 of 1995	“	20.04.95	GN 195 of 1997	“	1.07.97
GN 141 of 1998	“	1.07.98	GN 130 of 1999	“	1.07.99
GN 169 of 2000	“	1.07.2000	GN 136 of 2001	“	1.07.01
GN 186 of 2002	“	1.07.2002	Act 20 of 2001	“	2.08.2001
GN 175 of 2003	“	1.07.2003	GN 161 of 2004	“	1.07.2004

1. These regulations may be cited as the **Sugar Industry (Non-Agricultural Workers) (Remuneration Order) Regulations 1985**.

2. (1) In these regulations -

"attendant (evaporators, boilers, hot water treatment plant)" means a worker who is required continuously to attend -

- (a) an evaporator single or in series;
- (b) a boiler; or
- (c) a hot water treatment plant;

"blacksmith (grade 2)" means a worker capable of -

- (a) using and maintaining the tools of the trade;
- (b) attending to strikers' work, including the building of fires and their maintenance;
- (c) dealing with the working characteristics of wrought iron, mild steel and plain carbon steels;
- (d) making, from a model, hand tools in general use such as hammers, tongs or chisels; and
- (e) bending round, angling and channelling sections to a given pattern and repairing tramway wagons, the body of lorries, hooks or chain links;

"blacksmith (grade 1)" means a worker capable of -

- (a) performing all the operations of a blacksmith (grade 2);
- (b) carrying out measurements and calculations required in the trade;

- (c) doing tempering;
- (d) making forgings in a reasonable time from sketches;
- (e) making simple welds in wrought iron and steel;
- (f) accurately forging rivets and pins; and
- (g) annealing simple hooks and chains;

"blacksmith (superior grade)" means a worker capable of -

- (a) performing all the operations of a blacksmith (grade 1);
- (b) organising and supervising work at a forge;
- (c) dealing with the working characteristics of wrought iron, mild steel, carbon steel and tool steel, and with steel hardening and tempering; and
- (d) accurately performing hand forging and welding operations such as forging of chains, hooks or springs;

"bus attendant" means a worker who accompanies a bus driver for the purpose of -

- (a) attending to the pressure of tyres;
- (b) assisting the driver by signals to reverse the vehicle;
- (c) helping the driver to carry out running repairs in case of breakdown; and
- (d) seeing to the safety of passengers to and from school premises;

(Amended GN 80/87)

"carpenter (grade 2)" means a worker capable of -

- (a) using and maintaining the tools of the trade;
- (b) carrying out measurements and calculations required;
- (c) identifying the properties, uses and working characteristics of common timber used in the trade;
- (d) making simple mortise and tenon joints and plane and groove boards for panelling;
- (e) making and finishing boarded panels and floorings;
- (f) making and fixing skirtings and internal joinery generally;
- (g) carrying out simple repair work and erecting scaffolding and shuttering for concrete work;
- (h) erecting and repairing wooden roof structures including the fixing of roofing sheets and shingles;

- (i) making and fixing doors, windows and louvres, fixing wooden logging for evaporators or vacuum pans, and repairing the wooden body work of lorries;
- (j) identifying the properties, uses and working characteristics of all timber used in the trade;
- (k) making all types of joints used in carpentry and identifying their properties;
- (l) carrying out all types of repair work to timbered structures;
- (m) marking out from drawings the timber required for the repair or construction of a framework, roof truss, or any other type of structure, including wooden logging for evaporators or vacuum pans and the wooden bodywork of lorries; and
- (n) carrying out simple joinery work such as the construction of chairs, tables, benches or cabinets;

"carpenter (grade 1)" means a worker capable of -

- (a) performing all the operations of a carpenter (grade 2);
- (b) carrying out from drawings and specifications the construction of any structure, building or shuttering for concrete work, preparing and correctly setting out all timber members and erecting all partitions, roofs, doors and window frames;
- (c) taking off quantities from plans and preparing cutting lists;
- (d) inspecting and reporting on the state of repairs of any wooden structure; and
- (e) making free-hand dimensioned sketches;

"carpenter (superior grade)" means a person capable of -

- (a) performing all the operations of a carpenter (grade 1);
- (b) reading and writing English and French;
- (c) carrying out from drawings and specifications all types of carpentry and joinery;
- (d) making and fixing all types of internal panelling to walls and ceilings, including panelling in solid timber, plywoods, plastic faced particle boards;
- (e) making timber formwork and shuttering, erecting and dismantling timber and metal formwork and shuttering for concrete stairs and landings, roofs with sloping surfaces;
- (f) making and erecting roof structures with purlins, hips and trusses;

- (g) setting out of buildings using precision instruments (spirits level, water level, sites square);
- (h) making furniture of elaborate style in a reasonable time and with perfect finish according to a pattern or drawing;
- (i) identifying faults and defects in all timbers in common use and applying the appropriate remedy;
- (j) detecting fungus and insect attacks in all kinds of timber in common use and applying preventive and curative treatments;

"chief attendant (evaporators, boilers, hot water treatment plant)" means a worker who is capable of performing all the operations of an attendant (evaporators, boilers, hot water treatment plant) and who is required to supervise also the work of other attendants of the same unit;

"chief carpenter" means an experienced worker capable of -

- (a) performing all the operations of a carpenter (grade 1);
- (b) showing qualities of initiative and leadership; and
- (c) organising, distributing and controlling the work carried out by the workers under his charge, whilst performing his own work;

"chief electrician" means an experienced worker capable of -

- (a) performing all the operations of an electrician (superior grade);
- (b) showing qualities of initiative and leadership;
- (c) reading and writing English and French; and
- (d) organising, distributing and controlling the work carried out by the workers under his charge, whilst performing his own work;

"chief laboratory attendant" means an experienced worker capable of -

- (a) performing all the operations of a laboratory attendant (grade 1);
- (b) showing qualities of initiative and leadership;
- (c) organising, distributing and controlling the work carried out by the workers under his charge, whilst performing his own work;

"chief mason" means an experienced worker capable of -

- (a) performing all the operations of a mason (grade 1);

- (b) showing qualities of initiative and leadership; and
- (c) organising, distributing and controlling the work carried out by the workers under his charge, whilst performing his own work;

"chief motor mechanic" means an experienced worker who holds a valid driving licence and is capable of -

- (a) performing all the operations of a motor mechanic (grade I);
- (b) showing qualities of initiative and leadership; and
- (c) organising, distributing and controlling the work carried out by the workers under his charge, whilst performing his own work;

"chief motor mechanic (heavy mechanical unit)" means an experienced worker who holds a valid driving licence and is capable of -

- (a) performing all the operations of a motor mechanic (heavy mechanical unit) (superior grade);
- (b) showing qualities of initiative and leadership;
- (c) reading and writing English and French; and
- (d) organising, distributing and controlling the work carried out by the workers under his charge, whilst performing his own work;

"chief pan boiler" means an experienced worker capable of -

- (a) performing all the operations of a pan boiler (grade 1);
- (b) showing qualities of initiative and leadership;
- (c) reading and writing English and French; and
- (d) organising, distributing work on the pan crystallizer and centrifugal floors;

"chief rigger" means an experienced worker capable of -

- (a) performing all the operations of a rigger (grade 1);
- (b) showing qualities of initiative and leadership;
- (c) reading and writing English and French; and
- (d) organising, distributing and controlling the work carried out by the workers under his charge, whilst performing his own work;

"chief tradesman" means an experienced worker capable of -

- (a) performing all the operations of a tradesman (superior grade) or, where no provision is made in these regulations for a tradesman, (superior grade) in a trade, a tradesman (grade I);
- (b) showing qualities of initiative and leadership;
- (c) reading and writing English and French; and
- (d) organising, distributing and controlling the work carried out by the workers under his charge, whilst performing his own work;

"coach painter" means a worker capable of -

- (a) using and maintaining the tools of the trade;
- (b) carrying out simple calculations required in the trade;
- (c) making putty, using sand-paper, filing to approximate finish;
- (d) applying filler and primer, polishing;
- (e) filing to more exact finish;
- (f) preparing, mixing and matching paints, using boiled or raw linseed oil and driers;
- (g) cutting all weights of glass, mixing putty and glazing;
- (h) using primers, undercoats and finishing coats in paint and enamel and leaving the finishing coats in satisfactory condition of finish as required for painting motor vehicles;
- (i) marking and painting letters and figures to a required standard;
- (j) estimating all the materials required for a particular repair work and estimating the cost of such repair; and
- (k) carrying out all repair and painting work to vehicle bodies to a very high degree of workmanship;

"coachsmith" means a worker capable of -

- (a) using and maintaining the tools of the trade;
- (b) carrying out simple measurements and calculations required in the trade;
- (c) tinning, soldering and brazing;
- (d) making hard and soft solder;
- (e) shaping and forming simple damaged vehicle body parts;
- (f) repairing tubular radiators;

- (g) dealing with the properties, uses and working characteristics of the metals, solders and fluxes used in the trade;
- (h) shaping and forming every complicated damaged body parts and making certain parts such as tractor cabins;
- (i) repairing and fitting vehicles' windscreens and windows; and
- (j) estimating all the materials required for a particular repair work and estimating the cost of such repair;

"continuous employment" means the employment of a worker under an agreement or under more than one agreement where the interval between one agreement and the next does not exceed 28 days;

