

**RESEARCH, LEGISLATION AND LABOUR
STANDARDS DIVISION**

**SALT -
MANUFACTURING
INDUSTRY**

REMUNERATION ORDER

REGULATIONS 1983



THE INDUSTRIAL RELATIONS ACT

Regulations made by the Minister under section 96 of the Industrial Relations Act

Govt.Notice No. 77 of 1983 Effective 24.05.1983

GN No. 124 of 1983	wef	01.07.1983	GN No. 209 of 1983	wef	01.01 1984
GN No. 68 of 1988	"	01.07 1987	Act No. 40 of 1988	"	01.07 1988
GN No. 143 of 1990	"	01.02.1990	GN No. 187 of 1994	"	31.10.1994
GN No. 192 of 1997	"	01.07.1997	GN No. 138 of 1998	"	01.07.1998
GN No. 127 of 1999	"	01.07.1999	GN No. 166 of 2000	"	01.07.2000
GN No. 133 of 2001	“	01.07.2001	GN No. 183 of 2002	“	01.07.2002
GN No. 172 of 2003	“	01.07.2003	GN No. 159 of 2004	“	01.07.2004

1. These regulations may be cited as the **Salt-Manufacturing Industry (Remuneration Order) Regulations 1983.**

2. In these regulations -

"alimentateur" means a person who is required to attend to or to operate a water pump and to regulate saline water in the salt pans;

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

"earnings" -

(i) means basic wages ; and

(ii) includes

(a) wages for work done in excess of a normal day's work or on a public holiday;

(b) remuneration paid under paragraphs 5, 6 and 9(1) of the Second Schedule;

"factory" -

(i) has the same meaning as in the Labour Act; and

(ii) includes any premises where saline water is processed for extraction of salt;

"factory operator" means a male worker who performs manual tasks and who is required to attend to or to operate a machine;

"foreman" means a worker who assigns duties to workers, supervises the activities of workers and performs any ancillary duties;

"mason" means a person who selects cut stone and shapes it preparatory to setting with chisel, hammer and other shaping tools; spreads mortar with trowel over foundation or laid stone; sets stone in mortar bed and tamps into place with hammer; aligns stone with level and plumb-line; fills joints between stones with mortar;

"salt-manufacturing industry" means an industry where saline water is processed for extraction of salt;

"worker" means a male or female person employed in the salt-manufacturing industry.

GN No. 187/1994

3. (1) Subject to regulation 5, every worker shall be remunerated at the rates specified in the First Schedule and shall be governed by the conditions of employment specified in the Second Schedule.
(2) The rates specified in the First Schedule are inclusive of the additional remuneration payable under the Additional Remuneration Act.
4. Any agreement by a worker to relinquish his right to a paid holiday or to forego leave to which he is entitled shall be void.
5. Nothing in these regulations shall -
 - (a) prevent an employer from paying a worker remuneration at a rate higher than that specified in the First Schedule or from providing him with conditions of employment more favourable than those specified in the Second Schedule;
 - (b) authorise an employer to reduce a worker's remuneration or to alter his conditions of employment so as to make them less favourable.

Made by the Minister on 24. May 1983.

SECOND SCHEDULE

1. Normal Working Hours

- (1) The normal working week for every worker other than a watchman shall consist of forty five hours' work, excluding time allowed for meal and tea breaks made up of -
 - (a) eight hours' work on every day other than a Saturday or public holiday; and
 - (b) five hours' work on every Saturday other than a public holiday.
- (2) Every worker shall be entitled on every working day to -
 - (a) a lunch break of one hour; and
 - (b) a tea break of fifteen minutes.
- (3)
 - (a) A normal working day for a watchman shall consist of twelve hours.
 - (b) Where a watchman is required to work on every day of a month he shall be entitled to three days' leave without pay during the month, one of the days being a Sunday.

2. Extra Work

- (1) Subject to paragraph 9, where a worker other than a watchman -
 - (a) works on a public holiday, he shall be remunerated -
 - (i) for the first eight hours, at twice the basic rate; and
 - (ii) thereafter, at three times the basic rate;
 - (b) performs more than a normal day's work, he shall, except for work performed on a public holiday, be remunerated at one and a half times the basic rate per hour.
- (2) A watchman who -
 - (a) works on a public holiday, shall be remunerated -
 - (i) for the first twelve hours, at twice the basic rate;
 - (ii) thereafter at three times the basic rate;
 - (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.

3. Notional Calculation of Basic Rate

For the purpose of determining remuneration due for extra work or for any other cause -

- (a) a month shall be deemed to consist of twenty six days;
- (b) a day shall be deemed to consist of -
 - (i) twelve hours in the case of a watchman;
 - (ii) eight hours in every other case.

