

**PRIVATE SECONDARY SCHOOLS EMPLOYEES
(REMUNERATION ORDER)REGULATIONS 1984**

(Government Notice No. 181 of 1984) Effective 1.12.1984

GN No. 189 of 1997 w.e.f 01.07.1997	GN No. 135 of 1998 w.e.f 01.07.1998
GN No. 124 of 1999 w.e.f 01.07.1999	GN No. 163 of 2000 w.e.f 01.07.2000
GN No. 130 of 2001 w.e.f 01.07.2001	GN No. 180 of 2002 w.e.f 01.07.2002
GN No. 169 of 2003 w.e.f 01.07.2003	GN No. 156 of 2004 w.e.f 01.07.2004

1. These regulations may be cited as the **Private Secondary School Employees (Remuneration Order) Regulations 1984**.
2. In these regulations –

“acceptable teaching experience” means experience acquired as a teacher, in the same category in which one is employed, or in a higher category, in a private secondary school registered under the Education Act;

“continuous employment” means the employment of an employee under an agreement or under more than one agreement where the interval between one agreement and the next does not exceed 28 days;

“employee” means any person, other than a messenger, working in a private secondary school;

“graduate” means an employee who is the holder of –

- (a) a degree, licence-es-lettres or licence-es-science from a University or Institution approved by the Minister; or
- (b) an alternative qualification acceptable to the Minister;

“instructor” means a physical training instructor or a person who teaches art, music, dance or craft;

“instructor, Grade I” means an instructor who has –

- (a) followed secondary school education for 5 years and obtained at least a credit in English Language at the Cambridge School Certificate examination or an equivalent qualification acceptable to the Minister; and
- (b) completed successfully at least a 2-year course in physical education, art, music dance or craft and is the holder of a diploma or certificate acceptable to the Minister;

“instructor, Grade II” means an instructor who has –

- (a) followed secondary school education for 5 years and obtained at least a credit in English Language at the Cambridge School Certificate examination or an equivalent qualification acceptable to the Minister; and
- (b) special aptitude to perform the duties assigned to an instructor;

“laboratory attendant” means an employee who is required to –

- (a) assemble any laboratory apparatus;
- (b) prepare for use any laboratory equipment which may be required;
- (c) keep a laboratory and its equipment clean; or
- (d) perform any other ancillary duties;

“messenger” has the same meaning as in the Messengers (Remuneration Order) Regulations 1983;

“Minister” means the Minister to whom responsibility for the subject of education is assigned;

“non-graduate, Grade I” –

- (a) means an employee who holds –
 - (i) a Higher School Certificate or an equivalent qualification acceptable to the Minister; and
 - (ii) a diploma or certificate in education relating to teaching in secondary schools and acceptable to the Minister;
- (b) does not include an instructor;

“non-graduate, Grade II” means an employee who holds –

- (a) a Higher School Certificate or an equivalent qualification acceptable to the Minister; or
- (b)
 - (i) a Cambridge School Certificate with credit in not less than 5 subjects, including English Language, at one and the same sitting or an equivalent qualification acceptable to the Minister; and
 - (ii) a diploma or certificate in education relating to teaching in secondary schools and acceptable to the Minister;

“non-graduate, Grade III” means an employee who holds –

- (a) a Cambridge School Certificate with credit in not less than 5 subjects, including English Language, at one and the same sitting or an equivalent qualification acceptable to the Minister; or
- (b)
 - (i) a Cambridge School Certificate with less than 5 credits; and
 - (ii) a diploma or certificate in education relating to teaching in secondary schools and acceptable to the Minister;

“non-graduate, Grade IV” means an employee who does not hold the minimum qualification required of a non-graduate, Grade III;

“principal” means a person responsible for the control and supervision of instruction in a school and whose qualifications are specified in the Education Regulations 1957;

“teacher” includes an instructor;

“usher” means an employee who is required to –

- (a) look after the premises, furniture and equipment;
- (b) be in charge of the general welfare of pupils and attend to sick or injured pupils;
- (c) provide assistance in-
 - (i) the preparation of time-tables and records of attendance;
 - (ii) keeping pupils’ records;
 - (iii) the preparation of rooms and halls for examinations and other functions;
- (d) supervise arrest classes; and
- (e) perform other ancillary duties;

“workshop attendant” means an employee who is required to –

- (a) keep a workshop and its equipment clean;
- (b) prepare for use any equipment which may be required; and
- (c) perform other ancillary duties;

- 3. (1) Subject to this regulation and regulation 6, an employee 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) The rates specified in the First Schedule include the appropriate additional remuneration payable under the Additional Remuneration Act.

