

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 Electrical, Engineering and Mechanical Workshops (Remuneration) Regulations 2013.

2. In these regulations –

“accounts clerk” means a worker who performs one or more of the following duties –

- (a) receiving cash, cheques and credit card payments and keeping relevant records;
- (b) preparing, examining, reconciling and executing all accounts;
- (c) preparing and monitoring budgets and estimates;
- (d) assisting in the annual or periodic stocktaking; and
- (e) performing related work as may be required.

"apprentice" means a worker who is employed solely for the purpose of learning and acquiring skill in a trade to which these regulations apply;

"automobile electrician grade III" means a worker capable of –

- (a) safeguarding himself and others working with him against electrical hazards;
- (b) understanding the general wiring of an automobile;
- (c) detecting minor electrical faults and carrying out necessary repairs; and
- (d) carrying out minor repairs on starters, alternators, generators and other electrical appliances;

"automobile electrician grade II" means a worker capable of –

- (a) performing all operations of an automobile electrician grade III;
- (b) performing minor alternating current (AC) and direct current (DC) work;
- (c) performing soldering work;

- (d) reading and understanding car circuit diagrams and effecting all repairs to the electrical system of an automobile;
- (e) installing, repairing, locating and removing faults on electric motors, and starters, alternators, generators, battery charging equipment, switchgear and other electrical appliances;
- (f) dealing with minor repairs on batteries and charging them effectively; and
- (g) using voltmeters, ammeters, detectors and other testing equipment required in connection with his trade;

"automobile electrician grade I" means a worker capable of –

- (a) performing all the operations of an automobile electrician grade II;
- (b) understanding alternating current (AC) and direct current (DC) fundamentals and carrying repairs on all electrical machines, complete rewinding of starters, alternators and dynamos;
- (c) understanding the chemical reactions taking place in a battery and effecting the complete overhaul of a battery;
- (d) reading and understanding complicated wiring diagrams of car electrical equipment; and
- (e) locating and repairing simple faults in electronic ignition circuits;

"blacksmith grade III" means a worker capable of –

- (a) using and maintaining the tools of the trade;
- (b) preparing and tending fires for the purpose of his trade;
- (c) dealing with the working characteristics of wrought iron, mild steel and plain carbon steels;
- (d) making from a model, hammers, tongs, chisels and other hand tools in general use;
- (e) bending round, angling and channelling sections to a given pattern, repairing the body of lorries, hooks or chain links; and
- (f) using a pneumatic hammer effectively;

"blacksmith grade II" means a worker capable of –

- (a) performing all the operations of a blacksmith grade III;
- (b) carrying out measurements and calculations required in the trade;
- (c) doing tempering and simple heat treatment;
- (d) making forging from sketches;
- (e) making simple welds in wrought iron and steel;
- (f) accurately forging rivets and pins; and
- (g) annealing simple hooks and chains;

"blacksmith grade I" means a worker capable of –

- (a) performing all the operations of a blacksmith grade II;
- (b) organising and supervising work at a forge;
- (c) being conversant with annealing, tempering, normalising, hardening of different types of iron and steel and other heat treatment operations;
- (d) dealing with the working characteristics of wrought iron, mild steel and tool steel; and
- (e) accurately performing hand forging and welding operations;

"carpenter grade II" means a worker capable of –

- (a) using and maintaining the tools of the trade;
- (b) carrying out the measurements and calculations required;
- (c) identifying the properties, uses and working characteristics of common timber used in the trade;
- (d) making simple mortise and tenon joints, and plans and groove boards for panelling;
- (e) making and finishing boarded panels and floorings;
- (f) making and fixing skirtings and internal joineries generally;

- (g) carrying out simple repair works and erecting scaffoldings and shutterings for concrete works;
- (h) erecting and repairing wooden roof structures, including the fixing of roofing sheets and shingles;
- (i) making and fixing doors, windows and louvres, fixing wooden logging for evaporators and vacuum pans and repairing the wooden bodyworks of lorries;
- (j) identifying the properties, uses and working characteristics of all timber used in the trade;
- (k) making all types of joints used in carpentry and identifying their properties;
- (l) carrying out all types of repair works to timbered structures;
- (m) making out from drawings the timber required for the repair or construction of frameworks, roofs trusses, or any other type of structure, including wooden loggings for evaporators or vacuum pans and the wooden bodyworks of lorries; and
- (n) carrying out the construction of chairs, tables, benches, cabinets and other simple joinery works;

"carpenter grade I" means a worker capable of –

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

"clerk" –

- (a) means a person employed for the purpose of performing clerical or similar duties;
- (b) does not include a receptionist/telephonist;

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

"earnings" –

- (a) means basic wages set out in the First Schedule or such higher basic wages paid by an employer, as the case may be; and
- (b) includes –
 - (i) wages earned for extra work under paragraph (3) of the Second Schedule;
 - (ii) wages paid under paragraphs 4, 9, 10, 11, 12 and 13(1)(a), (2) and (3) of the Second Schedule; and
 - (iii) any productivity payment;