4. Payment of Remuneration

- (1) Every worker shall be paid his wages during working hours -
 - (a) in the case of a monthly worker, not later than the second working day in the following month;
 - (b) in any other case, not later than the last working day of the week.

5. Annual Leave

GN No 209/1983

- (1) Where a worker has remained in continuous employment with the same employer for twelve consecutive months, he shall in the following twelve months be entitled to sixteen days' annual leave on full pay.
- (2) Seven days of the annual leave may be taken consecutively at such time as the worker may, on application made to and approved by the employer, elect.
- (3) The remaining nine days shall be taken at such time as the worker and employer may agree, or, in default of agreement, at such time as the employer may determine.
- (4) A worker shall be paid a normal day's pay in respect of each day's annual leave still due to him at the end of a period of twelve consecutive months except where, before the end of the period, he has -
 - (a) not applied for the leave specified in subparagraph (2);
 - (b) been dismissed from his employment for misconduct;
 - (c) broken his agreement.

6. Sick Leave

GN No 68/1988

- (1) Subject to subparagraph (2), where a worker who has remained in continuous employment with the same employer for twelve consecutive months is sick, he shall, during the following twelve months be entitled to -
 - (a) twenty one days' sick leave on full pay; and
 - (b) a further period of fifteen days on half pay in respect of any time which is -
 - (i) wholly spent in a clinic or hospital; or
 - (ii) certified by a medical practitioner of the clinic or hospital as necessary for the recuperation of the worker's health after his discharge from the clinic or hospital.
- (2) Where a worker is absent owing to sickness he shall notify his employer of the fact not later than the second day of absence and, if he remains sick for more than four consecutive days, he shall forward a medical certificate to that effect so as to reach his employer not later than the fifth day of absence.
- (3) An employer may, at his own expense, cause a medical practitioner to examine a worker who is absent owing to sickness.

7. Maternity Benefits

GN No 68/1988,143/1990 & 187/1994

- (1) Subject to subparagraph (2), where a female worker has remained in continuous employment with the same employer for 12 months immediately preceding her confinement, she shall, on production of a medical certificate, be entitled to -
 - (a) 12 weeks' leave on full pay to be taken at her discretion before and/or after confinement provided that at least 6 weeks' leave shall be taken immediately following the confinement; and
 - (b) an allowance of **Rs 500** payable within 7 days of her confinement.
- (2) Where a female worker who has at any time had 3 confinements is pregnant, she shall not be entitled to the benefits specified in subparagraph (1) but she shall be entitled to only the leave specified in subparagraph (1)(a) without pay.
- (3) Subject to subparagraph (4), where a female worker has entered in her seventh month of pregnancy she shall not be required to lift or carry any weight.

- (4) No female worker shall be required to lift or carry any weight at any time during pregnancy or during the ten weeks following confinement if in the opinion of a qualified physician such work is likely to impair her health or that of her child.
- (5) Where a female worker suffers a miscarriage which is duly certified by a Government Medical Officer she shall be entitled to a maximum of 2 week's leave on full pay.

8. Subsistence Allowance

GN No 68/1988 & 187/1994

Where a worker who has completed five hours' work on a Saturday or eight hours' work on any other day is required to work after 7.00 p.m. he shall, in addition to any remuneration due under paragraph 2, be paid a subsistence allowance of **Rs 15** per day.

9. Public Holidays

- (1) Where a worker other than a monthly paid worker has remained in continuous employment with the same employer for twelve consecutive months, he shall be entitled, in the following twelve months, to a normal day's wage 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 who would otherwise have been entitled to a normal day's wage, under subparagraph (1) or a monthly paid worker is called upon to work on a public holiday, other than a Sunday, he shall be paid at the end of the next pay period one normal day's wage in addition to any remuneration due under paragraph 2.

10. End of Year Bonus

GN No 68/1988

- (1) Every worker who has remained in continuous employment with the same employer for one year, shall be entitled at the end of that year to a bonus equivalent to 1/12 of his earnings for that year.
- (2) Seventy-five per cent of the expected bonus specified in subparagraph (1) shall be paid not later than 5 clear working days before 25 December and the balance on the last working day of the same year.
- (3) Every worker who -

- (a) takes employment during the course of the year;
 - (b) is still in employment as at 31 December; 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 that year to a bonus equivalent to 1/12 of his earnings for that year.