- (3) Subject to paragraph (6), where a teacher changes his employer, he shall receive from his new employer one increment in respect of every 2 years of acceptable past teaching experience acquired by him.
 - (4) Subject to paragraph (6), a teacher shall receive from his employer one increment in respect of every –
 - (a) 2 years of acceptable teaching experience acquired in the service of the same employer before 1 June 1971;
 - (b) year of acceptable teaching experience acquired in the service of the same employer after 1 June 1971.
 - (5)
 - (a) An increment which is payable under paragraph (4)(b) shall be paid on 1 January every year.
 - (b) For the purpose of paragraph (4)(b), a year shall be deemed to include part of a year.
 - (6) A teacher shall not receive –
 - (a) more than 5 increments under paragraphs (3) and (4)(a);
 - (b) any increment, where he is drawing the top salary in the scale which applies to him.
 - (7) Where a graduate holds –
 - (a) a Higher School Certificate or an equivalent qualification acceptable to the Minister; or
 - (b) a professional certificate in education or an equivalent qualification acceptable to the Minister,he shall, on his first appointment, be entitled to one additional increment.
 - (8) An employee, other than a teacher, to whom a salary scale applies shall be entitled to one increment for every year of service performed in the same capacity with his employer.
4.
 - (1) Subject to paragraph (2), where a conversion of salary from one grade to a superior grade is effected by an employer for the benefit of a teacher already in his service, the conversion shall be so effected as not to reduce the salary payable to the teacher in the lower grade.
 - (2) Where there is no equivalent salary in the scale applicable to the higher grade, the salary payable shall be the next higher salary in that grade.
 5. An agreement by an employee to relinquish his right to paid leave or to forego such leave shall be void.

6. Nothing in these regulations shall -
 - (a) authorise an employer to reduce an employee's remuneration or to alter his conditions of service so as to make them less favourable;
 - (b) be construed as imposing an obligation on an employer to remunerate a teacher, other than a teacher who was in employment at the date of commencement of these regulations, in accordance with his qualifications rather than in accordance with the remuneration attached to the post he occupies.
7. The Private Secondary School Employees' (Remuneration Order) Regulations 1981 are repealed.
8. These regulations shall come into operation on 1 December 1984.

Made by the Minister on 26 November 1984.

SECOND SCHEDULE
(Regulation 3)

1. Hours of Attendance and of Teaching

- (1) Subject to subparagraph (2), a teacher shall not be required to –
 - (a) be in attendance at a school for more than 6 hours on any day, inclusive of half an hour for a meal break;
 - (b) do more than 4½ hours of actual teaching on any day.
- (2) Subparagraph (1) shall not apply to a teacher who is attending a training course for teachers.
- (3) A teacher shall not be required to –
 - (a) supervise arrest classes;
 - (b) perform the duties of an orderly more than once in a fortnight;
 - (c) teach more than 3 subjects in any one week.

2. Payment of wages

Every employee shall be paid his wages during working hours –

- (a) in the case of a monthly paid employee, not later than the last working day of the month;
- (b) in any other case, not later than the last working day of the week.

3. Annual Leave

- (1) Where an employee, other than a teacher, has remained in continuous employment with the same employer for 12 consecutive months, he shall, in the following 12 months, be entitled to 16 days' leave on full pay.
- (2) Where a teacher has remained in continuous employment with the same employer for 12 consecutive months, he shall, in the following 12 months, be entitled to 8 working days' leave on full pay.
- (3) Eight days of the leave specified in subparagraph (1) and the leave specified in subparagraph (2) may be taken consecutively at such times as the employee may, on application made to and approved by the employer, elect.
- (4) The remaining 8 days of the leave specified in subparagraph (1) shall be taken at such times as the employee and the employer may agree or, in default of agreement, at such times as the employer may determine.