"coppersmith (grade 2)" means a worker capable of -

- (a) using and maintaining the tools of the trade;
- (b) carrying out simple measurements and calculations required in the trade;
- (c) making hard and soft solder;
- (d) tinning, soldering and brazing;
- (e) setting out and making simple bends and joints in brass, lead and copper pipes;
- (f) making cylindrical and conical vessels;
- (g) making simple utensils such as cans, boxes and funnels;
- (h) repairing tubular radiators; and
- (i) repairing vacuum filter screens or herbicide sprayers;

"coppersmith (grade 1)" means a worker capable of -

- (a) performing all the operations of a coppersmith (grade 2);
- (b) carrying out all measurements and calculations required in the trade;
- (c) working from simple sketches and drawings;
- (d) marking out plates;
- (e) making wire templates to required contour;
- (f) blending and flanging all sizes of copper pipes;
- (g) adjusting all sizes of copper pipes to fit;
- (h) making saddle joints;

- (i) setting out a pattern for cylindrical pipe bend, developing and making out simple contours such as the junction of two cylinders;
- (j) making copper pipes from sheet and brazing up;
- (k) remetalling white metal bearings; and
- (l) extracting, annealing, replacing and expanding tubes;

"coppersmith (superior grade)" means a worker capable of -

- (a) performing all the operations of a coppersmith (grade 1);
- (b) working from drawings and making simple free-hand sketches;
- (c) performing any work on pipes of any metal and of any diameter;
- (d) developing and marking out all contours such as the junction of two cylinders inclined at any angle and the junction of a cylinder and a cone;
- (e) doing hollowing and moulding of sheet metal; and
- (f) estimating the materials required for any given job;

"crane operator" means a worker capable of changing wire ropes and doing minor repairs to a crane;

"driver" means a worker, other than a loading and harvesting machine operator, who is in possession of a valid driving licence for the vehicle he may be required to drive and is capable of -

- (a) keeping his vehicle clean and in good running order;
- (b) effecting minor repairs to his vehicle;
- (c) changing a wheel and using a tyre gauge;
- (d) driving a vehicle proficiently;
- (e) carrying out simple maintenance tasks such as cleaning engines and chassis, lubrication of vehicles, topping up batteries, keeping fuel lines free of dirt and water and changing spark plugs and fuel injectors; and
- (f) helping the motor mechanics, if required, when his vehicle is under repair;

(Amended GN 80/87)

"driver (grade 2)" means a driver who drives -

- (a) motor cars and vans;
- (b) road rollers;

- (c) wheeled tractors used only for light intercrop line work such as earthing up or rotary hoeing;
- (d) crawler tractor of less than 29419.96 Watt (40 h.p.);
- (e) any other vehicle not being a lorry used to transport sugar to the docks or the Bulk Sugar Terminal or any of the vehicles listed in the definition of driver (grade 1);

"driver (grade 1)" means a driver who drives -

- (a) a wheeled tractor used for haulage work;
- (b) lorries other than those transporting sugar to the docks or the Bulk Sugar Terminal;
- (c) buses;
- (d) diesel or steam locomotives;
- (e) a crane or derrick;
- (f) motor cars, provided he reckons at least 10 years continuous service with the same employer;

"driver (superior grade)" means a driver who drives -

- (a) a vehicle transporting sugar to the docks or the Bulk Sugar Terminal; or
- (b) a vehicle transporting sugar cane and licensed to carry a load of at least 15,000kg (15 tonnes) with a capacity of at least 42511.84 Watt (57.8 h.p.);

"driver (heavy mechanical unit) (grade 2)" means a driver who is in possession of a valid driving licence and is capable of -

- (a) driving a crawler tractor, bulldozer and ripper of less than 66194.91 Watt (90 h.p.);
- (b) keeping the machine in good running order;
- (c) effecting minor repairs to the machine;
- (d) driving the machine proficiently;
- (e) carrying out simple maintenance tasks such as cleaning engines and chassis, lubrication of the machine, topping up batteries, keeping fuel lines free of dirt and water and changing spark plugs and fuel injectors; and
- (f) helping the motor mechanics (heavy mechanical unit), if required, when the machine is under repair;

"driver (heavy mechanical unit) (grade 1)" means a driver who is in possession of a valid driving licence and is capable of -

- (a) driving a crawler tractor, bulldozer and ripper of not less than 66194.91 Watt (90 h.p.) and not more than 132389.82 Watt (180 h.p.);
- (b) performing all the operations of a driver (heavy mechanical unit) (grade 2);

"driver (heavy mechanical unit) (superior grade)" means a driver who is in possession of a valid driving licence and is capable of -

- (a) driving a crawler tractor, bulldozer and ripper of more than 132389.82 Watt (180 h.p.);
- (b) performing all the operations of a driver (heavy mechanical unit) (grade 1);

"earnings" means basic wages and wages for work done in excess of a normal day's work or on a public holiday;

"electrician (grade 2)" means a worker capable of -

- (a) safeguarding himself and others working with him against any electrical risk;
- (b) working on poles, fixing arms, insulators, brackets, cable fuses and running and regulating overhead lines;
- (c) dealing with all types of internal wiring on electric lighting and power installations including conduit and lead covered cable work;
- (d) dealing with low tension circuits on a sugar estate;
- (e) performing ordinary maintenance work on electric lighting, power installations and overhead lines;
- (f) renewing fuses and making and soldering conductor joints of all types on low tension systems; and
- (g) effecting minor repairs to motors, dynamos, generators and other electrical appliances;

"electrician (grade 1)" means a worker capable of -

- (a) performing all the operations of an electrician (grade 2);
- (b) performing soldering work;
- (c) dealing with A.C. and D.C. work, batteries and automotive circuits and carrying out necessary repairs thereto;
- (d) dealing with the types of cables and sizes of conductors used on various types of electrical lighting and power installations and electric machines;
- (e) preparing compounds and filling joint boxes;

- (f) installing, repairing, locating and removing faults on electric motors and starters, dynamos, generators, battery charging equipment, automotive circuits, domestic appliances, switchgear and circuit breakers;
- (g) using the testing equipment required in connection with his trade, such as meggers, detectors, voltmeters and ammeters;
- (h) reading and understanding simple wiring diagrams; and
- (i) preparing estimates of quantities of materials required for specific works;

"electrician (superior grade)" means a worker capable of -

- (a) performing all the operations of an electrician (grade 1);
- (b) locating and repairing simple faults in electronic equipment found in sugar factories;
- (c) dealing with the appropriate size of conductors, fuses and meters for any given load;
- (d) reading and writing English and French;
- (e) reading and understanding more complicated wiring diagrams and plans of electrical equipment and motors; and
- (f) renewing any type of electrical motor or generator and repairing any type of electrical equipment or appliance;

"employer" means any person who employs a worker;

"factory operator (grade 2)" -

- (a) means a tool orderly or a worker who is required continuously to attend-
 - (i) an auxiliary cane carrier;
 - (ii) a main cane carrier;
 - (iii) a boiler feed pump and valves;
 - (iv) a boiler fan;
 - (v) a dry bagasse carrier (prime mover);
 - (vi) a crystalliser, including its ancillary equipment;
 - (vii) an automatic and semi-automatic centrifugal; or
 - (viii) a steam-operated machine;

- (b) includes a pan boiler attendant, a mill clutch attendant, a lubricator and greaser, an air compressor operator, a bagasse storage reclamation equipment attendant;

"factory operator (grade 1)" means a worker who is required continuously to attend -

- (a) a cane knife;
- (b) a vacuum pump;
- (c) prime movers and gears;
- (d) a turbo alternator;
- (e) a rotary filter;
- (f) a bag sewing machine;

"factory operator (superior grade)" means a worker who is required continuously to attend a complete boiler plant;

"fitter (grade 2)" means a worker capable of -

- (a) carrying out measurements and calculations required in the trade;
- (b) using with moderate accuracy all the tools of the trade;
- (c) cutting, chevron grooves in mill rollers and simple keyways;
- (d) filing, scraping and bedding flat and curved surfaces;
- (e) using drilling, shaping, planing and milling machines; and
- (f) dismantling, fitting, overhauling and erecting simple parts of machinery such as pumps, small steam engines or mechanical lubricators;

"fitter (grade 1)" means a worker capable of -

- (a) performing all the operations of a fitter (grade 2);
- (b) doing simple marking off;
- (c) filing and scraping to a finish of 0.005 cm;
- (d) using inside and outside callipers and a precision water level;
- (e) fitting and aligning a complete set of bearings for a shaft;
- (f) dismantling, fitting, overhauling and erecting more complicated parts of machinery such as mills, cane knives and larger steam engine;

"fitter (superior grade)" means a worker capable of -

- (a) performing all the operations of a fitter (grade 1);
- (b) making free-hand dimensioned sketches and reading drawings;
- (c) doing any marking off from drawings;
- (d) accurately performing any fitting, dismantling, overhauling and erecting operations on any machinery in a sugar factory or on weighbridges or locomotives; and
- (e) using precision instruments, such as dial gauges or micrometers, in performing work of the highest precision such as erecting, aligning and maintaining steam turbines and automatic controls;

“intercrop season” in relation to an employer, means the period intervening between the end of a harvest and the beginning of the next harvest;

(Amended GN10/95)

“job contractor” has the same meaning as in the Labour Act;

(Amended Act 2001)