11. Protective Equipment

GN No 68/1988 & 187/1994

- (1) Every employer shall provide -
 - (a) two uniforms and two pairs of socks to every worker once every year;
 - (b) two pairs of rubber gloves to be replaced each time they become worn out and a hat once every year to every worker, except a watchman;
 - (c) two pairs of rubber boots to every worker once every 18 months;
 - (d) a pair of protective sunglasses to every worker except a watchman on a duration basis;
 - (e) a serviceable flash light to every night watchman; and
 - (f) a plastic raincoat to every watchman once every 2 years.
- (2) Any protective equipment provided under this paragraph shall remain the property of the employer and be renewed as provided above.

12. Limitation on Assignment of Work

No female worker shall be compelled to do any work involving the carrying of a load of more than 18 kilos.

13. Death Grant

GN No 187/1994

Where a worker who has been in continuous employment with the same employer for not less than 12 consecutive months dies, the employer shall pay an amount of **Rs 2000** to -

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

14. Special Leave

GN No 68/1988

Every worker who has remained in continuous employment with the same employer shall be entitled to -

- (a) six continuous working days' leave on full pay, on the occasion of his marriage;
- (b) two 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.

15. Piece Work

- (1) Every worker may be required to perform piece work by his employer at such rates, to be agreed upon between them, which shall be so determined that the worker shall earn not less than 10% over and above the relevant rate specified in the First Schedule.
- (2) Where a worker is required to perform piece work on a public holiday or in excess of the normal working hours on any day, he shall be remunerated at a rate which shall not be less than a sum exceeding that to which he would be entitled to under paragraph 2(1) by ten per cent.

16. Travelling Benefits

GN No 68/1988

Every worker shall, where the distance between his residence and his site of work exceeds 3.2 km (2 miles), be entitled to free transport or be paid a daily allowance equivalent to the full return bus fare between his residence and his site of work.

17. Issue of Payslips

GN No 68/1988

Every employer shall, at the time of paying the wages of a worker, issue to him a payslip stating *inter alia* -

- (a) the name of the worker;
- (b) his total wages and allowances;
- (c) all deductions made and the reasons therefor;
- (d) the total number of days on which he was present at work; and
- (e) the total number of hours of extra work performed by him.

18. Issue of Tools

GN No 68/1988

- (1) Every employer shall issue to every worker all the tools and equipment used in the performance of his work.
- (2) All tools and equipment specified in subparagraph (1) shall remain the property of the employer.

19. Bonus to workers retiring before the end of the year

GN No 68/1988

Every worker who retires before the end of the year and who 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 paid a bonus equivalent to 1/12 of his earnings for that year.

20. Optional retirement

Act No 40/1988

Every worker 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 -

- (a) in the case of a male worker, 58 years;
- (b) in the case of a female worker -
 - (i) 57 years as from 1 July 1987;
 - (ii) 56 years as from 1 July 1988; and
 - (iii) 55 years as from 1 July 1989.

21. Gratuity at death or on retirement before 60

GN No187/1994

- (1) Subject to subparagraph (2), every employer shall pay a gratuity where a worker -
 - (a) dies; or
 - (b) retires before the age of 60 on ground of permanent incapacity to perform his work duly certified by a Government Medical Practitioner,provided the worker has been in continuous employment for not less than 10 years with the same employer.

- (2) Where the death of a worker occurs after the age of 60, the gratuity under subparagraph (1) shall be payable only if the worker has not been paid severance allowance by the employer in accordance with the Labour Act after reaching the age of 60.
- (3) The gratuity shall be paid -
 - (a) in a lump sum and calculated according to the formula $N \times W / 2$, where "N" means the number of years of service and "W" means the last monthly basic wage;
 - (b) to the worker or the deceased worker's surviving spouse or where he leaves no surviving spouse, in equal proportions to his dependants;
 - (c) irrespective of any benefits the worker or the deceased worker's surviving spouse or his dependants, as the case may be, may be entitled to under the National Pensions Act.
- (4) For the purpose of subparagraph (3) -
 - (a) "**spouse**" means the person with whom the worker had contracted a civil or religious marriage and with whom he lived under a common roof at the time of his death;
 - (b) "**dependant**" means any person who was living in the deceased worker's household and was wholly or partly dependent on his earnings at the time of his death.

22. Overseas Leave

GN No187/1994

- (1) Subject to subparagraph (4), every employer shall grant to every worker reckoning continuous employment with him for a period of at least 15 years one overseas leave of at least two months to be wholly spent abroad.
- (2) At least one month of the leave specified in subparagraph (1) shall be with pay, such pay to be effected in advance and at least 7 days before the worker proceeds abroad.
- (3) Every worker who intends to proceed on overseas leave shall give at least 2 months' prior notice to his employer.
- (4) For the purposes of annual and sick leave and end of year bonus, such leave shall be deemed to constitute attendance at work.