- (5) Subject to subparagraph (6), an employee, other than a teacher, shall be paid a normal day's wage in respect of each day's annual leave still due to him at the end of the period of 12 consecutive months.
- (6) Subparagraph (5) shall not apply where, before the expiry of the period of 12 months, the employee has –
 - (a) not applied for the leave specified in subparagraph (3);
 - (b) been dismissed from his employment for misconduct; or
 - (c) broken his agreement.

4. Sick Leave

- (1) Where an employee who has been in continuous employment with the same employer for a period of 12 consecutive months, is sick, he shall, during the following 12 months, be entitled to -
 - (a) 28 days' sick leave on full pay; and
 - (b) if a medical practitioner certifies that owing to prolonged illness, the employee needs leave for treatment, convalescence or rest, a further period not exceeding 30 days' sick leave on half pay.
- (2) An employee who has been in continuous employment with the same employer for a period of not less than 3 consecutive years shall, in addition to the leave specified in subparagraph (1), be entitled to a further period of 3 months' sick leave without pay if a medical practitioner certifies in writing that such leave is necessary for treatment, rest or convalescence.
- (3) Where an employee absents himself on grounds of sickness, he shall notify his employer of the fact on the first day of absence.
- (4) Where an employee absents himself on grounds of sickness for more than 4 consecutive days he shall forward a medical certificate to his employer to that effect so as to reach his employer not later than the day following the fourth day of absence or on the day following his discharge from any hospital, clinic or other medical institution to which he may have been admitted.
- (5) An employer may, at his own expense, cause a medical practitioner of his own choice to examine an employee who is absent from work due to sickness.

5. Maternity Leave

- (1) Where a female employee has been in continuous employment with the same employer for 8 months immediately preceding her confinement, she shall be entitled to 2 months' maternity leave on full pay to be taken at the employee's discretion, before and/or after her confinement.
- (2) Where a female employee is not entitled to the leave specified under subparagraph (1), she shall be entitled to 2 months' leave without pay to be taken, at her discretion, before and/or after her confinement.

6. **Attendance Book**

Every employer shall keep an attendance book in respect of his employees.

7. **Part-time Teachers**

(1) Where a teacher is employed part-time within school hours, he shall be remunerated at the following rate -

$$\frac{1.25 \text{ MS}}{97.5} \times \text{HT}, \text{ where -}$$

- (a) “MS” means monthly salary determined in accordance with the First Schedule;
 - (b) “HT” means the number of hours of teaching actually done by the part-time teacher;
 - (c) “97.5” represents the average monthly hours a full-time teacher may be expected to teach.
- (2) For the purpose of subparagraph (1), “*school hours*” means the hours between 8.00 a.m. and 4.00 p.m.
- (3) Paragraph 1, 3, 4 and 5 shall not apply to part-time teachers.

8. **Funeral Expenses**

Where an employee who has been in continuous employment with the same employer for not less than 12 consecutive months dies, the employer shall pay an amount of Rs **1,000** to –

- (a) his spouse; or
- (b) if he leaves no spouse, the person who has borne the funeral expenses.

9. **Time to seek employment**

During any period in which an employee is under notice of termination of employment, the employer shall allow the employee reasonable time off, without loss of pay to seek alternative employment or do all such things as are necessary to enable him to obtain that employment.

10. **Security of employment**

- (1) A teacher whose services are terminated by his employer without good and sufficient cause within 3 weeks immediately preceding the start of any school vacation shall, without prejudice to any severance allowance, be entitled to his full salary up to the end of that vacation.
- (2) For the purpose of subparagraph (1) “*vacation*” includes end-of-year vacation.

11. Certificate of Employment

- (1) Where an employee leaves the employment of an employer, the employer shall, not later than the day on which he leaves employment, issue to the employee a certificate stating-
 - (a) the duration of his services;
 - (b) the nature of his services;
 - (c) if the employee has been a teacher, the subjects and the forms in which he taught; and
 - (d) if the employee so desires, his rate of remuneration.
- (2) A certificate issued under subparagraph (1) shall –
 - (a) contain nothing unfavourable to the employee; and
 - (b) be deemed to certify only the particulars specified in subparagraph (1).

12. Study Leave

A teacher who is the beneficiary of a Government-sponsored scholarship in the field of education or any subject taught in the school where he is employed shall be granted leave without pay for a period not exceeding 3 years.