"laboratory attendant (grade 2)" means a worker capable of -

- (a) carrying out arithmetical calculations required in the trade;
- (b) performing correctly all routine analytical operations such as Brix determinations, weighing on a laboratory balance or pH. determination;
- (c) keeping simple laboratory records;
- (d) cleaning and maintaining laboratory equipment;
- (e) carrying out and supervising all sampling in a sugar factory and in a cane field; and
- (f) dealing with safety precautions necessary in a laboratory and factory;

"laboratory attendant (grade 1)" means an experienced and educated worker capable of-

- (a) performing all the operations of a laboratory attendant (grade 2)
- (b) writing and reading English and French; and
- (c) carrying out more complicated chemical operations such as preparation of reagents, soil analysis or *clergé* determinations;

"laboratory attendant (superior grade)" means a person capable of -

- (a) performing all the operations of a laboratory attendant (grade 1);
- (b) carrying out more complicated calculations using simple formulas such as those used in the determination of "Clergé Purity", "Dilution Indicator", etc...
- (c) organising a simple field or factory experiment involving correct lay-out, timing and representative sampling;
- (d) detecting, through a certain knowledge of sugar manufacture, all sources of sugar losses liable to occur during the process in order to inform the factory overseer;

"land" means land on which canes are, or are intended to be, cultivated;

"lorry attendant" means a worker who accompanies a lorry driver for the purpose of changing a wheel, attending to the pressure of tyres, assisting the driver by signals to reverse the vehicle and securing any cargo carried by the vehicle and doing similar duties;

(Amended GN 80/87)

"loading and harvesting machine operator (grade 2)" means a worker who operates a fork lift;

"loading and harvesting machine operator (grade 1)" means a worker who operates either -

- (i) a mobile loader and/or digger;
- (ii) a mobile crane; or
- (iii) a cane harvester capable of harvesting less than 20 tonnes (20,000kg) per hour;

"loading and harvesting machine operator (superior grade)" means a worker who operates a cane harvester capable of cutting and loading 20 tonnes (20,000kg) or more per hour under normal conditions;

"lorry loader" means a worker principally engaged during the crop and intercrop seasons in the loading and unloading of goods and materials but does not include an agricultural worker who is required to do such work occasionally or who is required to do loading and unloading of sugar cane, stones, manure, scums, etc.;

"mason (grade 2)" means a worker capable of -

- (a) carrying out measurements and calculations required in the trade;
- (b) setting out foundations and setting levels and square angles accurately;
- (c) dressing stone or brick (including refractories) for any purpose;
- (d) building any type of stone or brick wall and knowing the correct use of parpens;
- (e) making joints in stone, brick and concrete block walls;
- (f) plastering with cement all wall surfaces and laying and trowelling cement floors to level;
- (g) mixing mortar and concrete;
- (h) plastering and trowelling walls, ceilings, angles and curves;
- (i) dealing with the materials used in different types of work such as refractory bricks and cement for furnaces;
- (j) doing all repairs to boiler furnaces, arches and walls;
- (k) fixing window and door frames;
- (l) dealing with the layout of flues in a sugar factory and canals on a sugar estate; and
- (m) performing the correct placing and joining of reinforcements;

"mason (grade 1)" means a worker capable of -

- (a) performing all the operations of a mason (grade 2);
- (b) carrying out from drawings and specifications any concrete stone or brick work;
- (c) inspecting and reporting on the state of repairs of any concrete stone or brick structure;
- (d) estimating quantities from drawings and specifications;
- (e) laying glazed floor tiles and wall tiles accurately finished to line and level; and
- (f) setting out arches and determining the shape of bricks and stone for arches;

"mason (superior grade)" means a worker capable of -

- (a) performing all the operations of a mason (grade 1);
- (b) reading and writing English and French;

- (c) identifying all types of cement used in building and concrete and taking all necessary steps and precautions when making use of those cements;
- (d) discriminating between the various types of aggregate used in the manufacture of concrete;
- (e) making use of all the equipment required for mixing and placing concrete in any structure and performing all the required operations from start of concreting to final curing and finishing;
- (f) applying concreting sequences where necessary and taking the proper steps when concreting has to be stopped for more than the time allowed for initial set of cement;
- (g) using the correct practice in connection with joining of concrete works;
- (h) artistically cutting and carving stone, marble and other materials according to a pattern or drawing;
- (i) carrying out from drawings and specifications any brick, block, stone and concrete work, plastering, drainage;
- (j) fixing glazed ceramic tiles and mosaics by thick bed method or by thin bed method;
- (k) laying terrazzo tiles, clay quarry tiles, or concrete tiles on level floors, floors laid to falls or cross-falls, skirlings, steps, sills;
- (l) setting out simple drainage systems and lay to correct falls, stoneware pipes and fittings;
- (m) knowing the causes of defects in brick work, block work, stone masonry, rendering and plastering, wall and floor tiling, concrete and reinforced concrete, drainage and taking preventive measures, inspecting, reporting and carrying out repairs;

"**messenger**" means a person employed for the purpose of performing one or more of the following duties -

- (a) running errands;
- (b) watching premises during business hours;
- (c) cleaning premises;
- (d) operating a simple telephone switch-board;
- (e) answering calls or bells; and
- (f) doing other similar duties;

(Amended GN 80/87)

"**miller**" has the same meaning as in the Cane Planters and Millers Arbitration and Control Board Act;

"**motor mechanic (grade 2)**" means a worker who holds a valid driving licence and is capable of -

- (a) using and maintaining the tools and equipment of the trade;
- (b) producing simple parts involving fitting work and soldering;
- (c) stripping, overhauling and reassembling the simple mechanical assembly of a mechanical vehicle and diesel plant, including valve grinding, fitting pistons and rings in all types of engines; and
- (d) carrying out minor adjustment to parts of a motor vehicle, such as brakes and clutches, and locating and repairing minor troubles;

"**motor mechanic (grade 1)**" means a worker who holds a valid driving licence and is capable of -

- (a) performing all the operations of a motor mechanic (grade 2);
- (b) understanding simple dimensioned sketches and drawings;
- (c) dealing with electrical equipment of a motor vehicle so as to detect simple faults and effect repairs;
- (d) carrying out repairs and adjustments to clutches; gearboxes, couplings, back axles, brakes (mechanical and hydraulic), steering system, springs, swivel pins and stub axles;
- (e) testing a crankshaft for alignment and refitting a complete set of bearings for a crankshaft by scraping;
- (f) using all appliances and equipment used in a workshop;
- (g) detecting faults and carrying out all the usual repairs to a motor vehicle; and
- (h) dealing with the working of internal combustion engines and the four-stroke and two-stroke cycles;

"**motor mechanic (superior grade)**" means a worker who holds a valid driving licence and is capable of -

- (a) performing all the operations of a motor mechanic (grade 1);
- (b) reading and writing English and French and being conversant with measurements required in the trade;

using every precision instrument such as a cylinder gauge, micrometer, dial gauge, depth gauge or crankshaft indicator;

- (c) knowing the English and French names of all motor vehicle parts;
- (d) reading drawings, sketches and wiring diagrams;
- (e) dealing with the various working clearances and components;
- (f) tuning engines efficiently;
- (g) dealing with carburation and the working and simple running adjustments of all types of carburettors;
- (h) dealing with the electrical equipment of motor vehicles so as to localise faults, including adjustments and replacement of brushes and contacts in magnetos, dynamos and starters, and understanding the working and care of cut outs; induction coils and distributors; and
- (i) dealing with all internal combustion engines, diesel fuel pumps and nozzles;

"motor mechanic (heavy mechanical unit)(grade 2)" means a worker who holds a valid driving licence and is capable of -

- (a) performing all the operations of a motor mechanic (automobiles) (grade 2); and
- (b) maintaining, repairing and overhauling heavy mechanical units such as bulldozers, crawler tractors, rippers, scrapers and other agricultural equipment;

"motor mechanic (heavy mechanical unit)(grade 1)" means a worker who holds a valid driving licence and is capable of -

- (a) performing all the operations of a motor mechanic (automobiles) (grade 1); and
- (b) maintaining, repairing and overhauling heavy mechanical units such as bulldozers, crawler tractors, rippers, scrapers and other agricultural equipment;

"motor mechanic (heavy mechanical unit) (superior grade)" means a worker who holds a valid driving licence and is capable of -

- (a) performing all the operations of a motor mechanic (automobiles) (superior grade); and
- (b) maintaining, repairing and overhauling heavy mechanical units such as bulldozers, crawler tractors, rippers, scrapers and other agricultural equipment;

"moulder (grade 2)" means a worker capable of -

- (a) dealing with foundry routine work;
- (b) using and maintaining the tools of the trade;
- (c) carrying out measurements and calculations required in the trade; and
- (d) preparing moulds for simple casting and making fitting cores for these moulds;

"moulder (grade 1)" means a worker capable of -

- (a) performing all the operations of a moulder (grade 2);
- (b) dealing with and preparing sands and facings used in the making of moulds;
- (c) preparing moulds for all types of castings and making fitting cores for these moulds; and
- (d) charging and working a brass crucible furnace including mixing metals;

"moulder (superior grade)" means a worker capable of -

- (a) performing all the operations of a moulder (grade 1);
- (b) dealing with the casting of alloys and special metals;
- (c) conducting all foundry operations; and
- (d) charging and working an iron cupola including packing and mixing metals;

"owner" in relation to land, includes a lessee or a beneficial occupier;