"electrical workshop" means a workshop engaged in the repair and maintenance of machinery, equipment and apparatus used for the measurement, generation, transmission, storage and utilisation of electric power;

"electrician grade II" means a worker employed in an electrical or engineering workshop, and capable of –

- (a) safeguarding himself and others working with him against any electrical hazards;
- (b) performing soldering works;
- (c) working on poles, fixing arms, insulators, brackets, cable fuses and running and regulating overhead lines;
- (d) dealing with all types of internal wirings on electric lightings and power installations, including conduits, and copper covered cables, armoured cable works and metal and plastic trunkings;
- (e) dealing with low tension circuits;
- (f) performing ordinary maintenance works on electric lightings, power installations and overhead lines;
- (g) renewing fuses and making and soldering conductor joints of all types on low tension systems;

- (h) effecting minor repairs to motors, dynamos, generators and other electrical appliances; and
- (i) assembling electrical components and performing simple wiring on electrical panels;

"electrician grade I" means a worker employed in an electrical or engineering workshop, and capable of –

- (a) performing all the operations of an electrician grade II;
- (b) dealing with and replacing alternating current (AC) and direct current (DC) works, batteries and automotive circuits;
- (c) dealing with all types of cables and sizes of conductors and bus bars used on various types of electric lighting and power installations and electric machines;
- (d) preparing compounds and filling joint boxes;
- (e) installing, repairing, locating and removing faults on electric motors, starters, dynamos, generators, battery charging equipments, automotive circuits, domestic appliances, switchgears and circuit breakers;
- (f) using meggers, voltmeters and ammeters and other testing equipments in connection with his trade;
- (g) reading and understanding simple wiring diagrams;
- (h) preparing estimates of quantities of materials required for specific works; and
- (i) performing complete wiring of electrical panels;

"electrician superior grade" means a worker employed in an electrical or engineering workshop, and capable of –

- (a) performing all the operations of an electrician grade I;
- (b) locating and repairing simple faults in industrial electronic equipments;
- (c) dealing with the appropriate size of conductors, fuses and meters for any given load;
- (d) reading and writing English and French;

- (e) reading and understanding complicated wiring diagrams and plans of electrical equipments and motors; and
- (f) rewinding any type of electrical motor, generator or transformer and repairing any type of electrical equipment or appliance;

"engineering workshop" means a workshop engaged in the design, manufacture, erection, commissioning and servicing of electrical and mechanical equipment and machinery;

"fitter grade III" means a worker capable of –

- (a) carrying out measurements and calculations required in the trade;
- (b) using all the tools of the trade;
- (c) cutting chevron grooves in mill rollers and simple keyways;
- (d) filing, scraping and bedding flat and curved surfaces to a finish of 0.1 millimetre;
- (e) using drifting, shaping, planing, milling and sawing machines;
- (f) dismantling, fitting, overhauling and erecting pumps, small steam engines and mechanical lubricators, and other simple parts of machinery; and
- (g) doing simple marking off;

"fitter grade II" means a worker capable of –

- (a) performing all the operations of a fitter grade III;
- (b) doing marking off from datum line;
- (c) filing and scraping to a finish of 0.05 millimetre;
- (d) using inside and outside calipers and precision instruments used in the trade;
- (e) fitting and aligning a complete set of bearings for a shaft and aligning machineries; and
- (f) dismantling, fitting, overhauling and re-erecting more complicated parts of machinery such as mills and larger steam engines;

"fitter grade I" means a worker capable of –

- (a) performing all the operations of a fitter grade II;
- (b) making freehand dimensioned sketches and reading drawings;
- (c) doing any marking off from drawings; and
- (d) using precision instruments such as dial gauges and micrometers, in performing work of the highest precision in precise fitting operations;

"heavy mechanical workshop" means a workshop engaged in –

- (a) the repair and maintenance of heavy machinery, including heavy rollers, boilers, evaporators, steam engines and their components for the manufacturing industry;
- (b) the repair and maintenance of heavy equipment, including cranes, crawler tractors, heavy dumpers and earth moving equipment generally and their components for agriculture and the construction industry; or
- (c) the repair and maintenance of ships, tugs, barges and their components;

"light mechanical vehicles" includes cars, lorries and light wheel tractors, whether running on petrol, diesel or otherwise;

"light mechanical workshop" means a workshop engaged in the repair and maintenance of –

- (a) bicycles, motorcycles and other two-wheelers, and their components; or
- (b) light mechanical vehicles and their components;

"motor mechanic grade III" means a worker employed in a light mechanical workshop and capable of –

- (a) using and maintaining the tools and equipment of the trade;
- (b) overhauling and reassembling the simple mechanical assembly of light mechanical vehicles; and
- (c)
 - (i) carrying out minor adjustments to brakes, clutches and other mechanical parts of light mechanical vehicles;
 - (ii) locating and repairing minor mechanical faults; or
 - (iii) maintaining and repairing bicycles and their components;

