

*Government Notice No. 227 of 2019***THE EMPLOYMENT RELATIONS ACT****Regulations made by the Minister under section 93 of
the Employment Relations Act**

1. These regulations may be cited as the Sugar Industry (Agricultural Workers) (Remuneration) Regulations 2019.

2. In these regulations –

“Act” means the Employment Relations Act;

“chief watchperson” means a watchperson who is in charge of every watchperson employed on an estate and its annexes;

“earnings” means –

- (a) basic wages;
- (b) wages for work done in excess of a normal day’s work or on a public holiday; and
- (c) any allowance or bonus paid under paragraphs 6, 7, 8, 12 or 13 of the First Schedule;

“employee” –

- (a) means an employee employed in the sugar industry; and
- (b) includes –
 - (i) an employee previously described or commonly known, in the sugar industry, as –
 - (A) a field employee;
 - (B) a watchperson;
 - (C) a night soil employee;
 - (D) a hospital servant;

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- (E) an overseer;
 - (F) a platelayer;
 - (G) a *marqueur*; or
 - (H) a loco-stoker; and
 - (ii) an employee whose work is allied to or substantially comparable to the work done by an employee specified in paragraph (b)(i) of this definition; and
 - (iii) an employee employed by a job contractor; but
- (c) does not include –
- (i) a person whose basic wage or salary is at a rate exceeding 600,000 rupees in a year, except in relation to –
 - (A) Part II of the First Schedule; and
 - (B) sections 5, 26, 32, 33, 34, 49, 50, 52, 53, 54 and Parts VI, VII, VIII and XI of the Workers’ Rights Act 2019;
 - (ii) an employee to whom the Sugar Industry (Non-Agricultural Workers) (Remuneration) Regulations 2019 applies;
 - (iii) a person employed by the Mauritius Sugar Industry Research Institute;

“employer” means any person who employs an employee;

“field employee (male/female)” means an employee who performs manual tasks related to agriculture;

“gardener” means an employee who is sufficiently skilled as to be able on his own to sow seeds, trim hedges, prepare flower beds and generally tend plants;

“hospital servant” means an employee who is attached to an estate hospital –

- (a) for the purpose of doing messenger’s work or assisting a dresser; and
- (b) is not required to clean the hospital premises;

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

“job contractor” has the same meaning as in the Workers’ Rights Act 2019;

“land” means a land on which canes are, or are intended to be, cultivated;

“light field work” includes tidying and cleaning in camps, offices and factory yards, doing light weeding, gate keeping, supplying of drinking water to other employees and working as herdsman and in stables and handling manure;

“light trimming” means the operation commonly known as *passé la serpe pour enlever la paille gonflée* whilst cutting canes;

“*marqueur*” means an employee who records the presence at work of other employees and performs other minor clerical duties;

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

“normal day’s work” has the meaning assigned to it in paragraph 1 of the First Schedule;

“overseer grade I” means an employee who is responsible for supervising the work of not more than 24 employees and required to –

- (a) complete his daily duties;
- (b) be in attendance when payment of wages is effected to employees under his supervision;
- (c) prepare the weekly paysheets of employees under his supervision on the required form;
- (d) record the attendance of employees under his supervision, or the task set to each employee, or the amount of work done or the money earned by each employee per day;

“overseer grade II” means an employee responsible for supervising the work of other employees;

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

“pensioner” means an employee 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;

“reasonable business grounds” means –

- (a) inability or impracticability to reorganise working arrangements of existing employees;
- (b) a detrimental effect on the ability to meet customers’ demand;

“regular labour force” has the meaning assigned to it in Part X of the Workers’ Rights Act 2019;

“special category”, in relation to an employee, refers to an employee who does light field work;

“stipulated hours” means the hours specified in paragraphs 1 and 2 of Part I of the First Schedule;

“trade union” means a trade union as defined in the Employment Relations Act;

“watchperson grade I” means a watchperson who is in charge of the offices or the annexes of an estate;

“watchperson grade II” means a watchperson other than a chief watchperson or a watchperson grade I;

“young person” means an employee who has attained the age of 16 years but is under the age of 18 years.

(2) An employee shall be deemed to be employed in the sugar industry if 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 –

- (a) the preparation of land, the growing, harvesting, or processing of canes, the construction, repair or maintenance of roads, bridges or water works wholly or substantially required for the purposes of the sugar industry, and any other work incidental to the exploitation of land; or
- (b) the transport of canes, sugar, materials or supplies used in connection with any work specified in paragraph (2)(a).

3. (1) Subject to the other provisions of this regulation and to paragraph 6 of the First Schedule, every employee shall be –

- (a) governed by the conditions of employment specified in –
 - (i) the Workers’ Rights Act 2019; and

(ii) the First Schedule;

(b) remunerated at the rates specified in the Second Schedule.

(2) Where the conditions of employment in the Workers' Rights Act 2019 are different from those in the First Schedule, the conditions specified in the First Schedule shall prevail.

(3) Where, for more than 6 days, an employee continuously replaces an employee drawing a higher remuneration, he shall, as from the first day of replacement and for so long as he continues to replace the other employee, be remunerated at the rate specified for the other employee.

(4) Paragraphs 10 to 12, 14 to 17, 19, 20, 24, 25, 31 and 35 of the First Schedule shall not apply to an employee employed by or on behalf of an employer whose total area of land does not in the aggregate exceed 25 arpents.