"painter (grade 2)" means a worker capable of -

- (a) differentiating between colours;
- (b) using and maintaining all the tools of the trade including brushes, rollers, blow-lamps and spray guns;
- (c) removing paint with soda solution, washing and burning off paint;
- (d) preparing surfaces for painting;
- (e) making putty, using sandpaper, painting, stopping up and flattening down with pumice and varnishing;
- (f) preparing ordinary distemper;
- (g) cutting ordinary glass and doing simple glazing;
- (h) preparing, mixing and matching paints, using boiled or raw linseed oil and driers; and

- (i) working on all buildings and structures irrespective of their height;

"painter (grade 1)" means a worker capable of -

- (a) performing all the operations of a painter (grade 2);
- (b) doing ordinary lining, sign-writing and lettering;
- (c) cutting all weights of glass, mixing putty and glazing;
- (d) estimating materials for puttying, painting, varnishing, glazing and any other operation appertaining to the trade;
- (e) mixing and blending paints to any required shade;
- (f) dealing with the properties and application of the various types of paints, enamels, stains, varnishes and polishes;
- (g) dealing with fillers and thinning paint; and
- (h) using primers, undercoats and finishing coats in paint and enamel and leaving the finishing coat in a satisfactory condition of finish as required for painting motor vehicles;

"painter (superior grade)" means a worker capable of -

- (a) performing all the operations of a painter (grade 1);
- (b) carrying out simple calculations required in the trade;
- (c) carrying out from drawings, colour schemes and specifications (English and French), all types of painting and decorating, including the marking and painting of letters and figures to a required standard;
- (d) making free-hand sketches and suggesting colour schemes for all interior or exterior painting and decorating;
- (e) preparing priming, filling and applying finishing coats of enamel or cellulose paint by brush, roller or spray gun to a very high degree of workmanship;
- (f) estimating all the materials and labour required for a particular repair work and estimating the cost of such repair;

"pan-boiler (grade 2)" means a worker capable of -

- (a) using and maintaining all the equipment of the trade;
- (b) operating all the valves and controls for the successful boiling of a strike in a vacuum pan;
- (c) satisfactorily conducting A, B and C strikes from a given footing;
- (d) dealing with all control instruments normally fitted to a vacuum pan such as gauges and cuitometers; and

(e) taking charge of two pans simultaneously;

"pan-boiler (grade 1)" means a worker capable of –

- (a) performing all the operations of a pan boiler (grade 2);
- (b) satisfactorily conducting a seed strike from start to finish;

"pan-boiler (superior grade)" means a worker capable of –

- (a) performing all the operations of a pan boiler (grade 1);
- (b) understanding the meaning of Brix pol and purity of boiling house products;
- (c) controlling the dilution, temperature and quality of syrup runnings and magma;
- (d) keeping proper records of panwork; and
- (e) using a microscope for determining crystal size;

"pattern maker (grade 2)" means a worker capable of -

- (a) carrying out measurements and calculations required in the trade;
- (b) using and maintaining the tools of the trade;
- (c) making patterns and coreboxes of simple design;
- (d) repairing damaged patterns and coreboxes;

"pattern maker (grade 1)" means a worker capable of -

- (a) performing all the operations of a pattern maker (grade 2);
- (b) identifying and knowing the working characteristics of the common timber used in the trade;
- (c) using a contraction rule and making the allowances used for common metals; and
- (d) making patterns and coreboxes of more complicated design from drawings;

"pattern maker (superior grade)" means a worker capable of -

- (a) performing all the operations of a pattern maker (grade 1);
- (b) reading any mechanical drawing in which castings are involved;
- (c) making free-hand dimensioned sketches;
- (d) understanding contraction figures for the common types of metals;
- (e) understanding the amount of draw to be allowed on patterns;

- (f) making any type of pattern and corebox;

"pensioner" means a worker who is in receipt of a pension under the Sugar Industry Pension Fund Act, the Sugar Industry Retiring Benefits Act or the National Pensions Act;

"plumber and pipe fitter (grade 2)" means a worker capable of -

- (a) carrying out measurements required in the trade;
- (b) using and maintaining the tools of the trade;
- (c) performing light riveting and simple soldering and brazing;
- (d) preparing and replacing common tap washers;
- (e) making water tight joints;
- (f) laying properly galvanised pipes including reductions and branches;
- (g) laying cast iron or lead pipes and caulking joints;
- (h) screwing pipes with stocks and dies;
- (i) using a pipe cutter and hack-saw to cut pipes square or to a given angle;
- (j) installing and repairing urinals; and
- (k) knowing the names of fittings in galvanised pipe work and cast iron pipe work and understanding their use;

"plumber and pipe fitter (grade 1)" means a worker capable of -

- (a) performing all the operations of a plumber and pipe fitter (grade 2);
- (b) reading scale plans, taking off dimensions and setting out any house sewer and connections;
- (c) preparing estimates for materials, labour and time required for plumbing work; and
- (d) preparing and erecting low pressure piping used in a sugar factory up to a diameter of 15 cm;

"plumber and pipe fitter (superior grade)" means a worker who is capable of-

- (a) performing all the operations of a plumber and pipe fitter (grade 1);
- (b) dealing with sheet metal work and making all pipes, bends, flanges and necessary fittings; and

- (c) preparing and erecting all high pressure piping used in a sugar factory;

"rigger (grade 2)" means a worker capable of -

- (a) dealing with necessary safety precautions;
- (b) using and maintaining the tools of the trade including winches, hoists, jacks or tackles;
- (c) erecting rigging, poles, masts and other scaffolding for simple operations such as the dismantling and erection of small roof trusses or cane knives;
- (d) using overhead cranes in the mill house and workshop for handling heavy machinery such as a miller roller;
- (e) loading, unloading and moving heavy equipment to a designated site;
- (f) supervising and organising the work of his gang; and
- (g) dealing with the working strength of wires, chains, ropes and all lifting tackles;

"rigger (grade 1)" means a worker capable of -

- (a) performing all the operations of a rigger (grade 2);
- (b) performing all types of rigging operations such as erection of vacuum pans, condensing equipment, evaporators, boilers or roof trusses; and
- (c) reading and understanding handling instructions on crates and machinery;

"rigger (superior grade)" means a worker capable of -

- (a) performing all the operations of a rigger (grade 1);
- (b) performing simple fitting, welding and forging operations as required for more advanced rigging and assembling work such as -
 - (i) using stationary and portable power drilling machine;
 - (ii) dismantling, fitting, overhauling and erecting such parts of machinery as pumps, steam engines and cane knives;
 - (iii) using inside and outside callipers and a precision water level;
 - (iv) fitting and aligning a complete set of bearings;
 - (v) performing simple welds as required in his trade;
 - (vi) forging simple tools as required in his trade;

"sampler (bagasse, juice, water)" means a worker who can converse in English and French and who is capable of -

- (a) taking samples of bagasse, juice, water at regular intervals and classifying them for laboratory test;
- (b) cleaning and maintaining laboratory equipment; and
- (c) assisting laboratory attendants in the performance of their duties;

"sheet metal worker and boiler maker (grade 2)" means a worker capable of -

- (a) carrying out simple measurements and calculations required in the trade;
- (b) drawing out, tempering and grinding chisels;
- (c) cutting plates and rivet heads efficiently;
- (d) building and tending a fire to bring rivets to correct heat;
- (e) striking and holding up rivets;
- (f) performing cold riveting;
- (g) punching rivet holes;
- (h) using pneumatic tools for riveting;
- (i) preparing and chamfering plates for welding;
- (j) repairing tanks, troughs and large diameter pipes; and
- (k) dismantling, cleaning and re-erecting pipes and accessories;

"sheet metal worker and boiler maker (Grade 1)" means a worker capable of-

- (a) performing all the operations of a sheet metal worker and boiler maker (grade 2);
- (b) carrying out measurements and calculations required in the trade;
- (c) working from simple sketches and drawings;
- (d) performing marking out of plates;
- (e) performing hot riveting in any position and dealing with the necessary length of rivets for all types of riveting;
- (f) using a rolling and bending machine;
- (g) preparing chain slats to a pattern;
- (h) extracting, annealing, replacing and expanding tubes;
- (i) riveting fullers and caulking seams;
- (j) cutting, bending and rolling steel plates;

- (k) preparing and erecting simple metallic structures; and
- (l) carrying out hydraulic tests on pressure vessels;

"sheet metal worker and boiler maker (superior grade)" means a worker capable of -

- (a) performing all the operations of a sheet metal worker and boiler maker (grade 1);
- (b) spacing rivet holes and dealing with the necessary rivet diameter and length for any type of job;
- (c) carrying out careful examinations of boilers and pressure vessels and reporting on their conditions;
- (d) making out plates accurately and to any required shape according to drawings;
- (e) setting out and developing plates to any thickness to give the correct form when bent;
- (f) preparing and erecting all metallic structures; and
- (g) estimating the materials required for any given job;

"stipulated hours" means the hours specified in paragraph 2 of the Second Schedule; **(Amended by GN 81 of 2010)**

"store attendant" means a worker who is employed in stores and who is required to -

- (a) clean the stores;
 - (b) carry and deliver goods; and
 - (c) perform other ancillary duties;
- (Amended GN 80/87)**

"suitable housing accommodation" means accommodations provided in accordance with paragraph 19(1) of the Second Schedule, which has a rental value equivalent to not less than the allowance to which the worker would be entitled, under paragraph 19(2) of that Schedule, if no accommodation were provided;

"telephone operator" means a worker who can converse in English and French and is capable of -