"motor mechanic grade II" means a worker who is capable of performing all the operations of a motor mechanic grade III, and –

- (a) where he is employed in a heavy mechanical workshop, is capable of maintaining, repairing, overhauling and reassembling bulldozers, crawler tractors, agricultural and earth moving equipment, cranes, and other heavy mechanical units;
- (b) where he is employed in a light mechanical workshop, holds a valid driving licence and is capable of –
 - (i) understanding simple dimensioned sketches and drawings;
 - (ii) repairing and adjusting clutches, gearboxes, coupling, rear axles, brakes systems, ordinary hydraulic and power brakes, steering systems, springs, swivel pins, and stub axles;
 - (iii) testing a crankshaft for alignment and refitting it with a complete set of bearings by scraping;
 - (iv) using all tools and equipment used in the workshop;
 - (v) detecting faults and repairing a motor vehicle; and
 - (vi) testing a vehicle for roadworthiness after the vehicle has been repaired;

"motor mechanic grade I" means a worker who holds a valid driving licence and –

- (a) where he is employed in a heavy mechanical workshop, is capable of performing all the operations of a motor mechanic grade II, employed in a light mechanical workshop and all the operations of a motor mechanic grade II employed in a heavy mechanical workshop;
- (b) where he is employed in a light mechanical workshop, is capable of –
 - (i) performing all the operations of a motor mechanic grade II employed in a light mechanical workshop;
 - (ii) reading and writing English and French;

- (iii) understanding measurements required in the trade and using cylinder gauges, micrometers, dial gauges, depth gauges, crankshaft indicators and other precision instruments;
- (iv) identifying all parts of motor vehicles by their English or French names;
- (v) reading sketches and drawings;
- (vi) dealing with various working clearances and components;
- (vii) tuning engines;
- (viii) dismantling, reassembling and adjusting carburettors; and
- (ix) dealing with and adjusting internal combustion engines, diesel fuel pumps and nozzles;

"motor mechanic superior grade" means a worker who –

- (a) is employed in a heavy mechanical workshop;
- (b) holds a valid driving licence; and
- (c) is capable of –
 - (i) performing all the operations of a motor mechanic grade I, employed in a light mechanical workshop and all the operations of a motor mechanic grade I employed in a heavy mechanical workshop;
 - (ii) maintaining, repairing, overhauling and reassembling heavy mechanical units, including all hydraulic systems; and
 - (iii) reading and interpreting mechanical engineering drawings;

"moulder grade III" means a worker capable of –

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

"moulder grade II" means a worker capable of –

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

"moulder grade I" means a worker capable of –

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

"painter grade II" means a worker capable of –

- (a) differentiating between colours;
- (b) using and maintaining brushes, rollers, blowlamps, spray-guns and other tools of the trade;
- (c) removing paint with washing soda solution, washing and burning off paints;
- (d) preparing surfaces for painting;
- (e) making putty, using sand paper, painting, stopping up and flattening down with pumice, and varnishing;
- (f) preparing ordinary distemper; and
- (g) preparing, mixing and matching paints, using boiled or raw linseed oil and driers;

"painter grade I" means a worker capable of –

- (a) performing all the operations of a painter grade II;
- (b) doing ordinary lining, signwriting and lettering;

- (c) mixing and blending paints to any required shade;
- (d) preparing motor vehicle bodies for cellulose spraying;
- (e) completely supervising cellulose spraying on an automobile and polishing with rubbing compound;
- (f) dealing with the properties and application of the various types of paints, enamels, stains, varnishes and polishes;
- (g) dealing with fillers and thinning paint; and
- (h) using primers, undercoats and finishing coats in paint and enamel;

"panel beater grade III" means a worker capable of –

- (a) carrying out simple measurements and calculations required in the trade;
- (b) carrying out repairs on the metallic bodies of vehicles;
- (c) cutting plates up to one-sixteenth inch and rivet heads;
- (d) preparing and adjusting plates for welding; and
- (e) punching rivet holes and using pneumatic tools for riveting;

"panel beater grade II" means a worker capable of –

- (a) performing all the operations of a panel beater grade III;
- (b) carrying out measurements and calculations required in the trade;
- (c) working from simple sketches and drawings;
- (d) performing marking out of plates;
- (e) using rolling and bending machines to cut, bend and roll steel plates;
- (f) using welding equipment; and
- (g) manufacturing panels for electrical controls and hydraulic package units;

"panel beater grade I" means a worker capable of –

- (a) performing all the operations of a panel beater grade II;

- (b) marking out plates accurately and to any required shape according to drawings;
- (c) setting out and developing plates to any thickness to give the correct form when bent; and
- (d) estimating the materials required for any given job;

"pattern maker grade III" means a worker capable of –

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

"pattern maker grade II" means a worker capable of –

- (a) performing all the operations of a pattern maker grade III;
- (b) identifying and knowing the working characteristics of the common timber used in the trade; and
- (c) making complicated patterns and core boxes from drawings and making such allowances for contraction of the metal;

