

**RESEARCH, LEGISLATION AND LABOUR
STANDARDS DIVISION**

**TEA INDUSTRY
WORKERS**

REMUNERATION ORDER

REGULATIONS 1984



THE INDUSTRIAL RELATIONS ACT

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

GN No 175 of 1984 Effective 26.11.1984

GN No. 148 of 1990	WEF	01.02.1990	GN No. 150 of 1992	WEF	01.10.1992
GN No. 197 of 1997	"	01.07.1997	GN No. 143 of 1998	"	01.07.1998
GN No. 132 of 1999	"	01.07.1999	GN No.. 171 of 2000	"	01.07.2000
GN No. 138 of 2001	"	01.07.2001	GN No. 188 of 2002	"	01.07.2002
GN No. 177 of 2003	"	01.07.2003	GN No. 163 of 2004	"	01.07.2004

Previous: (GN No 34 of 1977, 181/79, 147/81, 304/81, 128/83, 210/83)

1. These regulations may be cited as the **Tea Industry Workers (Remuneration Order) Regulations 1984.**

2. In these regulations –

"assistant sirdar or gangman" means a worker who is appointed to assist a sirdar or gangman in his duties;

"boiler and turbine operator" means a worker who attends to, operates and repairs a boiler, turbine and ancillary steam equipment and who services steam straps, valves and pipes;

GN No 150/1992

"carpenter (grade I)" means a worker capable of -

- (a) performing all the operations of a carpenter (grade 2);
- (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 free-hand dimensioned sketches;

"carpenter (grade2)" means a worker capable of -

- (a) performing all the operations of a carpenter (grade 3);
- (b) identifying the properties, uses and working characteristics of all timber used in the trade;
- (c) making all types of joints used in carpentry and identifying their properties;
- (d) carrying out all types of repair work to timbered structures;
- (e) marking out from drawings the timber required for the repair or construction of a framework, roof truss, or any other type of structure; and
- (f) carrying out simple joinery work such as the construction of chairs, tables, benches or cabinets;

"carpenter (grade3)" 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 working from dimensioned sketches and drawings;
- (c) identifying the properties, uses and working characteristics of common timber used in the trade;
- (d) making simple mortise and tenon joints, and plane and groove boards for panelling;
- (e) making and finishing boarded panels and floorings;
- (f) making and fixing skirtings and internal joinery generally;
- (g) carrying out simple repair work and erecting scaffolding and shuttering for concrete work;
- (h) erecting and repairing wooden roof structures including the fixing of roofing sheets and shingles; and
- (i) making and fixing doors, windows and louvres;

"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 28 days;

"driver (grade I)" means a driver who drives -

- (a) a lorry, bus or van;
- (b) a wheel tractor used for haulage work;

- (c) a crawler tractor of not less than 29419.96 watt (40 h.p) nor more than 44129.94 watt (60 h.p); or
- (d) a road roller or a motor car;

"driver (grade2)" means a driver who drives -

- (a) a wheel tractor used for light interline work such as earthing up and rotary hoeing; or
- (b) a crawler tractor of less than 29419.96 watt (40 h.p);

"earnings" -

- (a) means basic wages ; and
- (b) includes -
 - (i) wages for work done in excess of a normal day's work or on a public holiday, and any allowance paid under paragraph 8 of the Second Schedule;
 - (ii) remuneration paid under paragraphs 10, 11 and 13 of the Second Schedule;

"electrician"(grade I)" means a worker capable of -

- (a) performing all the operations of an electrician (grade 2);
- (b) locating and repairing simple faults in electronic equipments found in tea factories;
- (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 more complicated wiring diagrams and plans of electrical equipment and motors; and
- (f) renewing any type of electrical motor or generator and repairing any type of electrical appliance or equipment;

"electrician (grade2)" means a worker capable of -

- (a) performing all the operations of an electrician (grade 3);
- (b) performing soldering work;
- (c) dealing with A.C and D.C work, batteries and automotive circuits, and carrying out necessary repairs thereto;
- (d) dealing with the types of cables and sizes of conductors used on various types of electric lighting and power installations and electric machines;
- (e) preparing compounds and filling joint boxes;

- (f) installing, repairing, locating and removing faults on electric motors and starters, dynamos, generators, battery charging equipment, automotive circuit, domestic appliances, switchgear and circuit breakers;
- (g) using the testing equipment required in connection with his trade, such as meggers, detectors, voltmeters and ammeters;
- (h) reading and understanding simple wiring diagrams; and
- (i) preparing estimates of quantities of materials required for specific works;

"electrician (grade 3)" means a worker capable of -

- (a) safeguarding himself and others working with him against any electric risk;
- (b) working in poles, fixing arms, insulators, brackets, cable fuses and running and regulating overhead lines;
- (c) renewing fuses, making and soldering conductor joints of all types on low tension system; and
- (d) effecting minor repairs to motors, dynamos, generators and other electric appliances;

"factory attendant" - GN No150/1992

- (a) means a person who performs manual tasks requiring physical effort but no particular skill or aptitudes;
- (b) includes a cleaner and a worker who is employed to assist other workers;

"factory operator" means a worker who is required continuously to attend to -

- (a) a boiler plant;
- (b) hydraulic driven machine; and
- (c) steam engine machine;

"factory supervisor" means a worker engaged in the supervision of gangmen in the factory;

"factory worker (female)" means a female worker who does light unskilled factory work;