- (a) operating a telephone switchboard in the sugar factory;
- (b) dealing with telephone inquiries;
- (c) receiving, recording and passing on messages to staff employed in the sugar factory;

"tinsmith (grade 2)" means a worker capable of -

- (a) using and maintaining the tools of the trade;
- (b) dealing with the properties, uses and working characteristics of the metals, solders and fluxes used in the trade;
- (c) carrying out simple measurements and calculations required in the trade;
- (d) making hard and soft solder;
- (e) tinning, soldering and brazing;
- (f) carrying out re-tinning;
- (g) making cylindrical and conical vessels and simple utensils such as oil cans or funnels;
- (h) understanding and working from dimensioned sketches;
- (i) making simple repairs to iron roofs; and
- (j) repairing vacuum filter screens and herbicide sprayers;

"tinsmith (grade 1)" means a worker capable of -

- (a) performing all the operations of a tinsmith (grade 2);
- (b) dealing with the standard gauges for metal;
- (c) making and erecting pieces of work in sheet tin, galvanised iron sheets or thin brass sheets such as gutters or air vents;
- (d) estimating the materials required for any given job; and
- (e) surveying and reporting on the state of repairs of iron roofs;

"tinsmith (superior grade)" means a worker capable of -

- (a) performing all the operations of a tinsmith (grade 1);
- (b) repairing tubular radiators;
- (c) shaping and forming damaged body parts and making certain parts such as tractor cabins; and
- (d) estimating all the materials required for a particular repair work and estimating the cost of such repair;

"trade union" means a trade union in respect of which the Registrar of Associations has issued a certificate stating that the union is substantially representative of the category of workers for which it caters;

"tradesman" means a worker of a category specified in groups A, B, C or D of the First Schedule;

"turner (grade 2)" means a worker capable of -

- (a) using and maintaining the tools of the trade;
- (b) carrying out measurements and calculations required in the trade; and
- (c) accurately performing simple pieces of work, plane and taper turning and ordinary screw cutting;

"turner (grade 1)" means a worker capable of -

- (a) performing all the operations of a turner (grade 2);
- (b) performing high precision work;
- (c) working out the change of wheels for screw cutting; and
- (d) gauging the correct cutting speeds and feeds for metals;

"turner (superior grade)" means a worker capable of -

- (a) performing all the operations of a turner (grade 1);
- (b) correctly using precision instruments in performing all work of the highest precision;

"weighbridge attendant" means a worker who -

- (a) cleans and maintains in good condition premises of the weighbridge;
 - (b) attends to the correct weighing of every vehicle, gross weight, tare and reports to the weighers;
 - (c) circulates and supplies information under the instructions of the weighers; and
 - (d) performs all other similar duties;
- (Amended GN 80/87)**

"welder (grade 2)" means a worker capable of -

- (a) using and maintaining the tools of the trade;
- (b) taking necessary safety precautions;
- (c) dealing with electrodes in general use in preparing all work for welding; and
- (d) carrying out all forms of welds in mild steel and structural steel and using an oxyacetylene torch for simple cutting and welding purposes;

"welder (grade 1)" means a worker capable of -

- (a) performing all the operations of a welder (grade 2);
- (b) using an oxyacetylene torch for all welding and cutting purposes;
- (c) working from simple drawings or sketches;

- (d) carrying out all forms of welding in all thickness of material;
- (e) making sound welds in down-hand, oblique, vertical and up-hand positions;
- (f) adopting correct measures to avoid undercutting, expansion and contraction; and
- (g) recognising different metals and selecting the most suitable electrodes for welding;

"welder (superior grade)" means a worker capable of -

- (a) performing all the operations of a welder (grade 1);
- (b) making free-hand dimensioned sketches and reading any drawing;
- (c) reading and carrying out properly welding instructions in English and French; and
- (d) carrying out all welding jobs of the highest precision and importance, such as repairs to boilers, arc-welding of cast iron and cast steel with and without preheating, and high precision torch welding such as rebuilding bearings;

"worker" -

- (a) means a worker employed in the sugar industry;
- (b) includes -
 - (i) a worker previously described or commonly known in the sugar industry as -
 - (A) a fitter,
 - (B) a blacksmith,
 - (C) a coppersmith,
 - (D) a boiler maker,
 - (E) a turner,
 - (F) a welder,
 - (G) a tinsmith,
 - (H) a plumber,
 - (I) a pattern-maker,
 - (J) a moulder,
 - (K) a pan-boiler,
 - (L) a stonemason,
 - (M) a carpenter,
 - (N) a motor mechanic,

- (O) a driver,
 - (P) a loco-fitter,
 - (Q) an electrician,
 - (R) a boiler attendant,
 - (S) a distiller,
 - (T) an attendant; or
 - (U) a painter;
- (ii) a worker whose work is allied to or substantially comparable to the work done by a worker specified in subparagraph (i) or who is specified in the first column of the First Schedule; and
 - (iii) a tradesman; and
 - (iv) a worker employed by a job contractor;
(Act 20/2001)
- (c) does not include -
- (i) a worker to whom the Sugar Industry (Agricultural Workers)(Remuneration Order) Regulations 1983 applies;
 - (ii) a person employed by the Mauritius Sugar Industry Research Institute;
(Act 20/2001)

"working day" has the same meaning as in the Labour Act.

- (2) A worker shall be deemed to be employed in the sugar industry where he is employed on an express or implied contract of service, by or on behalf of a miller or an owner of land or by a job contractor, to do any work mainly concerned with – **(Act 20/2001)**
- (a) the preparation of land, the growing, harvesting or processing of canes, the construction, repair or maintenance of roads, bridges, water works, structures or buildings wholly or substantially required for the purposes of the sugar industry, or any other work incidental to the exploitation of land; or
 - (b) the transport of canes, sugar or materials or supplies used in connection with any work specified in subparagraph (a).
3. (1) Subject to the other provisions of this regulation and to paragraphs 1 and 5(3)(a) of the Second Schedule, every worker shall be-

- (a) remunerated at the rates specified in the First Schedule;
and
 - (b) governed by the conditions of employment specified in the Second Schedule.
- (2) Where, for more than 6 days, a worker continuously replaces a worker drawing a higher remuneration, he shall as from the first day of replacement and for so long as he continues to replace the other worker, be remunerated at the rate specified for the other worker.
(Amended GN 80/87)
- (3) Paragraphs 6 to 14, 17 to 20, 25, 26 and 28 of the Second Schedule shall not apply to a worker employed by or on behalf of an employer whose total area of land does not, in the aggregate exceed 10,5522 hectares (25 arpents).
- (4) Paragraphs 5 to 7, 9 to 16 and 18 to 30 of the Second Schedule shall not apply to a worker employed by a job contractor.
(Amended Act 20/2001)
- (5) The rates specified in the First Schedule and in paragraph 1 of the Second Schedule include the appropriate additional remuneration payable under the Additional Remuneration Act.
- 4. Any agreement by a worker to relinquish his eligibility for a paid holiday or to forego a paid holiday shall be void.
- 5.
 - (1) Every employer who owns either a sugar factory or more than 100 arpents of land under sugar cane cultivation shall define clearly in writing the qualifications and duties of all categories of workers in his employment and shall make such document available to any worker at his request or to any trade union which has negotiating rights or representational status with him. **(Amended Act 36/88)**
 - (2) Where a vacancy occurs in the grade of non-agricultural workers or a new post is created at any level of the hierarchy in his enterprise, the employer shall advertise such vacancy or new post by a notice conspicuously displayed outside his main office and sub-offices, if any, and, before having recourse to external recruitments, consider offering the vacant or new post to his workers in the lower grade. **(Amended Act 36/88)**
- 6.
 - (1) Where an employer who owns either a sugar factory or more than 100 arpents of land under sugar cane cultivation needs to provide training for the performance of a work in his enterprise, he shall, when selecting the appropriate person, give

consideration in priority to his workers who hold appropriate qualifications. **(Amended Act 36/88)**

- (2) Where a worker is selected for training under paragraph (1), he shall be entitled to paid time off during the training period.
(Amended Act 36/88)
7.
 - (1) Nothing in these regulations shall prevent an employer from paying a worker remuneration at a rate higher than that specified in the First Schedule, or from granting him conditions of employment more favourable than those specified in the Second Schedule.
 - (2) Nothing in these regulations shall authorise the employer of a worker in his service at the date of the commencement of these regulations to reduce the worker's remuneration or to alter his conditions of employment so as to make them less favourable to the worker.
 - (3) Where as at 30 June 1987, a worker was being paid remuneration at a rate higher than that specified in the First Schedule for his category and in respect of his length of service, the employer shall as from 1 July 1987 pay to that worker an additional remuneration of 15 per cent of that specified rate.
(Amended GN 80/87)
8. Every employer who is a miller or an owner of land shall conspicuously display a copy of these regulations near the entrance to every office or sub-office of his undertaking or business so that it may be inspected by every worker.
9. The Sugar Industry (Non-Agricultural Workers) (Remuneration Order) Regulations 1974 are repealed.

Made by the Minister on 23 October 1985.