"pattern maker grade I" means a worker capable of –

- (a) performing all the operations of a pattern maker grade II;
- (b) reading any mechanical drawing in which castings are involved;
- (c) making freehand dimensioned sketches;
- (d) understanding contraction figures for the common types of metals and making corresponding allowances for the amount of draw on the patterns; and
- (e) making any type of pattern and core box;

"productivity payment" –

- (a) means all sums of money, by whatever name called, paid to a worker, in respect of any work performed by him, in addition to the basic wages set out

in the First Schedule or such higher basic wages agreed upon between him and his employer, as the case may be, and which is related to productivity;

- (b) does not include payments such as meal allowance, transport allowance or any other allowances or payments not related to productivity;

“receptionist/telephonist” means a worker who performs one or more of the following duties –

- (a) operating a telephone switchboard;
- (b) receiving, recording and passing telephone messages;
- (c) supplying information to callers and directing them to persons called upon;
- (d) keeping records of callers; and
- (e) doing related work as may be required;

“remuneration” –

- (a) means all emoluments, in cash or in kind, earned by a worker under a contract of employment; and
- (b) includes any sum paid by an employer to a worker to cover expenses incurred in relation to the special nature of his work.

"rigger grade III" means a worker capable of –

- (a) dealing with necessary safety precautions;
- (b) using and maintaining winches, hoists, jacks, tackles and other tools of the trade;
- (c) operating overhead cranes in the workshop for handling heavy machinery; and
- (d) loading and unloading and moving heavy equipment to a designated site;

"rigger grade II" means a worker capable of –

- (a) performing all the operations of a rigger grade III;
- (b) erecting rigging poles, masts and other scaffolding for simple operations, including dismantling and erection of small roof trusses, steel structures and equipment;

- (c) supervising and organising the work of his gang; and
- (d) dealing with the working strength of wires, chains, ropes and lifting tackles;

"rigger grade I" means a worker capable of –

- (a) performing all the operations of a rigger grade II;
- (b) performing all types of rigging operations necessary for the erection of heavy equipments and machineries, structural steel works and roof trusses; and
- (c) reading and understanding drawings and handling instructions;

"sheet metal worker/boiler maker grade III" means a worker capable of –

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

"sheet metal worker/boiler maker grade II" means a worker capable of –

- (a) performing all the operations of a sheet metal worker and boiler maker grade III;
- (b) carrying out measurements and calculations required in the trade;
- (c) working from simple sketches and drawings;

- (d) performing marking out of plates;
- (e) using a rolling and bending machine;
- (f) preparing chain slats to a pattern;
- (g) cutting, bending and rolling steel plates;
- (h) preparing and erecting simple metallic structures;
- (i) performing hot riveting in any position and dealing with the necessary length of rivets for all types of riveting;
- (j) extracting, annealing, replacing and expanding tubes;
- (k) riveting fullers and caulking seams;
- (l) carrying out hydraulic tests on pressure vessels; and
- (m) understanding the operation of all types of boilers and heat exchangers;

"sheet metal worker/boiler maker grade I" means a worker capable of –

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

“storekeeper” means a worker responsible for the procurement, receipt, custody and issue of tools, equipment and materials in a store and the keeping of records thereof;

"turner grade III" means a worker capable of –

- (a) using and maintaining the tools of the trade;
- (b) carrying out measurements and calculations required in the trade; and
- (c) performing turning operations, plane and taper to a precision of 0.08 millimetre and ordinary screw cutting, internal and external;

"turner grade II" means a worker capable of –

- (a) performing all the operations of a turner grade III;
- (b) performing high precision work (0.005 millimetre) on simple, capstan and turret lathes;
- (c) working out the change of gear wheels for screw cutting;
- (d) gauging the correct cutting speed and feed for metals;
- (e) reading and interpreting engineering drawings; and
- (f) understanding the use of proper coolants;

"turner grade I" means a worker capable of –

- (a) performing the operations of a turner grade II;
- (b) reading and interpreting engineering drawings and operation sheets;
- (c) setting the machine correctly for all types of work;
- (d) using precision instruments in high precision work such as grinding and lapping attachments; and
- (e) understanding the theory and use of coolants;

"tyreperson" means a worker capable of –

- (a) using and maintaining the tools of the trade;

- (b) removing and replacing tyres of all types of wheels;
- (c) repairing inner tubes;
- (d) understanding the purpose of ordinary, tubeless and radial tyres;
- (e) maintaining and repairing punctures in tubeless tyres by plugging, vulcanising, or using other similar methods;
- (f) adjusting wheel balancing where the necessary apparatus is available; and
- (g) operating and maintaining air compressors for inflating tyres;

"tyreperson assistant" means a worker capable of –

- (a) using and maintaining the tools of the trade; and
- (b) assisting and helping the tyreperson in the trade;

"upholsterer" means a worker who –

- (a) stitches and changes plastic, leather or other sheeting in seats and backrests;
- (b) cuts and changes forms according to sizes of seat frames; and
- (c) prepares seats, backrests and coverings;