(5) Paragraphs 8, 10, 11, 12(3) to (7), 14(2) to (4), 15 to 17, 19 to 22, 24 to 27, 29 to 31, 33 and 35 of the First Schedule shall not apply to an employee employed by a job contractor.

(6) Every field employee (female) employed on an 8-hour day and whose former basic wage or salary was 7,055 rupees per month or 271.35 rupees per day during crop (6-day week) or 320.68 rupees per day during intercrop (5-day week) shall be paid, in lieu of her integrated wage or salary, a wage or salary of 8,900 rupees per month or 342.31 rupees per day during crop (6-day week) and 404.55 rupees per day during intercrop (5-day week).

4. Any agreement by a watchperson, other than a collective agreement under section 57 of the Employment Relations Act, to

relinquish his right to a paid public holiday or to forego such leave shall be null and 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 employees in his employment and shall make such document available to any employee at his request or to any trade union which has negotiating rights or representational status with him.

(2) Where a vacancy occurs other than in the grade of field employees 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 recruitment, consider offering the vacant or new post to his employees in the lower grade.

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 employees who hold appropriate qualifications.

(2) Where an employee is selected for training under paragraph (1), he shall be entitled to paid time off during the training period.

7. Every employee shall be entitled to a rest of not less than 11 consecutive hours in any day.

8. (1) Nothing in these regulations shall –

(a) prevent an employer from –

- (i) providing an employee with conditions of employment which are more favourable than those specified in the First Schedule; or
 - (ii) remunerating the employee at a rate higher than that specified in the Second Schedule;
- (b) authorise an employer to –
- (i) reduce the wages of an employee; or
 - (ii) subject to section 57 of the Employment Relations Act, alter the conditions of employment of the employee so as to make them less favourable.

9. 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 employee.

10. The rates specified in the Second Schedule include –

- (a) the appropriate national minimum wage payable under the National Minimum Wage Regulations 2017; and
- (b) the additional remunerations payable under the Additional Remuneration and Other Allowances (2018) Act 2017 and the Additional Remuneration and Other Allowances (2019) Act 2018.

11. Notwithstanding paragraphs 1(4), 2(3) and 3 of the First Schedule, for the period ending 31 December 2019 –

- (a) the normal working week for a watchperson shall consist of 72 hours' work, made up of 6 days of 12 hours, including time allowed for meal and tea breaks; and

- (b) the watchperson referred to in paragraph (a) shall be remunerated at one and a half times the basic rate for every additional hour of work after the performance of 8 hours' work in every day.

12. The Sugar Industry (Agricultural Workers) (Remuneration Order) Regulations 1983 are revoked.

13. These regulations shall come into operation on 24 October 2019.

Made by the Minister on 17 October 2019.

FIRST SCHEDULE
[Regulations 2, 3, 8 and 11]

CONDITIONS OF EMPLOYMENT

PART I – GENERAL CONDITIONS OF EMPLOYMENT

1. Hours of work during crop season

(1) Subject to subparagraph (4), where an employee other than a watchperson is employed otherwise than on task work, the length of a normal day's work, excluding any time allowed for a meal break shall be –

- (a) on a Saturday, 5 hours; and
- (b) on every other day which is not a public holiday –
 - (i) 6 hours for a special category employee or a female employee after she has entered on the seventh month of pregnancy;
 - (ii) 7 hours for every other employee.

(2) Subject to subparagraph (4), where an employee other than a watchperson is employed on task work, he shall be deemed to have performed a normal day's work if –

- (a) excluding any time allowed for a meal break he remains diligently at work for –
 - (i) 5 hours on a Saturday; or
 - (ii) 6 hours on every other day which is not a public holiday; or
- (b) he completes the task allotted to him.

(3) The task allotted to an employee, other than a watchperson, on a Saturday shall be equivalent to five sixths of the task allotted on any other day which is not a public holiday.

(4) The length of a normal day's work for a watchperson shall be 8 hours on every day which is not a public holiday.

2. Hours of work during intercrop season

(1) Subject to subparagraph (3), where an employee other than a watchperson is employed otherwise than on task work, the length of a normal day's work, excluding any time allowed for a meal break, shall be –

- (a) 6 hours on every day, other than a Saturday or a public holiday, for a special category employee or for a female employee after she has entered on the seventh month of pregnancy;
- (b) 8 hours on every day other than a Saturday or a public holiday.

(2) Subject to subparagraph (3), where an employee, other than a watchperson, is employed on task work, he shall be deemed to have performed a normal day's work if –

- (a) excluding any time allowed for a meal break, he remains diligently at work for 6 hours on everyday other than a Saturday or a public holiday; or
- (b) he completes the task allotted to him.

(3) The length of a normal day's work for a watchperson shall be 8 hours on every day other than a Saturday or a public holiday.

(4) Except where he voluntarily undertakes to do so, no employee other than a watchperson shall be required to work either on a Saturday or a public holiday during intercrop season.

3. Additional work

(1) Subject to subparagraph (2), where an employee 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 additional work, remunerate the employee at not less than one and a half times the rate at which the work is remunerated when performed during the stipulated hours.

(2) Where an employee works on a public holiday, the employer shall, in addition to the remuneration payable, remunerate the employee in respect of any work done –

- (a) 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;
- (b) 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.

(3) Every employee shall be entitled to a normal day's pay in respect of every public holiday, other than a Sunday, that occurs on any of his normal working days.

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) for task work;
- (d) in respect of deductions for absences;
- (e) for employees paid at a daily rate; and
- (f) 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 –

- (i) $W/208$, in the case of a watchperson;
- (ii) $W/173.33$, in the case of any other employee,

where –

“W” means the monthly basic wage of the employee.