SECOND SCHEDULE
(regulation 3)

1. Minimum Basic Wages

Every adult and able-bodied male daily worker, other than a worker specified in the First Schedule, shall be entitled to receive not less than **Rs179.45** for a normal day's work. **(GN 161/2004)**

2. Hours of Work

- (1) Except where he voluntarily undertakes to do so, no worker other than a watchman shall be required to work either on a Saturday or a public holiday during intercrop season.
- (2) A normal day 's work excluding any time allowed for a meal break, shall consist of -
 - (a) during the crop season -
 - (i) 5 hours on a Saturday;
 - (ii) 7 hours on any other day which is not a public holiday; **(Amended by GN 81 of 2010)**
 - (b) during the intercrop season, 8 hours on everyday other than a Saturday or a public holiday.
(Amended GN 10/95; GN 46/95)

3. Additional Work and Allowances

- (1) (a) Subject to the other provisions of this paragraph, where a worker works on any week day in excess of the stipulated hours or works during intercrop season on any Saturday which is not a public holiday, the employer shall, in respect of the extra work, remunerate the worker at not less than one and a half times the rate at which the work is remunerated when performed during the stipulated hours.
- (b) Where a worker works on a public holiday, the employer shall, in addition to the remuneration payable, remunerate the worker in respect of any work done -
 - (i) during the stipulated hours, at not less than twice the rate at which the work is remunerated when performed during the stipulated hours on a week day;
 - (ii) in excess of the stipulated hours, at not less than 3 times the rate at which the work is remunerated

when performed during the stipulated hours on a week day. **(Amended by GN 81 of 2010)**

- (2) Where a worker performs more than 12 hours' consecutive work on any day, other than a public holiday, he shall be remunerated at twice the basic rate in respect of the additional hours of work which he performs.
- (3) Where a worker works on a public holiday or is recalled to work at night after completing a normal days' work, he shall, where he works for less than 2 hours, be paid for not less than 2 hours' work at the appropriate rate specified in subparagraph (1) or (2).
- (4) Every driver employed on a heavy crawler tractor shall receive a monthly allowance of-
 - (a) **Rs60.00** where the tractor has not less than 44,865.44 Watt (61 h.p.) nor more than 76,491.90 Watt (104 h.p.);
 - (b) **Rs80.00** where the tractor has not less than 77,227.39 Watt (105 h.p.) nor more than 113,266.84 Watt (154 h.p.); and
 - (c) **Rs105.00** where the tractor has more than 113,266.84 Watt (154 h.p.).
(Amended GN 80/87)
- (5) Every driver employed on a lorry transporting sugar, a self-loader or a winch shall receive a monthly allowance of **Rs60.00**.
(Amended GN 80/87)
- (6) A car driver who is required to wash and clean a car other than the one which he usually drives shall be paid an allowance of **Rs5.00** per car every time he washes and cleans it.
- (7) Where a telephone operator is required to operate a radio telephone in addition to his normal duties, he shall be paid an additional allowance of 10% of his monthly basic wages.
- (8) Every driver of motor cars reckoning less than 10 years' continuous service with the same employer shall be paid an extra allowance of **Rs50.00** per month.
(Amended GN 47/89)
- (9) Every irrigation pipe adjuster shall be entitled to an additional allowance equivalent to not less than 20 percent of his basic wages on each day he performs irrigation work.
- (10) Every tyre repairer shall receive a monthly allowance of **Rs75.00**.

(Amended GN 80/87)

- (11) Where a worker working under derricks is, in addition to his normal duties, called upon to perform the duties of a supervisor, he shall be entitled to an allowance of not less than 15% of his basic wages on each day he performs such supervisory work.

(Amended GN 80/87)

- (12) Every driver employed on a lorry transporting more than 25 tonnes of sugar to the docks or the Bulk Sugar Terminal shall, in addition to the allowance payable to him under subparagraph(5), be paid an additional monthly allowance of **Rs75.00**.

(Amended GN 80/87)

- (13) Every messenger, store attendant and weighbridge attendant shall be entitled to an additional allowance of not less than 15% of his basic wages on each day he is called upon to perform clerical duties.

(Amended GN 80/87)

4. Notional Calculation of Hourly Rates

For the purpose of calculating remuneration –

- (a) for work done in excess of a normal day's work;
- (b) for work performed on a public holiday;
- (c) in respect of deductions for absences;
- (d) for workers paid at a daily rate; and
- (e) for any other reason,

a month shall be deemed to consist of 22 days during intercrop season and 26 days during crop season and the basic hourly rate shall be calculated according to the formula $W/173.33$, wherein "W" means the monthly basic wage of the worker.

(Amended by GN 81 of 2010)

5. Minimum Establishment and Limitations on Employment

- (1) (a) Where an employer employs 2 motor mechanics, one of them shall be a motor mechanic (superior grade) if he has the required qualifications.

- (b) Where an employer employs more than 2 motor mechanics, one of them shall be a chief motor mechanic if he has the required qualifications.
 - (c) Subject to subparagraph (b), where an employer employs more than 5 tradesmen of the same trade, 2 of whom are of the highest grade, other than chief tradesmen, provided in these regulations for tradesmen of that grade, one of the tradesmen shall be a chief tradesman.
- (2) Where an employer employs more than one blacksmith, boiler-maker, coppersmith, fitter, pattern-maker, turner, moulder or welder, one of them shall be a superior grade worker if he has the required qualifications.
 - (3) (a) Where an employer employs only one fitter for steam locomotives, that fitter shall be paid at the rate applicable to a fitter (superior grade).
(b) Where an employer employs 2 or more locofitters, one of them shall be a fitter (superior grade) if he has the required qualifications.
 - (4) An employer shall not, in respect of a worker who can be asked to do field work, require such worker to work on a task basis.

6. Conversion to Monthly Employment

Every daily worker who has completed 24 months' continuous employment with the same employer in a grade shall be classified as a monthly worker in that grade and shall be paid accordingly with effect from the first day of the next ensuing month.

7. Payment of Wages

- (1) Every monthly worker shall be paid his wages not later than the last working day of the month.
- (2) Every daily worker shall be paid his wages during working hours -
 - (a) on Saturday, during the crop season;
 - (b) on the last working day of the week, during the intercrop season. **(GN 10 of 1995)**

8. Travelling Allowance (Amended GN 80/87)

- (1) Subject to subparagraph(2), every worker shall, where the shortest distance between his residence and the place where he reports for work exceeds 3.2 km (2 miles), be entitled to free

transport or be paid a daily allowance equivalent to the full return bus fare.

- (2) This paragraph shall not apply to a worker for whom suitable housing accommodation is available or who owns or possesses, within 3.2 km (2 miles) from his place of work, a house which he could reasonably use as a residence.

9. End of Year Bonus

- (1) Every worker who has worked for the same employer in a year shall be entitled , at the end of that year to -
 - (a) a bonus equivalent to 18 per cent of his yearly earnings if he has, both during the crop and intercrop seasons of that year, performed a number of normal days' work which is not less than 62 per cent and not more than 75 per cent of the number of days of work of the crop and the intercrop seasons taken together; or
 - (b) a bonus equivalent to 20 per cent of his yearly earnings if he has, both during the crop and intercrop seasons of that year, performed a number of normal days' work which is more than 75 per cent but not more than 85 per cent of the number of days of work of the crop and the intercrop seasons taken together; or
 - (c) a bonus equivalent to 22 per cent of his yearly earnings if he has, both during the crop and intercrop seasons of that year, performed a number of normal days' work which is more than 85 per cent of the number of days of work of the crop and the intercrop seasons taken together.

(Amended Act 36/88)

- (2) For the purpose of subparagraph (1), a day on which a worker -
 - (a) was absent with the employer's authorisation;
 - (b) has reported for work but has not been offered work by his employer; or
 - (c) is absent owing to sickness or injury notified to the employer in accordance with paragraph 13(3), shall count as a working day.

10. Paid Leave

- (1) Every daily worker who reckons a number of working days which is not less than 80 per cent of the number of days during which his employer was harvesting his sugar cane crop shall, in the following year, be eligible for leave on full pay as follows -

- (a) 7 working days in January to be determined by the employer; and
 - (b) every public holiday, other than a Sunday, which occurs while he is in the employment of that employer and on which he does not attend work.
- (2) Every worker who has been in continuous employment with the same employer for 12 months shall in any year be eligible, in addition to the leave specified in subparagraph 1, for leave on full pay on 7 working days at any time in the year, other than the month of January.
- (3) For the purpose of subparagraph (1) a day on which a worker is absent owing to sickness certified by a medical practitioner and notified to the employer in accordance with paragraph 13 (3) shall count as a working day.
- (4) A worker shall, except in special circumstances, give not less than 48 hours' notice when applying for leave and approval of the leave shall be subject to the requirements of the employer.
- (5) Leave shall not be cumulative and shall be taken in the year in which the worker is eligible for it.
- (6) Wages in lieu of leave shall be paid at the end of the year if the employer fails to grant leave applied for by the worker.
- (7) A worker who ceases to be employed after qualifying for leave in accordance with subparagraph (1) or (2) and is not lawfully dismissed for misconduct, shall be entitled to be paid for 7 working days in lieu of his January leave if he has not already taken it.
- (8) (a) Where a worker who reckons continuous employment with the same employer for a period of not less than 10 consecutive years retires or is asked to retire
- (i) on or after the age of 60; or
 - (ii) before reaching the age of 60 on the ground of permanent incapacity to perform his work as certified by a Government Medical Practitioner,
- he shall be entitled to 3 months' leave on full pay to be taken before retirement.
- (b) For the purpose of subparagraph (a), "**worker**" means a worker who is employed by an employer who owns either a sugar factory or more than 42.2087 hectares (100 arpents) of land under cane cultivation.