"welder grade III" means a worker capable of –

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

"welder grade II" means a worker capable of –

- (a) performing all the operations of a welder grade III;
- (b) using an oxyacetylene flame for all welding and cutting purposes;

- (c) working from simple drawings and sketches;
- (d) carrying out all forms of welding in all thicknesses of materials;
- (e) making welds in oblique, vertical and up-hand positions;
- (f) adopting correct measures to avoid under-cutting, expansion and contraction;
- (g) recognising different metals and selecting the most suitable electrodes for welding;
- (h) welding with submerged arc welding set; and
- (i) being coded to any recognised standard procedure, excluding metal inert gas (MIG) and tungsten inert gas (TIG) procedures;

"welder grade I" means a worker capable of –

- (a) performing all the operations of a welder grade II;
- (b) making dimensioned freehand sketches and reading and interpreting any drawings;
- (c) reading and carrying out properly welding instructions written in English and French;
- (d) carrying out all welding jobs according to the strictest procedures; and
- (e) working with metal inert gas (MIG) and tungsten inert gas (TIG) welding sets;

"worker" –

- (a) means a person employed in an electrical, engineering or mechanical workshop;
- (b) does not include a worker –
 - (i) whose conditions of employment are governed by the provisions of any other Remuneration Regulations;
 - (ii) employed by a statutory body or a local authority, as the case may be, whose conditions of employment are governed by the recommendations made by the Pay Research Bureau or a salary commission, by whatever name called.

- 3.** (1) Subject to the regulation 5, every worker shall be –

- (a) remunerated at the rates specified in the First Schedule; and
- (b) governed by the conditions of employment specified in the Second Schedule.

(2) The rates specified in the First Schedule include the additional remuneration payable under the Additional Remuneration (2013) Act 2012.

(3) Where a worker remains in the continuous employment of an employer in a category to which a scale of wages as set out in the First Schedule applies, the worker shall be entitled to one increment for each year of service in the category until that worker reaches the top wages of the scale.

(4) Where an apprentice completes 5 years of service with the same employer, he shall be remunerated as a skilled worker in at least the lowest grade of the trade in which he has served as apprentice.

(5) Where a worker is employed on a daily basis, he shall be remunerated, in respect of each day's work, at a rate which is not less than one-twenty-sixth of the monthly wages specified in the First Schedule and corresponding to the category in which he is employed.

4. An agreement by a worker to relinquish his right to a paid holiday or to forego such holiday shall be void.

5. Nothing in these regulations shall –

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

6. The Electrical, Engineering and Mechanical Workshops (Remuneration Order) Regulations 1983 are revoked.

7. These regulations shall be deemed to have come into operation on 1 December 2013.

Made by the Minister on 6 December 2013.

FIRST SCHEDULE
[Regulations 2, 3(1)(a), (2), (3), (5) and 5]

Category of worker	Year of service	Monthly wages (Rs)
Accounts Clerk, Storekeeper	1 st year	8,765
	2 nd year	8,965
	3 rd year	9,165
	4 th year	9,365
	5 th year	9,590
	6 th year	9,815
	7 th year & thereafter	10,040
Clerk	1 st year	8,136
	2 nd year	8,318
	3 rd year	8,495
	4 th year	8,695
	5 th year	8,895
	6 th year	9,095
	7 th year & thereafter	9,295
Receptionist/Telephonist	1 st year	7,630
	2 nd year	7,813
	3 rd year	7,995
	4 th year	8,178
	5 th year	8,360
	6 th year	8,560
	7 th year & thereafter	8,760

Category of worker	Year of service	Monthly wages (Rs)		
Electrician, Motor Mechanic Superior Grade	1 st year			10,670
	2 nd year			10,870
	3 rd year & thereafter			11,070
		Grade I	Grade II	Grade III
Automobile Electrician, Blacksmith, Fitter, Motor Mechanic, Moulder, Panel beater, Pattern maker, Rigger, Sheet Metal Worker, Boiler maker, Turner, Welder	1 st year	9,324	8,184	7,275
	2 nd year	9,524	8,366	7,432
	3 rd year	9,724	8,566	7,614
	4 th year	9,924	8,766	7,797
	5 th year	10,124	8,966	
	6 th year	10,324	9,166	
	7 th year & thereafter	10,524		
		Grade I	Grade II	
Carpenter, Electrician, Painter	1 st year	9,324	8,184	
	2 nd year	9,524	8,366	
	3 rd year	9,724	8,566	
	4 th year	9,924	8,766	
	5 th year	10,124	8,966	
	6 th year	10,324	9,166	
	7 th year & thereafter	10,524		
Upholsterer			9,324	
Tyreperson			8,741	
Tyreperson Assistant			7,602	
Watchperson			7,478	
Apprentice	1 st year		5,928	
	2 nd year		6,053	
	3 rd year		6,178	
	4 th year		6,303	
	5 th year		6,428	

SECOND SCHEDULE
[Regulations 2, 3(1)(b) and 5]

1. Normal working hours

(1) A normal working week for a worker, other than a watchperson, shall consist of 45 hours' work, excluding time allowed for lunch and tea breaks, and shall be made up of –

- (a) 8 hours' work to be performed between 7 a.m and 5 p.m on every day other than a Saturday or a public holiday; and
- (b) 5 hours' work to be performed between 7 a.m and 2 p.m on every Saturday.