5. Task work

(1) Field work, wherever possible, shall be performed on a task basis and measured by the *gaulette*.

(2) Where a task includes the weeding of a road adjacent to a field, that weeding shall be measured separately and remunerated at a rate which shall not be less than the rate for weeding the field, increased by 10 per cent.

6. Rates of pay for cutting and/or loading

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

	(Rs)
(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	422.84
(ii) in lorries	396.42
(iii) in tramway wagons and baskets	370.05
(iv) in low trailers drawn by Ferguson type wheel tractors	370.05
(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	324.90
(c) cutting canes	211.49
(d) loading canes in scammell type trailers –	
(i) if carried over a distance not exceeding 3 <i>gaulettes</i>	195.51
(ii) if carried over a distance exceeding 3 <i>gaulettes</i> but not exceeding 15 <i>gaulettes</i>	238.09
(e) loading canes in trailers other than that of the Scammel type –	
(i) if carried over a distance not exceeding 3 <i>gaulettes</i>	174.56
(ii) if carried over a distance exceeding 3 <i>gaulettes</i> but not exceeding 15 <i>gaulettes</i>	211.49
(f) loading canes in lorries –	
(i) if carried over a distance not exceeding 3 <i>gaulettes</i>	189.88
(ii) if carried over a distance exceeding 3 <i>gaulettes</i> but not exceeding 15 <i>gaulettes</i> ;	228.85
(g) cutting canes collectively up to and not exceeding 5 lines and windrowing the cut canes on one line for mechanical loading	222.02

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| (h) cutting canes up to and not exceeding 3 lines and stacking the cut canes in stacks of 400 kilogrammes or thereabout for mechanical loading | 222.02 |
| (i) cutting canes collectively on more than 3 lines but not exceeding 6 lines and stacking the cut canes in stacks of 400 kilogrammes or thereabout for mechanical loading | 232.40 |

(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 10.72 rupees per tonne.

(3) (a) Where canes have not been properly trashed within 3 weeks of cutting, an additional allowance of 44.27 rupees per tonne shall be paid to the employee who may, in such cases be required by the employer to carry out light trimming with a bill-hook.

(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 owing to the condition of the canes, such work shall be paid for at a rate to be agreed upon between the employer and the employee or, failing such agreement, at a rate to be fixed by the Minister.

(d) Where canes have to be carried over a distance of more than 15 *gaulettes* in a field, the relevant rates for cutting and loading or for cutting or loading done separately shall be increased by 3.50 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 30.78 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 36.44 rupees per tonne and the relevant rates for cutting or loading done separately shall be increased by not less than 18.18 rupees per tonne.

(ii) Where the yield of canes is less than 10 tonnes per arpent, the relevant rates for cutting and loading shall be increased by not less than 49.29 rupees per tonne and the relevant rates for cutting or loading done separately shall be increased by not less than 23.59 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 17.04 rupees per foot per tonne shall be paid for each additional foot or part of a foot, in excess of the 2 feet.

(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 32.40 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 *barfe* he shall be paid an allowance of 13 rupees per tonne in addition to the relevant rates specified in subparagraph (1).

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 –

Productivity bonus	Fortnightly earnings (Rs)	
5% on earnings	between 6,158 and 7,549	
6% do	not more than	8,382
7% do	do	9,238
8% do	do	9,943
9% do	do	10,410
10% do	do	11,298
11% do	do	11,867
12% do	do	12,856
13% do	do	13,500
14% do	do	14,389
15% do	more than	14,389

8. Disturbance allowance

Where an employee is required, at the end of the crop on one estate, to help terminate the crop on another estate, irrespective of regions, he shall be entitled to a disturbance allowance of 1, in the case of –

- (a) a field employee, 10 rupees daily;
- (b) an overseer, 25 rupees daily.

9. Limitations on assignment of work

(1) No field employee (female) or young person shall be compelled to do –

- (a) holing;
- (b) uprooting;
- (c) forking;
- (d) crowbar work;
- (e) loading;
- (f) cutting;
- (g) heavy cleaning or clearing;
- (h) heavy buttage;
- (i) any work involving the carrying of a load of more than 18 kilogrammes;
- (j) *epierrage*;
- (k) ploughing while in charge of other employees;
- (l) stub (*souche*) plantation;
- (m) facing of stones (*parmentage*);

- (n) altering the position of stone wall in accordance with the current practice in the northern region;
- (o) furrowing after subsoiling;
- (p) cutting and loading canes for planting;
- (q) burying leguminous plants without ploughing; or
- (r) handling of bagasse cubes.

(2) No female employee shall, after she has entered on the seventh month of pregnancy, be required to do any work other than light field work.

- (3) No young person shall be required to do –
- (a) any work other than unskilled field work;
 - (b) work under rollers;
 - (c) work as a sample boy;
 - (d) work as cleaner or stoker feeding bagasse or centrifugal helper.

(4) No field employee shall be required to perform *sens inverse* light trimming.

(5) No female employee referred to in regulation 3(6) shall be required to perform any operation comprised in plantation of canes.

(6) (a) Subject to sub subparagraph (b), no male employee above the age of 55 years shall be compelled to carry or load canes.

(b) A male employee above the age of 55 years may be required to carry canes where he is performing the duties, and is paid at the rate specified in paragraph 6(1)(g), (h) or (i).

(7) Where a female employee is required to carry a basket of scum, sand, manure or cane tops, the employer shall cause a male employee to be present to help her lift the basket.

