

*Government Notice No. 212 of 2024***THE EMPLOYMENT RELATIONS ACT****Regulations made by the Minister under sections 94 and 106 of the Employment Relations Act**

1. These regulations may be cited as the Sugar Industry (Agricultural Workers) (Remuneration) (Amendment No. 2) Regulations 2024.
2. In these regulations –  
“principal regulations” means the Sugar Industry (Agricultural Workers) (Remuneration) Regulations 2019.
3. Regulation 2 of the principal regulations is amended –
  - (a) in the definition of “employee”, in paragraph (c)(i)(B), by deleting the words “sections 5, 26, 32, 33, 34, 49, 50, 52, 53, 54” and replacing them by the words “sections 5, 17A, 26, 32(1), (1A), (4), (5), (6)(a) and (7), 34, 49, 50, 51A, 52, 53, 54, 57, 59(7) and 120, in so far as they relate to that employee.”;
  - (b) by deleting the definition “young person”, the semicolon at the end of the definition of “watchperson grade II” being deleted and replaced by a full stop;
  - (c) by inserting, in the appropriate alphabetical order, the following new definition –  
“Director-General” means the Director-General of the Mauritius Revenue Authority established under the Mauritius Revenue Authority Act;
4. Regulation 3 of the principal regulations is amended by revoking paragraph (6) and replacing it by the following –

(6) Every field employee (female) employed on an 8-hour day, and whose former basic wage or salary was 8,900 rupees per month or 342.41 rupees per day during crop (6-day week) or 404.55 rupees per day during intercrop (5-day week), shall be paid, in lieu of her integrated wage or salary, a monthly wage or salary of 16,627.92 rupees or 639.54 rupees per day during crop (6-day week) and 755.81 rupees per day during intercrop (5-day week).

5. Regulation 10 of the principal regulations is revoked and replaced by the following regulation –

**10.** (1) The rates specified in the First and Second Schedules include –

- (a) the appropriate national minimum wage payable under the National Minimum Wage Regulations 2017;
- (b) the additional remuneration payable under the Workers' Rights (Additional Remuneration) (2020) Regulations 2019;
- (c) the additional remuneration payable under the Workers' Rights (Additional Remuneration) (2021) Regulations 2021;
- (d) the additional remuneration payable under the Workers' Rights (Additional Remuneration) (2022) Regulations 2022;
- (e) the additional remuneration payable under the Workers' Rights (Additional Remuneration) (2023) Regulations 2023;

- (f) the additional remuneration payable under the Workers' Rights (Additional Remuneration) (2024) Regulations 2024; and
  - (g) subject to paragraph (3), the amount of wage adjustment equivalent to the difference between –
    - (i) the monthly basic wage or salary for the month of December 2023, increased by 4,925 rupees; and
    - (ii) the monthly basic wage or salary for the month January 2024, inclusive of the additional remuneration payable under the Workers' Rights (Additional Remuneration) (2024) Regulations 2024, specified in subparagraph (f).
- (2) Subject to paragraphs (3) to (6), an employee –
- (a) drawing a monthly basic wage or salary higher than the monthly basic wage or salary set out in the Second Schedule; or
  - (b) employed in a category or job occupation, in respect of which the monthly basic wage or salary is not set out in the Second Schedule,

shall, notwithstanding any annual increment to which he may be entitled, be paid the amount of wage adjustment equivalent to the difference between –

- (i) the monthly basic wage or salary for the month of December 2023 increased by 4,925 rupees; and
- (ii) the monthly basic wage or salary for the month of January 2024, inclusive of the additional remuneration payable under the Workers' Rights (Additional Remuneration) (2024) Regulations 2024.

(3) Where the monthly basic wage or salary of an employee is not less than 20,000 rupees nor more than 50,000 rupees in December 2023, the employee shall be paid a monthly wage adjustment of 2,925 rupees as from the month of July 2024.

(4) (a) Where the amount of wage increase granted by his employer or by way of a collective agreement, is equivalent to or higher than the amount to which he is entitled under paragraph (1)(g), (2) or (3), as the case may be, the employee shall retain his actual wage or salary.

(b) Where an employer –

- (i) has not paid his employee the wage adjustment; or
- (ii) pays his employee an amount of wage adjustment which is less than the adjustment,

to which the employee is entitled under paragraph (1)(g), (2) or (3), the employer shall –

- (A) adjust the basic wage or salary of the employee not later than 30 September 2024; and

(B) refund any arrears due for the months of July 2024 and August 2024 to the employee not later than 31 December 2024.

(5) Paragraphs (2) and (3) shall not apply where, notwithstanding any annual increment to which an employee may be entitled, the employer has, as from the month of January 2024, granted an increase in the monthly basic wage or salary of the employee by an amount equivalent to or higher than 4,925 rupees inclusive of the additional remuneration payable under the Workers' Rights (Additional Remuneration) (2024) Regulations 2024, or 2,925 rupees.