(2) (a) A normal working day for a watchperson shall consist of 12 hours.

(b) Where a watchperson is required to work on every day of a month, he shall be entitled to 3 days' leave without pay during the month and one of the days' leave shall be on a Sunday.

2. Lunch and tea breaks

Except where a worker and an employer otherwise agree, a worker, other than a watchperson, shall, on every working day, be entitled to –

- (a) a lunch break of one hour to be taken before noon;
- (b) 2 tea breaks of 10 minutes each on every normal working day the first break to be taken 2 hours before lunch and the second, not later than 2 hours after lunch.

3. Extra work

(1) Subject to paragraph 4, a worker, other than a watchperson, who –

- (a) works on a public holiday, shall be remunerated –
 - (i) for the first 8 hours, at twice the basic rate; and
 - (ii) thereafter, at 3 times the basic rate,

for each hour of work;

- (b) performs more than a normal day's work on any other day, shall be remunerated at one and a half times the basic rate for every additional hour of work.

- (2) Subject to paragraph 4, a watchperson who –
 - (a) works on a public holiday, shall be remunerated –
 - (i) for the first 12 hours, at twice the basic rate; and
 - (ii) thereafter, at 3 times the basic rate,for each hour of work.
 - (b) performs more than a normal day's work on any other day, shall be remunerated at one a half times the basic rate for every additional hour of work.

4. Extra remuneration for public holidays

(1) Where a worker, other than a monthly-paid worker, remains in continuous employment with the same employer for a period of 12 consecutive months, the worker shall be entitled, in the following 12 months, to a normal day's pay in respect of every public holiday, other than a Sunday, that occurs while he is in the service of the employer and on which he is not required to work.

(2) Where a worker is required to work on a public holiday, other than a Sunday, the worker shall be paid, at the end of the next pay period –

- (a) in the case of a worker who would otherwise have been entitled to a normal day's pay under subparagraph (1), the normal day's pay;
- (b) in the case of a monthly-paid worker, his monthly wages,

in addition to any wages due for extra work under paragraph (3).

5. Payment of remuneration

(1) Every worker shall be paid his remuneration during working hours and not later than on the last working day of the pay period.

(2) Every employer shall, at the time of paying the remuneration of a worker, issue to the worker a payslip stating, *inter alia* –

- (a) the name, National Identity Card Number, job title and grade of the worker;
- (b) the basic wages and each item of allowance, including any productivity payment;
- (c) all deductions made and the reasons therefor;

- (d) the total number of days on which the worker was present at work;
- (e) the number of hours of extra work performed by the worker, the relevant applicable rates and the corresponding extra payment; and
- (f) the total remuneration.

6. Notional calculation of basic rate

For the purpose of determining wages due for extra work or for any other purpose –

- (a) a month shall be deemed to consist of 26 days;
- (b) a day shall be deemed to consist of –
 - (i) in the case of a watchperson, 12 hours;
 - (ii) in every other case, 8 hours.

7. Transport benefits

- (1) Every worker shall –
 - (a) be entitled to free transport; or
 - (b) in case no free transport is available, be paid the return bus fare,

where the distance between his residence and the place where the worker reports for work exceeds 3 kilometres.

(2) Where a worker is required by his employer to attend or cease work at any time when no public bus service is available, the employer shall, irrespective of the distance between the place of residence of the worker and the place of work, provide that worker with appropriate free means of transport from the worker's residence to his place of work or from the worker's place of work to his residence or both, as the case may be.

(3) Subject to the distance limit specified in subparagraph (1), every worker who attends work by his own means of transport shall be entitled to an allowance equivalent to the corresponding return bus fare.

8. Meal allowance

(1) Where a worker is required to perform more than 2 hours' extra work after having completed his normal day's work on any day of the week, whether or not a public

holiday, the worker shall, in addition to any wages due for extra work, be provided by the employer with an adequate free meal or be paid a meal allowance of 70 rupees per day.

(2) The meal allowance specified in subparagraph (1) shall be paid not later than on the last working day of the relevant pay period.

9. Annual leave

(1) Where a worker remains in continuous employment with the same employer for a period of 12 consecutive months, the worker shall, during each subsequent period of 12 consecutive months while he remains in continuous employment, be entitled to 16 days' annual leave on full pay.

(2) (a) Eight days of the annual leave specified in subparagraph (1) may, on application made to and approved by the employer, be taken consecutively at such time as the worker elects.

(b) The remaining 8 days' annual leave shall be taken at such time as agreed between the worker and the employer, or in default of agreement, at such time as the employer determines.