(8) No female employee above the age of 55 years shall be compelled to carry sand or scum.

10. Conversion to monthly employment

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

11. Payment of wages

(1) Every monthly employee shall be paid his wages in 2 instalments, not later than the fifteenth and the last working day of the month.

(2) Every daily employee 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.

(3) All payments of wages shall be made at the estate office or sub-office.

(4) Every employee shall, within 72 hours after every payment, receive a payslip showing –

(a) his name;

(b) his total wages and allowances;

(c) the number of working days; and

(d) the number of days on which he was present at work.

(5) Where a day on which an employee attends work is not a working day, he shall be informed of the fact on the same day.

12. Overseers' allowance

(1) Every overseer who is in charge of the spraying of herbicides or pesticides shall be paid an allowance of 1.35 rupees for each day on which he performs such work.

(2) Every overseer affected to the supervision of employees engaged in cutting and loading of canes shall be entitled to an allowance of 0.6 per cent of the wages, excluding the regularity and productivity bonus of the employees under his supervision for each day on which he performs such work.

(3) (a) Subject to subparagraph (4), every overseer who is employed on a monthly basis and is not provided with housing accommodation by his employer shall be entitled to an allowance of –

- (i) 65 rupees, if he is single;
- (ii) 75 rupees, if he is married and has no dependent child;
- (iii) 80 rupees, if he is married and has up to 2 dependent children;
- (iv) 85 rupees, if he is married and has more than 2 dependent children.

(b) For the purpose of this paragraph –

“dependent 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 overseer.

(4) Where the rent paid by an overseer is higher than the allowance he receives under subparagraph (3), he shall be entitled to an additional allowance representing the difference between the rent paid and the allowance up to a maximum of –

- (a) 10 rupees if he is single;
- (b) 15 rupees if he is married.

(5) No overseer shall be required to carry –

- (a) water for the employees under his supervision; or
- (b) any tool or other material.

(6) All stationery, pens or pencils used by an overseer in connection with his work shall be provided by his employer.

(7) Every overseer who is required to go from house to house after working hours in order to inform employees under his supervision of a change of site of work, shall be entitled to an allowance of 25 rupees on each occasion he performs such extra work.

13. Field employees' allowance

(1) Every field employee (male) who, in the course of a normal day's work, is required to do –

- (a) heavy clearing;
- (b) holing;
- (c) uprooting;
- (d) forking;
- (e) ploughing while in charge of other employees;
- (f) stub (*souche*) planting;
- (g) facing of stones (*parmentage*);

- (h) altering the position of stone walls in accordance with the current practice in the northern regions;
- (i) furrowing after subsoiling;
- (j) cutting and loading canes for planting;
- (k) burying leguminous plants without ploughing;
- (l) handling of bagasse cubes;
- (m) crow-bar work; or
- (n) *epierrage*,

shall be entitled to an allowance equivalent to not less than 15 per cent of his wages for that day.

(2) Every field employee (female) who, in the course of a normal day's work, is required to do trashing, *relevage de paille*, spreading of fertiliser or any operation comprised in planting, including the application of ash, sand, scum and manure shall be entitled to an allowance equivalent to not less than 15 per cent of her wages for that day.

(3) Every employee who, in the course of a normal day's work is required to spray herbicides or pesticides or to do stone or concrete breaking, shall be entitled to an allowance equivalent to not less than 20 per cent of his wages for that day.

(4) Where an employee who is engaged to spray herbicides or pesticides is, owing to climatic conditions, required to stop such work after 2 hours and perform some other work, he shall be entitled to the allowance specified in subparagraph (3).

(5) Every male field employee who, in the course of a normal day's work, is required to cut cane tops shall be entitled to an

allowance equivalent to not less than 15 per cent of his wages for that day.

(6) (a) Every field employee who, in the course of a normal day's work, is required to do trashing for mechanical loading, shall be paid an allowance of 5 rupees for that day.

(b) In the case of a field employee (female), the allowance specified in subparagraph (6)(a) shall be paid in addition to the allowance payable under subparagraph (2).

14. Travelling benefits

(1) Every employee shall, where the distance between his residence and his site of work exceeds 3 kilometres, be entitled to free transport or be paid a daily allowance equivalent to the full return bus fare between his residence and the most practicable place nearest to his site of work.

(2) Every employer shall provide an autocytle to every *marqueur* who is required to cover a distance of 5 miles or more daily from the estate's office so as to perform his duties, such autocytle remaining the employer's property and the cost of running and maintaining it being borne by him.

(3) Every watchperson who –

(a) is solely engaged in patrolling sugar cane plantations; and

(b) has not been issued with a bicycle by his employer, shall, in addition to the allowance payable to him under subparagraph (1), be entitled to a bicycle allowance of 1.25 rupees in respect of each day on which he performs those duties.

(4) Every overseer who has not been issued with a bicycle by his employer shall, in addition to the allowance payable to him under subparagraph (1), be entitled to an allowance of 1.25 rupees in respect of each day on which he comes to work on a bicycle.

15. End of year bonus

(1) Every employee 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.

(2) Every employee who does not qualify for a bonus under subparagraph (1), shall be entitled to be paid a bonus equivalent to 8.4 per cent of his yearly earnings.

(3) For the purpose of subparagraph (1), a day on which an employee –

- (a) was absent 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 illness or injury after notification to his employer under paragraph 19(3),

shall count as a working day.