(6) (a) Where, in accordance with the entry requirements for any grade, occupation, job position or category, an employee possesses –

(i) a Diploma or an equivalent qualification acceptable to the employer, the employee shall be paid a monthly basic wage or salary of not less than 23,000 rupees;

(ii) at least a post HSC first degree or an equivalent qualification acceptable to the employer, the employee shall be paid a monthly basic wage or salary of not less than 25,000 rupees.

(b) Where the monthly basic wage or salary of an employee, inclusive of the wage adjustment under paragraph (1)(g), (2) or (3) is less than the monthly basic

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wage or salary to which the employee may be entitled in this paragraph, the employer shall –

- (i) adjust the basic wage or salary of the employee not later than 30 September 2024; and
- (ii) refund any arrears due for the months of July 2024 and August 2024 to the employee not later than 31 December 2024.

(c) Notwithstanding subparagraph (a), where the monthly salary of an employee in post is, as at 1 July 2024, inclusive of the wage adjustment under paragraph (1)(g), (2) or (3), higher than the salary specified in that subparagraph, the employee shall, as from 1 July 2024, be entitled to the higher salary.

(d) In this paragraph –

“Diploma” means a 2-year post-HSC Diploma or a 3-year post-SC Diploma;

“equivalent qualification” means such qualification as the Higher Education Commission may determine to be equivalent;

“first degree” means a Bachelor’s Degree or a Bachelor’s Degree with Honours;

“HSC” means the Higher School Certificate or its equivalent;

“SC” means the School Certificate or its equivalent.

(7) An employer shall, in respect of the month of July 2024 and thereafter –

- (a) keep, in accordance with section 116 of the Workers' Rights Act 2019, a separate record, in respect of each employee on his payroll system, of the monthly wage adjustment payable under these regulations; and
- (b) provide a copy of the record to the Director-General in accordance with section 7 of the Social Contribution and Social Benefits Act 2021.

6. Regulation 11 of the principal regulations is revoked.

7. The First Schedule to the principal regulations is amended –

(a) in Part I –

- (i) by revoking paragraph 6 and replacing it by the following paragraph –

**6. Rates of pay for cutting and/or loading**

(1) Subject to subparagraphs (2) and (3), the payment for cutting and/or loading of properly trashed canes shall be made in accordance with the weight at a rate not below the following rate per tonne –

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	<b>(Rs cs)</b>
(a) cutting and carrying canes over a distance not exceeding 15 <i>gaulettes</i> and loading –	
(i) in trailers drawn by Scammell type wheel tractors	687.26
(ii) in lorries	644.32
(iii) in tramway wagons and baskets	601.46
(iv) in low trailers drawn by Ferguson type wheel tractors	601.46
(b) cutting and carrying canes over a distance not exceeding 15 <i>gaulettes</i> and stacking at not more than 3 <i>gaulettes</i> from the point of loading	528.08
(c) cutting canes	343.73
(d) loading canes in Scammell type trailers if carried over a distance –	
(i) not exceeding 3 <i>gaulettes</i>	317.77
(ii) exceeding 3 <i>gaulettes</i> but not exceeding 15 <i>gaulettes</i>	386.98



	<b>(Rs cs)</b>
(e) loading canes in trailers other than of the Scammell type if carried over a distance –	
(i) not exceeding 3 <i>gaulettes</i>	283.71
(ii) exceeding 3 <i>gaulettes</i> but not exceeding 15 <i>gaulettes</i>	343.74
(f) loading canes in lorries if carried over a distance –	
(i) not exceeding 3 <i>gaulettes</i>	308.62
(ii) exceeding 3 <i>gaulettes</i> but not exceeding 15 <i>gaulettes</i>	371.95
(g) cutting canes collectively up to, and not exceeding, 5 lines and windrowing the cut canes on one line for mechanical loading	360.86
(h) cutting canes up to, and not exceeding, 3 lines and stacking the cut canes in stacks of 400 kgs or thereabout for mechanical loading	360.86

**(Rs cs)**

- (i) cutting canes collectively on more than 3 lines but not exceeding 6 lines and stacking the cut canes in stacks of 400 kgs or thereabout for mechanical loading 377.74

(2) Where an employee is required to dig ruts and remove straw for stacking cut canes for mechanical side loading, he shall be paid an allowance of not less than 17.40 rupees per tonne.

(3) (a) Where canes have not been properly trashed within 3 weeks of cutting, an additional allowance of 71.95 rupees per tonne shall be paid to the employee who may be required, by the employer, to carry out light trimming with a billhook.

(b) Where canes have not been properly trashed within 3 weeks of cutting and the employee is not required to carry out light trimming, he shall be paid an allowance to be agreed upon between the employee and the employer, but which shall not be less than 33 per cent of the allowance payable under subparagraph (a).

(c) Where, at the time of cutting, a full trashing is required due to the condition of the canes, the employee shall be paid for at a rate to be agreed upon between the employer and the employee or, in the absence of such agreement, at such rate as the Minister may determine.