(3) Subject to subparagraph (4), where a worker has not taken or been granted all the leave to which he is entitled under subparagraph (1), he shall be paid a normal day's pay in respect of each day's annual leave still due to him at the end of the period of 12 consecutive months.

(4) Subparagraph (3) shall not apply where the employment of a worker is terminated for misconduct.

10. Sick leave

(1) Subject to subparagraph (4), a worker who remains in continuous employment with the same employer for a period of 12 consecutive months shall, during each subsequent period of 12 consecutive months while he remains in continuous employment, be entitled to 21 days' sick leave on full pay.

(2) Where, at the end of the period of 12 consecutive months, a worker has not taken the sick leave to which he is entitled under subparagraph (1), any outstanding sick leave shall be accumulated to a maximum of 90 working days.

(3) Where a worker has exhausted the sick leave under subparagraph (1) and has wholly spent time—

- (a) for medical treatment in a hospital, public or private;
- (b) for convalescence purposes after discharge from a public or private hospital, certified by a medical practitioner,

any additional sick leave granted may be deducted from the accumulated sick leave under subparagraph (2).

(4) (a) A worker who absents himself on grounds of sickness, shall, except where his employer is aware of the nature of the sickness, notify the employer of the sickness as soon as possible.

(b) Where the worker remains sick for more than 4 consecutive days, the worker shall forward a medical certificate to the employer –

- (i) if he is admitted to a public or private hospital, within 3 day's following his discharge;
- (ii) in any other case, on the fifth day of absence.

(5) An employer may, at his own expense, cause a worker who is absent on ground of sickness to be medically examined by a medical practitioner of the employer's choice.

11. Vacation leave

(1) A worker who remains in continuous employment with the same employer for a period of not less than 10 years, shall be entitled to a vacation leave of not less than 2 months to be spent wholly abroad, wholly locally, or partly abroad and partly locally, at the worker's discretion.

(2) At least one month of the vacation leave under subparagraph (1) shall be with pay, and such pay shall, in case the worker opts to spend the vacation wholly or partly abroad, be effected in advance and at least 7 days before the worker proceeds abroad.

(3) The vacation leave under this subparagraph shall be deemed to constitute attendance at work.

12. Special Leave

Where a worker remains in continuous employment with the same employer for a period of 12 consecutive months, the worker shall be entitled to –

- (a) 6 working days' special leave on full pay on the occasion of the celebration of his first religious or civil marriage;
- (b) 3 working days' special leave on full pay on the occasion of the first religious or civil marriage of each of his son or daughter; and
- (c) 3 working days' special leave on full pay on the death of his spouse, child, father, mother, brother or sister.

13. Maternity benefits

(1) A female worker who remains in continuous employment with the same employer for a period of 12 consecutive months immediately preceding her confinement, shall, on production of a medical certificate, be entitled to –

- (a) 12 weeks' maternity leave on full pay to be taken –
 - (i) before confinement, provided that at least 6 weeks' maternity leave shall be taken immediately following the confinement; or
 - (ii) after confinement; and
- (b) an allowance of 3,000 rupees payable within 7 days of her confinement.

(2) Where a female worker who has been in continuous employment with the same employer for a period of 12 consecutive months immediately preceding the beginning of leave specified in this subparagraph, gives birth to a stillborn child, she shall, on production of a medical certificate, be entitled to 12 weeks' leave on full pay.

(3) Where a female worker suffers a miscarriage which is duly certified by a medical practitioner, she shall be entitled to 2 weeks' leave on full pay immediately after the miscarriage.

(4) A female worker who reckons less than 12 months' continuous employment with the same employer shall not be entitled to the benefits specified in subparagraph (1)(b), but shall be entitled to the maternity leave specified in subparagraph (1)(a) or (2), as the case may be, without pay.

(5) (a) A female worker who is nursing her unweaned child, shall, for that purpose, be entitled every day at a time convenient to her and having regard to the need of the child, to at least –

(i) 2 breaks of half-hour each; or

(ii) one break of one hour.

(b) The break specified in subparagraph (a) shall –

(i) be for a period of 6 months from the date of confinement or such longer period as may be recommended by a medical practitioner; and

(ii) not be deducted from the number of hours of work of the female worker.

(6) A female worker who has entered into the seventh month of pregnancy shall be offered, as far as is reasonably practicable and at her request, all appropriate working facilities as recommended by her medical practitioner.

14. Protective equipment

(1) Every employer shall provide –

(a) 2 overalls or uniforms, and 2 pairs of boots or protective shoes, whichever is appropriate, every year to every worker;

(b) a pair of goggles to every welder;

(c) a suitable apron to every blacksmith and every welder;

(d) insulated pliers to every electrician;

(e) a pair of gloves to every worker specified in the First Schedule except a watchperson;

(f) appropriate ear-muffs to every sheet metal worker and his attendants.