(4) Where an employee remains in continuous employment with the same employer for only part of the year and –

- (a) his employment is terminated in the course of the year for any reason; or
- (b) he resigns in the course of the year on or after having been in continuous employment for at least 8 months,

the employee shall be paid, not later than the last working day of the month in which his employment is terminated or he resigns, as the case may be, a bonus equivalent to one twelfth of his earnings for that year.

16. Paid leave

(1) Every daily employee who reckons a number of working days which is not less than 80 per cent of the number of working 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 work.

(2) (a) Subject to sub subparagraph (b), every employee who has been in the continuous employment of 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.

(b) Every employee, other than a part-time employee, who remains in continuous employment with the same employer for a period of 6 consecutive months and who has been present on all the working days during that period, shall be entitled to one day's annual leave during each subsequent month up to the twelfth month, while he remains in continuous employment with the same employer.

(3) An employee shall, except in special circumstances, give not less than 48 hours' notice when applying for leave and the approval of the leave shall be subject to the requirements of the employer.

(4) Leave shall not be cumulative and shall be taken in the year in which the employee is eligible to it.

(5) Wages in lieu of leave shall be paid at the end of the year if the employer fails to grant any leave applied for by the employee.

(6) An employee who ceases to be employed after qualifying for leave under subparagraph (1) or (2)(a) 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.

(7) Every watchperson who works regularly on Sundays shall, in addition to the leave specified in subparagraph (1) or (2)(a), be

entitled to 3 days' paid leave in every month, one of the days being a Sunday.

(8) (a) Where an employee who reckons continuous employment with the same employer for a period of not less than 10 consecutive years –

- (i) retires on or after the age of 60 or is asked to retire at the age of 65;
- (ii) retires before reaching the age of 60 on the ground of permanent incapacity to perform his work as certified by a Government medical practitioner; or
- (iii) retires under paragraph 22,

he shall be entitled to 3 months leave on full pay to be taken before retirement.

(b) For the purpose of sub subparagraph (a) –

“employee” means an employee who is employed by an employer who owns either a sugar factory or more than 42.2087 hectares (100 arpents) of land under sugarcane cultivation.

17. Special leave

(1) Every monthly employee 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 employee shall claim the privilege specified in subparagraph (1)(a) more than once.

(3) Every employee 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.

18. Vacation leave

(1) Subject to subparagraphs (2) and (3), an employee, other than a migrant employee, who remains in continuous employment with the same employer for a period of at least 5 consecutive years shall be entitled to a vacation leave of not more than 30 days, whether taken consecutively or otherwise, for every period of 5 consecutive years, to be spent abroad, locally or partly abroad and partly locally.

(2) Subject to subparagraph (8), any subsequent eligibility period of 5 consecutive years shall be computed after the employee resumes work after the vacation leave under subparagraph (1).

(3) Where an employee would have been eligible to take overseas leave under the revoked Sugar Industry (Agricultural Workers) (Remuneration Order) Regulations 1983 prior to, or within a period of less than 5 years from, 24 October 2019, the employee shall, on completion of the prescribed period in the revoked regulations, be entitled to the vacation leave under subparagraph (1).

(4) The vacation leave shall be –

(a) for a period of not less than 6 consecutive days; and

(b) with pay and such pay shall, in case the employee opts to spend the leave wholly or partly abroad, be

effected at least 7 working days before the employee proceeds abroad.

(5) The vacation leave shall be deemed to constitute attendance at work and shall not be cumulative.

(6) An employee shall, except in exceptional circumstances, give not less than 3 months' notice when applying for the vacation leave and the employer shall, subject to reasonable business grounds, accede to the application.

(7) Where an employer cannot, on reasonable business grounds, accede to the request of an employee under subparagraph (6) –

- (a) the employee and the employer may agree on another period when the vacation leave is to be taken; or
- (b) in default of an agreement, the employer shall pay to the employee a normal day's wage in respect of each day's leave applied for and such payment shall be effected in the month the leave was due to start.

(8) Where an employee is paid wages in lieu of the vacation leave under subparagraph (7), any subsequent eligibility period of 5 consecutive years shall be computed as from the date of payment of the leave.

19. Sick leave

(1) Subject to subparagraph (3), every monthly employee who is sick shall be entitled, in every year to –

- (a) 21 working days' leave on full pay; and
- (b) 21 days' leave on half pay if –
 - (i) he is admitted to a hospital or clinic; or

- (ii) he cannot resume work after his discharge from a hospital or a clinic and requires time to recover; 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 recover.

(2) Subject to subparagraph (3), every daily employee who has been in continuous employment with the same employer for at least 12 months and who is sick, shall, in any year, be entitled to 21 working days' leave on full pay.

(3) Where an employee 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 an employee has not taken all the leave to which he is entitled under subparagraph (1)(a) or (2), he shall be paid a normal day's wage in respect of each day's leave not taken at the end of the period of 12 consecutive months.

(5) Notwithstanding paragraphs (1) and (2), every employee, other than a part-time employee, who remains in continuous employment with the same employer for a period of 6 consecutive months and who has been present on all the working days during that period, shall be entitled to one day's sick leave during each subsequent month up to the twelfth month, while he remains in continuous employment with that employer.

20. Sugar allocation

(1) Every monthly employee who is employed by a miller shall be entitled, at the end of every crop, to a free allocation of 20 kilogrammes of sugar which shall be white in the case of a miller producing white sugar.

(2) An employee entitled to a free allocation of sugar may opt for a cash allowance representing the market value of the sugar allocation.