(d) Where canes should be carried over a distance of more than 15 *gaulettes* in a field, the rates

for cutting and loading, or for cutting or loading done separately, shall be increased by 5.69 rupees per tonne for each additional *gaulette* or fraction of a *gaulette*, and such increased rates shall be paid for on the total amount of canes cut/or loaded by the employee in the field.

(e) Where an employee has, during cutting, to move straw from one interline to another, he shall be paid an additional allowance of 50.03 rupees per tonne of canes cut.

(f) (i) Where the yield of canes is less than 20 tonnes per arpent, the relevant rates for cutting and loading shall be increased by not less than 59.23 rupees per tonne and the relevant rates for cutting or loading done separately shall be increased by not less than 29.54 rupees per tonne.

(ii) Where the yield of canes is less than 10 tonnes per arpent, the rates for –

(A) cutting and loading shall be increased by not less than 80.11 rupees per tonne; and

(B) cutting or loading done separately shall be increased by not less than 38.34 rupees per tonne.

(g) (i) Where, at the point of loading, there is a difference in level, other than a slope, of more than 2 feet, an additional allowance of 27.69 rupees per foot per tonne shall be paid for each additional foot or part of a foot exceeding 2 feet.

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- (ii) The difference in level shall be measured by the perpendicular distance between the level of the field and that of the road at the point of loading and, where there is no road, by the perpendicular distance between the level of the field and that of the ground on which the vehicle rests at the time of loading.
  - (h) Where the gradient of the slope in a field is steeper than 1 in 3, an additional allowance of 52.66 rupees per tonne shall be paid.
    - (i) Where, in any week, an employee –
      - (i) attends work on not less than 5 days; and
      - (ii) earns not less than the minimum basic wage each day, he shall be paid a bonus equivalent to 5 per cent of his weekly earnings.
    - (j) Where an employee is required to carry canes for loading across the lines *saute muraille* also known as *barfé*, he shall be paid an allowance of 21.11 rupees per tonne in addition to the relevant rates specified in subparagraph (1).
  - (ii) by revoking paragraph 7 and replacing it by the following paragraph –

### **7. Productivity bonus**

Every employee who does cutting and/or loading of canes in the crop season shall be entitled to a productivity

bonus representing a percentage of his actual earnings over a period of a fortnight according to the following table –

<b>Productivity bonus</b>	<b>Fortnightly earnings</b>
5% on earnings	Between 10,009 rupees and 12,269 rupees
6% on earnings	not more than 13,624 rupees
7% on earnings	not more than 15,015 rupees
8% on earnings	not more than 16,161 rupees
9% on earnings	not more than 16,920 rupees
10% on earnings	not more than 18,362 rupees
11% on earnings	not more than 19,287 rupees
12% on earnings	not more than 20,895 rupees
13% on earnings	not more than 21,941 rupees
14% on earnings	not more than 23,387 rupees
15% on earnings	more than 23,387 rupees

(b) in Part II –

(i) in paragraph 33, by adding the following new subparagraph –

(8) Notwithstanding the protective equipment and uniforms granted under this paragraph, the employer shall abide by the provisions of the Occupational Safety and Health Act.

(ii) in paragraph 36, by adding the following new subparagraph –

(3) Notwithstanding the protective equipment granted under this paragraph, the employer shall abide by the provisions of the Occupational Safety and Health Act.

**10.** The Second Schedule to the principal regulations is revoked and replaced by the Second Schedule set out in the Schedule to these regulations.

**11.** The Sugar Industry (Agricultural Workers) (Remuneration) (Amendment) Regulations 2024 are revoked.

**12.** (1) Subject to paragraph (2), these regulations shall be deemed to have come into operation on 1 July 2024.

(2) Regulation 11 shall be deemed to have come into operation on 13 September 2024.

Made by the Minister on 24 September 2024.

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**SCHEDULE**  
[Regulation 10]

**SECOND SCHEDULE**  
[Regulations 3, 8 and 10]

Category of employee	Wage		
	Monthly	Daily	
	(Rs cs)	Intercrop (5-day week) (Rs cs)	Crop (6-day week) (Rs cs)
<b>Field Employee (other than special category)</b>			
(1) Male	18,454.81	838.86	709.80
(2) Female	16,627.92	755.81	639.54
<b>Field Employee (special category)</b>			
(1) Male	16,500.00	750.00	634.62
(2) Female	16,500.00	750.00	634.62
Night Soil Employee	18,443.15	838.33	709.35
<b>Watchperson</b>			
(1) Chief Watchperson	19,094.97	867.95	734.42

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(2) Watchperson (grade I)	18,693.88	849.72	719.00
(3) Watchperson (grade II)	18,454.81	838.86	709.80
Hospital Servant	18,765.39	852.97	721.75
Gardener	18,765.39	852.97	721.75
Overseer (grade I)	20,568.13	934.92	791.08
Overseer (grade II)	19,094.97	867.95	734.42
Platelayr	19,094.97	867.95	734.42
Marqueur	19,588.91	890.41	753.42
Loco-stoker	18,765.39	852.97	721.75

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