(2) Every employer shall provide to every blacksmith, electrician, fitter, motor mechanic, painter, panel beater, turner, tyre person and tyre person assistant –

- (a) a pair of towels every 6 months;
- (b) one toilet soap every month,

the first one to be provided on assumption of duty by the worker.

(3) The protective equipment provided under subparagraph (1) shall be first issued on assumption of duty by the worker and shall be renewed as and when they become unserviceable, except for the items specified in subparagraph 1(a) which shall be renewed by 31 May at latest every year.

(4) The protective equipment provided under subparagraph (1) shall remain the property of the employer.

(5) The protective equipment specified in subparagraphs (1) and (2) shall be provided in addition to any protective equipment provided under the Occupational, Safety and Health Act.

15. Medical facilities

(1) An employer shall cause every blacksmith, moulder, panel beater, painter, sheet metal worker, turner, welder and other worker exposed to dust and noxious fumes and substances to undergo a complete medical examination, every 6 months, at the expense of the employer.

(2) Where, in the course of the medical examination, a medical practitioner detects any work-related health problem which, in his opinion, necessitates further medical examination or treatment, the medical practitioner may refer the worker to a medical institution for appropriate investigations and all the corresponding expenses shall be borne by the employer.

16. Milk

Every employer shall provide every blacksmith, moulder, painter, welder and every electrician in charge of batteries with 750 millilitres of milk on every day on which the worker attends work and works at his trade.

17. End of year bonus

(1) Where a worker remains in continuous employment with the same employer for one year, the worker shall be entitled, at the end of the year, to a bonus equivalent to one-twelfth of his earnings for that year.

(2) Every worker who –

- (a) takes employment during the course of the year;
- (b) is still in employment as at 31 December of that year; and
- (c) has performed a number of normal days' work equivalent to not less than 80 per cent of the working days during his employment in that year,

shall be entitled at the end of the year to a bonus equivalent to one-twelfth of his earnings for that year.

(3) Seventy-five per cent of the expected bonus specified in subparagraphs (1) and (2) shall be paid not later than 5 clear working days before 25 December and the balance not later than on the last working day of the same year.

- (4) For the purpose of this paragraph, a day on which a worker –
 - (a) is absent with the employer's authorisation;
 - (b) reports for work but is not offered work by the employer; or
 - (c) is absent on ground of –
 - (i) illness duly notified under paragraph 10(4); or
 - (ii) injury arising out of and in the course of employment,

shall be reckoned as a working day.

18. Gratuity on retirement before 60 on medical grounds

(1) Subject to subparagraph (2), an employer shall pay a gratuity to a worker, irrespective of any benefits the worker may be entitled to under the National Pensions Act, where the worker retires before the age of 60 on ground of permanent incapacity to perform his work and where such incapacity is duly certified by a government medical practitioner.

(2) A worker referred to in subparagraph (1) is a worker who has been in continuous employment with the same employer for a period of not less than 5 years.

- (3) The gratuity referred to in subparagraph (1) shall be –
 - (a) calculated on the basis of 15 days' remuneration per year of service of the worker; and
 - (b) paid in a lump sum.

(4) In this paragraph –

“year of service” shall be computed as from the first day of the period during which a worker has been in continuous employment with the same employer up to his last day of employment.

19. Gratuity at Death

(1) Where a worker who has been in continuous employment with the same employer for a period of not less than 12 months dies, the employer shall, irrespective of any benefits the spouse or the dependants of the deceased worker may be entitled to under the National Pensions Act, pay a gratuity –

- (a) to the spouse of the deceased worker, or
- (b) where there is no surviving spouse, to the dependants of the deceased worker, in equal proportions.

(2) The gratuity referred to in subparagraph (1) shall be –

- (a) calculated on the basis of 15 days’ remuneration per year of service of the deceased worker; and
- (b) paid in a lump sum.

(3) In this paragraph –

"dependant" means any person who was living in the deceased worker’s household and was wholly or partly dependant on the earnings of the worker at the time of the death of the worker;

"spouse" means the person with whom the deceased worker contracted a civil or religious marriage and with whom he was living under a common roof at the time of his death; and

“year of service” shall be computed as from the first day of the period during which the worker has been in continuous employment with the same employer up to his last day of employment.

20. Death Grant

(1) Where a worker who has remained in continuous employment with the same employer for at least 12 months dies, the employer shall pay an amount of 3,500 rupees to –

- (a) the surviving spouse of the deceased worker; or

(b) where the deceased worker leaves no spouse, the person who satisfies the employer that he has borne the funeral expenses.

(2) For the purpose of subparagraph (1) –

"spouse" means the person with whom the deceased worker contracted a civil or religious marriage and with whom he was living under a common roof at the time of death.

21. Certificate of employment

(1) Where the employment of a worker is terminated by his employer or where a worker leaves the employment of an employer, the employer shall, not later than on the last working day of the worker, issue to that worker a certificate of employment stating the duration of employment, the post held and if the worker so wishes, the basic wages of the worker.

(2) A certificate issued under subparagraph (1) shall not contain anything unfavourable to the worker.