21. 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 employee who has worked for him for not less than 10 consecutive years if –

- (a) he retires on or after the age of 60 or is asked to retire at the age of 65;
- (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 16(8).

(2) (a) The gratuity shall be paid in a lump sum calculated according to the following formula –

- (i) $30 (W - 1.23P)$ where an employee reckons not more than 25 consecutive years of service; or
- (ii) $N \times 0.75 W$, where –
 - (A) an employee joins employment on or after 30 January 1995; or

(B) an employee reckons more than 25 consecutive years of service.

(b) For the purpose of subparagraph (a) –

“N” means the number of years of service;

“P” means the monthly pension to which the employee is entitled on the date the gratuity under subparagraph (1) becomes payable;

“W” means either the last monthly wage or, in the case of an employee in a special category, the highest monthly wage received by the employee during his employment on the estate.

(3) The monthly pension under subparagraph (2)(b) includes –

(a) any part of the pension which has been commuted to a lump sum;

(b) the monthly pension payable under the Sugar Industry Pension Fund Act or the pension payable under the Sugar Industry Retiring Benefits Act;

(c) the contributory retirement pension payable under the National Pensions Act; and

(d) the pension value of the lump sum payable to the employee under section 48(2) of the National Pensions Act.

(4) For the purpose of subparagraph (3)(c), the contributory retirement pension means –

(a) where the employee 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 employee 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 employee 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 an employee 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 an employee 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 –

“dependant” means the person who was living in the deceased employee’s household and wholly or partly dependent on his earnings of the time of his death;

“spouse” means the person with whom the employee had contracted a civil or religious marriage and with whom he lived under a common roof at the time of his death.

22. Optional retirement

(1) Every monthly employee who has been in continuous employment with the same employer for a period of not less than 10 years may retire on or after reaching the age of, in the case of –

- (a) a female employee, 50 years;
- (b) a male employee, 55 years,

and shall be paid a gratuity.

(2) (a) The gratuity shall be paid in a lump sum calculated according to the following formula –

- (i) $30 (W - 1.23P)$, where an employee reckons not more than 25 consecutive years of service; or
- (ii) $N \times 0.75 W$, where –
 - (A) an employee joins employment on or after 30 January 1995; or
 - (B) an employee reckons more than 25 consecutive years of service.

(b) For the purpose of sub subparagraph (a) –

“N” means the number of years of service;

“P” means the monthly pension to which the employee is entitled on the date the gratuity under subparagraph (2) becomes payable;

“W” means either the last monthly wage or, in the case of an employee in a special category, the highest monthly wage received by the employee during his employment on the estate.

- (4) The monthly pension under subparagraph (3)(b) includes –
- (a) any part of the pension which has been commuted to a lump sum;
 - (b) the monthly pension payable under the Sugar Industry Pension Fund Act or the pension payable under the Sugar Industry Retiring Benefits Act;
 - (c) the contributory retirement pension payable under the National Pensions Act; and
 - (d) the pension value of the lump sum payable to the employee under section 48(2) of the National Pensions Act.

(5) The contributory retirement pension referred to in subparagraph (4)(c) shall, in case of –

- (a) a female employee aged 55 or over; or
- (b) a male employee aged 58 or over,

on the date the gratuity under subparagraph (2) is due, be deemed to be the contributory retirement pension which would have been payable had the employee been able to retire under the National Pensions Act on that date.

(6) (a) Where an employee dies while he is on leave prior to retirement under paragraph 16(8), he shall be entitled to the gratuity payable under this paragraph.

(b) The gratuity shall be paid –

(i) to the surviving spouse; or

(ii) where the deceased leaves no spouse, in equal proportion to his dependants.

(c) In this subparagraph –

“dependent” means the person who was living in the deceased employee’s household and wholly or partly dependent on his earnings at the time of his death;

“employee” means an employee who is employed by an employer who owns either more than 100 arpents of land under cane cultivation or a sugar factory;

“spouse” means the person with whom the employee had contracted a civil or religious marriage and with whom he lived under a common roof at the time of his death.

23. Gratuity at death

(1) Every employer shall pay a gratuity upon the death of an employee who has worked for him for not less than 12 consecutive months.

(2) (a) The gratuity shall be paid in a lump sum and calculated on the basis of –

-
- (i) 15 days' remuneration for every period of 12 months' continuous employment; and
 - (ii) a sum equal to one twelfth of the sum referred to in sub subparagraph (i) multiplied by the number of months during which the employee has remained in the continuous employment of the employer, for every period of less than 12 months.
- (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.
- (4) No gratuity shall be payable where a lump sum or a pension is payable under the Workmen's Compensation Act or under Part V of the National Pensions Act.
- (5) In this paragraph –
- “dependent” means the person who was living in the deceased employee's household and wholly or partly dependent on his earnings at the time of his death;
- “remuneration” means –
- (a) the highest monthly wage received by an employee during his employment on the estate; or
 - (b) the average monthly remuneration drawn by the employee over a period of 12 months before the employee ceases employment,
- whichever is higher;

“spouse” means the person with whom the employee has contracted a civil or religious marriage and with whom he lived under a common roof at the time of his death.

24. Maternity benefits

(1) A female employee shall, on production of a medical certificate, be entitled to 14 weeks’ maternity leave on full pay to be taken –

- (a) before confinement, provided that at least 7 weeks’ maternity leave shall be taken immediately following the confinement; or
- (b) after confinement.