(Amended GN 11/95)

11. Special Leave

- (1) Every monthly worker shall be entitled to -
 - (a) 6 continuous working days' leave on full pay on the occasion of his marriage;
 - (b) 4 days' leave on full pay on the occasion of the marriage of his child or of the death of his spouse, father, mother or child.
- (2) No worker shall claim the privilege specified in subparagraph 1(a) more than once.
- (3) Every worker who has during the harvest season attended work on a number of days not falling below 90 per cent of the number of days on which he is required to work for his employer, shall be entitled to 2 days' special leave on full pay during the following intercrop season.

12. Overseas Leave

- (1) Subject to subparagraph (2), every employer shall allow every worker reckoning continuous employment with the same employer for not less than 10 years a leave with pay of not more than 6 weeks every 10 years to be wholly spent abroad.
(Amended GN 80/87)
- (2) The leave specified in subparagraph (1) shall be taken during the intercrop season and shall not be cumulative.

13. Sick Leave

- (1) Subject to subparagraph (3), every monthly worker who is sick shall be entitled in every year to -
 - (a) 21 working days' leave on full pay, and
 - (b) a further 21 days' leave on half pay where -
 - (i) he is admitted to a hospital or clinic;
 - (ii) he cannot resume work after his discharge from hospital or a clinic and requires time to recuperate his health; or
 - (iii) although he is not admitted to a hospital or a clinic, it is certified by a Government Medical Officer that

he is unwell and requires time to recuperate his health.

- (2) Subject to subparagraph (3), every daily worker who has been in continuous employment with the same employer for 12 months and who is sick, shall, in any year, be entitled to 21 working days' leave on full pay.
- (3) Where a worker absents himself on grounds of illness, he shall notify his employer of the fact not later than the second day of absence and, where his absence lasts for more than 4 days, he shall in addition forward to his employer a medical certificate not later than the day following the fourth day of his absence.
- (4) Where, in any year, a worker who is entitled to sick leave under subparagraph (1) or (2) has taken less than 21 days' sick leave, he shall be paid his basic wages for every day by which that period of 21 days exceeds the number of days of sick leave taken by him.

14. Sugar Allocation

- (1) Every worker whose employer is a miller shall be entitled at the end of every crop to a free allocation of 20kg of sugar which shall be white sugar in the case of a miller producing white sugar.
- (2) A worker entitled to a free allocation of sugar may opt for a cash allowance representing the market value of the sugar allocation.

15. Gratuity on Retirement

- (1) Every employer who owns either a sugar factory or more than 42.2087 hectares (100 arpents) of land under sugar cane cultivation shall pay a gratuity to or in respect of every worker who has worked for him for not less than 10 consecutive years if -
 - (a) he retires or is asked to retire on or after the age of 60;
 - (b) he retires before reaching the age of 60 on the ground of permanent incapacity to perform his work certified by a Government Medical Practitioner; or
 - (c) he dies whilst he is on leave prior to retirement under paragraph 10(8).

- (2) (a) The gratuity shall be paid in a lump sum calculated according to the following formula -
- (i) **30 (W - 1.23 P)**, where a worker reckons not more than 25 consecutive years of service; or
 - (ii) **N x 0.75 W**, where
 - (A) a worker joins employment on or after 30 January 1995; or
 - (B) a worker reckons more than 25 consecutive years of service.
- (b) For the purpose of subparagraph (a) -
- (i) **“W”** means the last monthly wage received by the worker during his employment on the estate;
 - (ii) **“P”** means the monthly pension to which the worker is entitled on the date the gratuity under subparagraph (1) becomes payable;
 - (iii) **“N”** means the number of years of service.
- (Amended GN 11/95)**
- (3) The monthly pension under subparagraph (2) shall include-
- (a) any part of the pension which has been commuted to a lump sum in lieu;
 - (b) the monthly pension payable under the Sugar Industry Pension Fund Act or the pension prescribed in the Sugar Industry Retiring Benefits Act;
 - (c) the contributory retirement pension payable under the National Pensions Act;
 - (d) the pension value of the lump sum payable to the worker under section 48(2) of the National Pensions Act, that pension value being calculated as prescribed in section 48(3)(b) and (c) of that Act.
- (4) For the purpose of subparagraph (3)(c), the contributory retirement pension shall mean-
- (a) where the worker is aged 60 or over on the date the gratuity under subparagraph (1) is due and -
 - (i) he has elected to receive the contributory retirement pension, the contributory retirement pension payable to him at that date; or
 - (ii) he has not elected to receive the contributory retirement pension, the contributory retirement pension which would have been payable to him had he elected to receive that pension.

- (b) where the worker is under the age of 60 on the date the gratuity under subparagraph (1) is due, the contributory retirement pension which would have been payable had he -
 - (i) been able to retire for National Pensions purposes at that date; and
 - (ii) elected to receive that pension.
- (5) Every worker who retires before the age of 60 on the ground of permanent incapacity shall in addition to any compensation to which he is entitled in respect of that incapacity under the Workmen's Compensation Act or under Part V of the National Pensions Act, be paid the gratuity under this paragraph.
- (6) A gratuity payable to a worker under this paragraph shall be reduced by the amount of the gratuity payable to him under the Sugar Industry Retiring Benefits Act.
- (7) (a) Where a worker dies, the gratuity shall be paid -
 - (i) to the surviving spouse; or
 - (ii) where the deceased leaves no spouse, in equal proportion to his dependants.
- (b) For the purpose of this subparagraph -
 - (i) “**spouse**” means the person with whom the worker had contracted a civil or religious marriage and with whom he lived under a common roof at the time of his death;
 - (ii) “**dependant**” means the person who was living in the deceased worker’s household and wholly or partly dependent on his earnings at the time of his death.

(Amended GN 11/95)

16. Gratuity at Death

- (1) Every employer who owns either -
 - (a) more than 42.2087 hectares (100 arpents) of land under cane cultivation; or
 - (b) a sugar factory, shall pay a gratuity upon the death of a worker who has worked for him for not less than 24 consecutive months.
- (2) (a) The gratuity shall be paid in a lump sum and calculated according to the formula -

N x W/2

- (b) For the purpose of sub-subparagraph (a) -
 - (i) "N" means the number of years of service;
 - (ii) "W" means the last monthly wage received by the worker during his employment on the estate.
(Amended GN 11/95)

- (3) (a) The gratuity shall be paid -
 - (i) to the surviving spouse; or
 - (ii) where the deceased leaves no spouse, in equal proportion to his dependants.

- (b) For the purpose of sub-subparagraph (a) -
 - (i) "**spouse**" means the person with whom the worker had contracted a civil or religious marriage and with whom he lived under a common roof at the time of his death;
 - (ii) "**dependant**" means the person who was living in the deceased worker's household and who was wholly or partly dependant on the deceased worker's earnings at the time of his death.

- (4) No gratuity shall be payable where a lump sum or a pension is payable under the Workmen's Compensation Act or Part V of the National Pensions Act.

17. Meal Allowance

Every worker who is required -

- (a) at short notice, to perform work outside a factory's premises before the meal break; or
 - (b) to work more than twelve consecutive hours on any day,
- shall be entitled to a meal allowance of **Rs15.00**.
(Amended GN 47/89)

18. Maternity Allowance

The wife of a monthly worker, who is pregnant and is not attended by the estate's midwife, shall be entitled to a maternity allowance of **Rs300**.
(Amended GN 80/87)

19. Housing Accommodation

- (1) Every monthly worker shall be entitled to free housing accommodation as follows-
 - (a) 2 rooms, including a bedroom, if the worker is unmarried or is married and has not more than 2 children;
 - (b) 3 rooms, including 2 bedrooms, if the worker is married and has 3 children;
 - (c) 4 rooms, including 3 bedrooms, if the worker is married and has more than 3 children.

- (2) Subject to subparagraph (3), every monthly worker for whom suitable housing accommodation is not available shall be entitled to a monthly allowance of-
 - (a) in the case of a worker specified in groups 7 to 13 and 15 to 17 of the First Schedule -
 - (i) **Rs55.00**, if he is single;
 - (ii) **Rs60.00**, if he is married and has no dependant child;
 - (iii) **Rs65.00**, if he is married and has up to 2 dependant children;
 - (iv) **Rs70.00**, if he is married and has more than 2 dependant children;
(Amended GN 80/87)

 - (b) in the case of a worker specified in groups 1 to 6 and 14 of the First Schedule -
 - (i) **Rs 65.00**, if he is single;
 - (ii) **Rs75.00**, if he is married;
 - (iii) **Rs80.00**, if he is married and has up to 2 dependant children;
 - (iv) **Rs85.00**, if he is married and has more than 2 dependant children;
(Amended GN 80/87)

 - (c) for the purposes of sub-subparagraphs (a) and (b), "dependant child" means a child or an adopted child under the age of 18 who is living with and is wholly or substantially maintained by the worker.

- (3) Where the rent paid by a worker is higher than the allowance he receives under subparagraph (2), he shall be entitled to an additional monthly allowance representing the difference between the rent paid and the allowance up to a maximum of -
 - (a) in the case of a worker specified in subparagraph (2)(a) -

- (i) **Rs6.00**, if he is single;
 - (ii) **Rs8.00**, if he is married irrespective of whether he has children or not.
- (b) in the case of a worker specified in subparagraph (2)(b) -
- (i) **Rs10.00**, if he is single;
 - (ii) **Rs15.00**, if he is married irrespective of whether he has children or not.
- (4) For the purpose of this paragraph, a worker shall be deemed to be married where he cohabits with a person with whom he has undergone a civil marriage or a religious union ceremony.