(2) (a) Subject to paragraph (3), where a female employee who remains in continuous employment with the same employer for a period of 12 consecutive months gives birth to a child, she shall –

- (i) on production of a medical certificate, be paid, within 7 days of her confinement, a maternity allowance of 3,000 rupees;
- (ii) be provided 800 millilitres of milk per day during the 3 months following her confinement or be paid an allowance of 3 rupees per day if milk is not readily available.

(b) Where a female employee is pregnant and has worked for the same employer for not less than 150 days during the 11 months immediately preceding her confinement, she shall be entitled to the benefits specified in subparagraph (a).

(3) Where a part-time female employee remains in continuous employment with the same employer for a period of 12 consecutive

months immediately preceding the beginning of the leave specified in paragraph (1), she shall, on production of a medical certificate, be entitled to an allowance computed in accordance with the following formula –

$N/H \times$ amount of maternity allowance specified in paragraph (2)(a)(i), where –

“H” means the number of working days in a week of a comparable full-time employee;

“N” means the number of days of work she is required to perform in a week.

(4) Where a female employee suffers a miscarriage which is duly certified by a medical practitioner, she shall be entitled to 3 weeks’ leave on full pay immediately after the miscarriage.

(5) Where a female employee gives birth to a stillborn child, she shall, on production of a medical certificate, be entitled to 14 weeks’ leave on full pay.

(6) Where a female employee, who has been in continuous employment with the same employer for a period of 12 consecutive months, adopts a child aged less than 12 months, the employee shall, on production of a certified copy of the relevant Court order and a copy of the act of birth of the child, be entitled to 14 weeks’ leave on full pay.

(7) (a) Where a female employee referred to in paragraph (1) or (3) is nursing her unweaned child, she shall, for that purpose, be entitled on a daily basis at a time convenient to her and having regard to the needs of the child, to at least –

- (i) 2 breaks of half-hour each; or
- (ii) one break of one hour.

(b) The female employee shall be entitled to the break specified in paragraph (a) for a period of 6 months from the date of confinement or such longer period as a medical practitioner may recommend and the period of the break shall not be deducted from the number of hours of work of the employee.

(8) An employer shall not require a female employee to perform work in excess of a normal day's work for a period of at least 2 months before her confinement.

(9) A female employee who is pregnant shall not, on a medical certificate produced to this effect and unless a medical practitioner certifies otherwise, be required to perform duties requiring continuous standing that may be detrimental to her health or the health of the baby.

(10) An employer shall not, except with the consent of a female employee, require the female employee to work between 6 p.m. and 6 a.m. during the 12 months following her confinement.

(11) An employer shall not, at any time, during the period where a female employee is on maternity leave or is nursing an unweaned child, give to the female employee notice of termination of employment for any reason, unless the grounds relates to the economic, technological, structural or similar nature affecting the employer's activities.

(12) Where, following a complaint made by, or representation received by or on behalf of, an employee, the supervising officer is of the opinion that no adequate arrangements have been made to nurse the unweaned child of an employee, the supervising officer may, after consultation with a medical practitioner, give such directions by written notice to the employer as he thinks fit.

(13) When the wife of a monthly employee is pregnant and is not attended to by the estate midwife, she shall be entitled to a maternity allowance of 300 rupees unless she is entitled to an allowance under paragraphs (2)(a)(i) and (3).

25. Grant to family of pensioner

(1) Where a pensioner dies, the person who was his employer at the date of his retirement shall pay a gratuity of 1,500 rupees –

- (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.

26. Housing allowance

(1) Every employer who owns more than 100 arpents of land under sugar cane cultivation shall pay to every monthly employee who is 18 years of age or over and for whom suitable accommodation is not provided, an allowance of –

- (a) 56 rupees, if the employee is unmarried;
 - (b) 61 rupees, if the employee is divorced by the decision of a court of law, or where there is separation supported by an affidavit;
 - (c) 61 rupees, if the employee is a widow or widower; or
 - (d) 61 rupees, if the employee is married.
- (2) For the purpose of this paragraph –
- (a) an employee 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; and

- (b) where both parties to the marriage are working for the same employer, they shall be entitled to an allowance of only 61 rupees between them.

27. School transport

Every employer who owns more than 100 arpents of land under cane cultivation shall –

- (a) provide transport facilities for –
 - (i) children of his employees who attend a secondary school; and
 - (ii) children, not above 20 years of age, of his employees who attend a technical or vocational school recognised by the Ministry responsible for the subject of education; or
- (b) pay to the employee the appropriate return bus fare in respect of every such child.

28. Supply of drinking water

Every field employee shall be entitled to be supplied with a reasonable quantity of drinking water in the field.

29. Medical facilities

- (1) Every employee who –
 - (a) has been in continuous employment for 2 consecutive years with an employer who owns more than 100 arpents of land under sugar cane cultivation; and
 - (b) is qualified for intercrop employment during the preceding crop season, shall be entitled to –

-
- (i) free medical attention from a medical practitioner nominated by his employer;
 - (ii) receive, free of charge, any drug which may be prescribed by an estate medical practitioner or by a Government medical officer where the drugs prescribed by him are not available at the hospital;
 - (iii) expenses not exceeding 300 rupees per year incurred for the dental treatment of the employee, his wife and children, which expenses are duly certified by a registered dentist and that sum or any part of it which is not claimed by the employee shall be cumulative for a period of 2 years;
 - (iv) a transport allowance equivalent to the return bus fare when he is referred by the estate medical practitioner to a Government medical officer for treatment.

(2) Every employee and his dependants who reside on the estate and who fall sick at any time shall be provided with free transport by the employer to and from a Government hospital.

(3) (a) In this paragraph –

“dependents” means the spouse of the employee and his children or any person who is living with, and is wholly or substantially maintained by, him;

“wife” means the person with whom the male employee has contracted a civil or a religious marriage and with whom he lives under a common roof.

(b) For the purpose of this paragraph, where both parties to a marriage are working for the same employer, the allowance shall not exceed 300 rupees per year.

30. Trade union officials

(1) Every employee 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 such trade union's members for the purpose of discussing matters relating to their remuneration or conditions of employment.

(3) Every employee 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.

31. Bonus to employees retiring before the end of the year

(1) Every employee 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) Every employee who does not qualify for a bonus under subparagraph (1) shall be paid a bonus equivalent to 8.4 per cent of his earnings in that year.

(3) For the purpose of subparagraph (1), a day on which an employee –

- (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 sickness or injury after notification to his employer under paragraph 19(3),

shall count as a working day.

32. Employees employed by job contractor

Every employee 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.

PART II – HEALTH AND SAFETY CONDITIONS

33. Uniforms and protective equipment

(1) Every employer shall, at least once a fortnight, provide every employee engaged in field work with a pair of good quality gloves.

- (2) Every employer shall provide –
 - (a) one plastic raincoat every 2 years –

(i) to every cane-carrier employee required to work in the open;

(ii) to every mobile loader helper; and

(b) one helmet to every mobile loader helper.

(3) Subject to subparagraph (5), every employer shall provide –

(a) not later than 31 May of every second year, 2 pairs of boots simultaneously to every employee engaged on irrigation work or on cleaning lakes, canals or marshes;

(b) a plastic raincoat once every 2 years to every employee engaged on overhead irrigation work; and

(c) an appropriate mask to every field employee.

(4) (a) Subject to sub subparagraphs (b) and (c) and to subparagraph (5), every employer shall provide –

(i) 2 pairs of boots simultaneously every 2 years, but not later than 31 May of every second year;

(ii) 2 uniforms of hard wearing material not later than 31 May in every year; and

(iii) a waterproof overall with short sleeves and a hood every 2 years, the pattern of which shall be agreed upon between the employee and the employer or, failing agreement, as prescribed by the Minister, but not later than 31 May of every second year,

to every monthly employee and to every employee who becomes monthly employed.

(b) The issue of uniforms, waterproof overall and the first pair of boots to an employee who becomes monthly employed shall be made within one month of such appointment.

(c) No employee shall be entitled to boots under sub subparagraph (a) if he is already provided with boots under subparagraph (3)(a).

(5) (a) Every pair of gloves shall be made of rubber or of such other material as may be agreed upon between the employer and the employee.

(b) Every pair of boots shall be mini-rubber boots.

(c) Every article of protective clothing or equipment –

(i) shall bear an easily identifiable mark;

(ii) may remain in the employee's possession;

(iii) shall remain the employer's property; and

(iv) shall be replaced by the employer as soon as it becomes unserviceable.

(6) Every employer shall, once every 3 years, provide every overseer and every watchman with a good quality raincoat, other than one made of plastic.

(7) Every employee engaged in spraying herbicides or pesticides shall be provided with such protective equipment as is specified in section 16 of the Pesticides Control Act.

34. Medical facilities

Every employee engaged in spraying herbicides or pesticides shall be entitled to be medically examined once every 6 months at his employer's expense.

35. Issue of tools and equipment

- (1) Every employer shall issue –
 - (a) all tools and equipment used in the performance of work to every monthly employee; and
 - (b) a bill-hook to every monthly employee who is employed to cut canes.
- (2) (a) The bill-hook under subparagraph (1)(b) shall be –
 - (i) surrendered to the employer at the end of each crop season; and
 - (ii) replaced by a new one at least once every 2 crop seasons.

(b) All tools, equipment and bill-hook specified in subparagraph (1) shall remain the property of the employer.

36. Employees employed by job contractors

(1) 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 employee.

- (2) Every article of protective equipment –
 - (a) may remain in the possession of the employee;
 - (b) shall remain the property of the job contractor; and
 - (c) shall be replaced by the job contractor as soon as it becomes unserviceable.
-

SECOND SCHEDULE
[Regulations 3, 8 and 10]

Category of employee	Wages		
	Monthly (Rs cs)	Daily	
		Intercrop (5-day week) (Rs cs)	Crop (6-day week) (Rs cs)
Field employee (other than special category) –			
(1) Male	11,354.81	516.13	436.72
(2) Female	9,527.92	433.09	366.46
(3) Young person	9,052.79	411.49	348.18
Field Employee (special category) –			
(1) Male	9,305.77	422.99	357.91
(2) Female	8,900.00	404.55	342.31
(3) Young person	8,900.00	404.55	342.31
Night Soil Employee	11,343.15	515.60	436.28
Watchperson			
(1) Chief Watchperson	11,994.97	545.23	461.35
(2) Watchperson (grade I)	11,593.88	526.99	445.92
(3) Watchperson (grade II)	11,354.81	516.13	436.72
Hospital Servant	11,665.39	530.25	448.67
Gardener	11,665.39	530.25	448.67
Overseer (grade I)	13,568.13	616.73	521.85
Overseer (grade II)	11,994.97	545.23	461.35
Platelaye	11,994.97	545.23	461.35

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Government Notices 2019

<i>Marqueur</i>	12,588.91	572.22	484.19
Loco-stoker	11,665.39	530.25	448.67