20. Grant to Family of Deceased Worker or Pensioner

- (1) Where a worker dies and he had, during the 12 months immediately preceding his death, been in the continuous employment of an employer, the employer shall pay a gratuity of **Rs2,000-**
- (a) to the surviving spouse; or
 - (b) where the deceased leaves no spouse, to a member of the deceased's family designated by the employer.
(Amended GN 11/95)
- (2) Where a pensioner dies, the person who was his employer at the date of his retirement shall pay a gratuity of **Rs1,500.-**
- (a) to the surviving spouse; or
 - (b) where the deceased leaves no spouse, to a member of the deceased's family designated by the employer.
(Amended GN 11/95)

21. Issue of Milk

Every tinsmith, blacksmith, striker, casseur-mouche, coppersmith, welder, moulder, painter, lime control worker, every worker who is required to attend to or feed a furnace, every electrician in charge of batteries and every helper (manoeuvre) in each of the above categories wherever applicable shall be issued with 800 ml (one bottle) of milk by his employer on every day on which he attends work and works at his trade.

22. Health of Workers

- (1) Every welder, blacksmith, laboratory attendant, sheet metal worker and every worker doing foundry work shall be examined, at his employer's expense, by an ophthalmologist once in every

year and also whenever he complains about the condition of his eyesight.

(Amended GN 80/87)

- (2) Every worker employed on a furnace, and every boiler attendant shall, once in every year, be examined at his employer's expense by a medical practitioner designated by the employer.
- (3) Every estate hospital shall be visited by a medical practitioner 3 times a week.
- (4) (a) Every monthly worker shall be entitled to expenses not exceeding Rs 300 per year incurred for the dental treatment of the worker, his wife and children which expenses have been duly certified by a registered dentist and that sum or any part of it which is not claimed by the worker shall be cumulative for a period of 2 years.
(Amended GN 80/87)
(b) For the purpose of sub-subparagraph (a), "dental treatment" includes "tooth extraction", "filling of tooth" and "cleaning of tooth".
- (5) Every monthly worker who is sick shall be entitled to receive from his employer and free of charge any drug which may be prescribed by -
 - (a) an estate medical practitioner; or
 - (b) a Government Medical Officer where the drugs prescribed by him are not available at the hospital.
- (6) Where the employer's dispenser is unable to visit a monthly worker who resides outside an estate and who has reported sick, the worker shall be provided with transport to and from the estate hospital or to and from a Government Hospital.
- (7) (a) Every worker and his dependants who reside on the estate and fall sick at any time shall, if there is no estate hospital, be provided with free transport by the employer to and from a Government hospital.
(Amended GN 80/87)
(b) For the purpose of sub-subparagraph (a) "**dependants**" means the spouse of the worker and his children or any person living with him and who is wholly or substantially maintained by him.
(Amended GN 80/87)
- (8) Every worker shall, upon production of a medical certificate by an estate medical practitioner or a Government Medical Officer,

be provided, at his employer's expense, with spectacles exclusive of frames.

(Amended GN 80/87)

23. Protective Equipment and Amenities

- (1) Two overalls or uniforms and one pair of boots or shoes shall be issued not later than the 31 May in every year to every worker.
- (2) Every employer shall cause a cabin to be installed and seats to be fitted to every ferguson type wheel tractor.
- (3) Every electrician shall be provided with –
 - (a) a raincoat, once every 2 years, made of material having water proof and insulating properties, whenever he works outside the factory;
 - (b) rubber gloves and insulated pliers when at work; and
 - (c) a safety belt whenever necessary.

(Amended GN 80/87)
- (4) Every blacksmith and every worker employed on a foundry shall be provided with a suitable apron.
- (5) Every welder and every worker employed on a foundry shall be supplied with protective glasses.
- (6) Every worker affected to the work commonly known as "casse mouches" or "casse corail" shall be provided with –
 - (a) an overall made of soft material with long sleeves and zip fastener in the front;
 - (b) a beret to protect the hair and scalp;
 - (c) a pair of stout rubber shoes;
 - (d) a linen mask made up of a square piece of material with straps to protect the nose and mouth, and
 - (e) a pair of leather gloves.
- (7) Every worker who is required to attend to a furnace shall be provided with a pair of leather gloves.
- (8) Every irrigation pipe adjuster shall be provided with –
 - (a) a raincoat of nylon material every 2 years; and
 - (b) a pair of boots and 3 pairs of good quality gloves not later than the 31 May in every year.

- (9) Every lorry attendant or tractor attendant shall be provided with a raincoat of nylon material every 3 years.
- (10) Every worker working under crane runways shall be provided with -
 - (a) a raincoat of nylon material every 3 years;
 - (b) a helmet; and
 - (c) 3 pairs of good quality gloves every year.
- (11) Every worker working near a crane or driving a mobile loader shall be provided with a helmet.
- (12) Every lorry loader shall, every 2 years, be provided with a raincoat made of material having water proof properties.
(Amended GN 80/87)
- (13) Every sheet metal worker and his attendants shall be provided with appropriate ear-muffs.
(Amended GN 80/87)
- (14) Notwithstanding subparagraphs (3), (8) to (10) and (12) every article of protective clothing or equipment shall be replaced by the employer as soon as it becomes unserviceable.
(Amended GN 80/87)

24. School Transport

Every employer who owns more than 42.2087 hectares (100 arpents) of land under cane cultivation shall -

- (a) provide transport facilities to -
 - (i) children of his workers who attend a secondary school; and
 - (ii) children, not above 20 years of age, of his workers who attend a technical or vocational school recognised by the Ministry of Education, Arts and Culture; or
(Amended GN 80/87)
- (b) pay to the worker the appropriate return bus fare in respect of every such child.

25. Dismissal

- (1) No worker shall be dismissed for misconduct except by order of a disciplinary board composed of 2 members designated by the employer and one member elected by all the workers employed by the employer.

- (2) Every daily worker shall, after 2 consecutive weeks' employment with the same employer, be
 - (a) entitled to one clear week's notice of dismissal; and
 - (b) required to give one clear week's notice of termination of employment to his employer.
- (3) Every notice of dismissal given to a worker shall be in writing.

26. Vacancies

Every vacancy for a worker on an estate shall be advertised by notice conspicuously displayed outside the estate's main office and in the department where the vacancy occurs.

27. Trade Union Officials

- (1) Every worker who is a member of a trade union shall, subject to subparagraph (3), have the right to invite a trade union official to attend at his place of work for the purpose of discussing matters relating to his remuneration or conditions of employment.
- (2) Every official of a recognised trade union shall, subject to subparagraph (3), have the right to attend at the place of work of the trade union's members for the purpose of discussing matters relating to their remuneration or conditions of employment.
- (3) Every worker who intends to invite a trade union official under subparagraph (1) or any trade union official who intends to attend at a place of work under subparagraph (2) shall -
 - (a) where the place of work is a factory, give previous notification to the factory manager or one of his assistants; and
 - (b) in any other case, give previous notification to the estate manager or one of his assistants.

28. Bonus to Workers retiring Before the End of The Year

- (1) Every worker who retires before the end of the year and who has performed a number of normal day's work equivalent to 62 per cent of the working days during his employment in that year shall be paid a bonus equivalent to 18 per cent of his earnings in that year.
- (2) For the purpose of subparagraph (1), a day on which a worker -
 - (a) has absented himself with the employer's authorisation;

- (b) has reported for work but has not been offered work by his employer; or
 - (c) has absented himself on grounds of injury or illness after notification to his employer under paragraph 13(3),
- shall count as a working day.

29. Employment of Bus and Lorry Attendants

Every employer shall employ-

- (a) a lorry attendant to assist a lorry driver driving a lorry on public roads; and
- (b) a bus attendant in a bus not provided with automatic doors solely controlled by the driver and fitted with window openings beyond the reach of passengers.

(Amended GN 80/87)

30. Maternity Benefits

- (1) Subject to subparagraph (2), where a female worker has remained in continuous employment with the same employer for 12 months immediately preceding her confinement, she shall, on production of a medical certificate, be entitled to-
 - (a) 12 weeks' leave on full pay to be taken at her discretion before and /or after confinement provided that at least 6 weeks' leave shall be taken immediately following the confinement; and
 - (b) an allowance of **Rs500** payable within 7 days of her confinement.

(Amended GN146/90, GN11/95)

- (2) Where a female worker who has at any time had 3 confinements is pregnant, she shall not be entitled to the benefits specified in subparagraph (1) but she shall be entitled to only the leave specified in subparagraph (1)(a) without pay.

31. Workers Employed By Job Contractor (Act 20 of 2001)

- (1) Every worker employed by a job contractor shall be entitled, at the end of any year, to a bonus equivalent to 8.4 per cent of his total earnings in that year provided that he has remained in continuous employment with the same job contractor for at least 4 weeks in that year.

- (2) For the purposes of subparagraph (1), a worker shall be deemed to be in continuous employment where he has worked an average of at least two-thirds of the total number of working days during which he has been in the employment of the job contractor.
- (3) (a) Every job contractor shall provide a pair of boots, a pair of good quality gloves once a fortnight and an appropriate mask to every field worker.
- (b) Every article of protective equipment –
 - (i) may remain in the possession of the worker;
 - (ii) shall remain the property of the job contractor; and
 - (iii) shall be replaced by the job contractor as soon as it becomes unserviceable.