"factory worker (male)" means a male worker who does unskilled or semi-skilled factory work;

"field labourer (female)" means a female worker who does unskilled field work;

"field labourer (male)" -

- (a) means a male worker who does unskilled or semi-skilled field work; and
- (b) includes a gardener;

"fitter (grade 1)" means a worker capable of -

- (a) performing all the operations of a fitter (grade 2);
- (b) making dimensioned free-hand sketches and reading drawings;
- (c) doing any marking off from drawings;
- (d) accurately performing any fitting, dismantling, overhauling and erecting operations on any machinery in a tea factory or on weighbridges; and
- (e) using precision instruments such as dial gauges or micrometers, in performing work of the highest precision such as erecting, aligning and maintaining steam turbines and automatic controls;

"fitter (grade 2)" means a worker capable of -

- (a) performing all the operations of a fitter (grade 3);
- (b) doing simple marking off;
- (c) filling and scraping to a finish of 0.005 cm;
- (d) using inside and outside callipers and a precision water level;
- (e) fitting and aligning a complete set of bearing for a shaft; and
- (f) dismantling, fitting, overhauling and erecting more complicated parts of machinery such as dryers, C.T.C's and larger steam engines;

"fitter (grade 3)" means a worker capable of -

- (a) carrying out measurements and calculations required in the trade;
- (b) using with moderate accuracy all the tools of the trade;
- (c) cutting chevron grooves in mill rollers and simple keyways;
- (d) filling, scraping and bedding flat and curved surfaces;
- (e) using drilling, shaping, planing and milling machines; and
- (f) dismantling, fitting, overhauling and erecting simple parts of machinery such as pumps, small steam engines or mechanical lubricators;

"laboratory attendant (grade1)" means a worker capable of -

- (a) carrying out arithmetical calculations required in the trade;
- (b) performing correctly all routine analytical operations such as weighing on a laboratory balance;
- (c) keeping simple laboratory records;
- (d) carrying out and supervising all sampling in a tea factory;

- (e) cleaning and maintaining laboratory equipment; and
- (f) dealing with safety precautions necessary in a laboratory and factory;

"laboratory attendant (grade2)" means a worker capable of -

- (a) cleaning and maintaining laboratory equipment;
- (b) carrying out and supervising of samples in a tea factory; and
- (c) weighing, preparing and tasting samples;

"leaf checker" means a worker engaged in checking green leaf in the fields or at the factory;

"lorry attendant" means a worker who accompanies a lorry driver for the purpose of changing a flat tyre, attending to the pressure of tyres, assisting the driver by signals to reverse the vehicle and securing any cargo carried by the vehicle and doing similar duties;

"lorry helper" means a worker who accompanies a lorry driver for the purpose of loading and unloading the materials carried in the vehicle;

"messenger" means a male person engaged for the purpose of cleaning offices, running errands, watching premises during business hours, operating a simple telephone switchboard, answering calls or bells and performing other similar duties; - GN No150/1992

"motor mechanic (grade 1)" means a worker who holds a valid driving licence and is capable of -

- (a) performing all the operations of a motor mechanic (grade2);
- (b) reading and writing English and French, understanding and working with measurements required in the trade and using every precision instrument such as a cylinder gauge, micrometer, dial gauge, depth gauge or crankshaft indicator;
- (c) knowing the English and French names of all motor vehicles' parts;
- (d) reading drawings, sketches and wiring diagrams;
- (e) dealing with various working clearances and components;
- (f) tuning engines efficiently;
- (g) dealing with carburation and the working and simple running adjustments of all types of carburettors;
- (h) dealing with the electrical equipment of motor vehicles so as to localise faults, including adjustments and replacement of brushes and contacts in magnetos,

dynamos and starters, and understanding the working and care of cut-outs, induction coils and distributors; and

- (i) dealing with all internal combustion engines, diesel fuel pumps and nozzles;

"motor mechanic (grade 2)" means a worker who holds a valid driving licence and is capable of -

- (a) performing all the operations of a motor mechanic (grade 3);
- (b) understanding simple dimensioned sketches and drawings;
- (c) dealing with electrical equipment of a motor vehicle so as to detect simple faults and effect repairs;
- (d) carrying out repairs and adjustments to clutches, gearboxes, couplings, back axles, brakes (mechanical and hydraulic), steering system, springs, swivel pins and stub axles;
- (e) testing a crankshaft for alignment and refitting a complete set of bearings for a crankshaft by scraping;
- (f) using all appliances and equipment used in a workshop;
- (g) detecting faults and carrying out the usual repairs to a motor vehicle; and
- (h) dealing with the working of internal combustion engines and the four-stroke and two-stroke cycle;

"motor mechanic (grade 3)" means a worker who holds a valid driving licence and is capable of -

- (a) using and maintaining the tools and equipment of the trade;
- (b) producing simple parts involving fitting work and soldering;
- (c) stripping, overhauling and reassembling the simple mechanical assembly of a mechanical vehicle and diesel plant, including valve grinding, fitting pistons and rings in all types of engines; and
- (d) carrying out minor adjustments to parts of a motor vehicle, such as brakes and clutches, and locating and repairing minor troubles;

"plumber and pipe fitter (grade 1)" means a worker capable of -

- (a) performing all the operations of a plumber and pipe fitter (grade2);

- (b) dealing with sheet metal work and making all pipes, bends, flanges and necessary fittings; and
- (c) preparing and erecting all high pressure piping used in a tea factory;

"plumber and pipe fitter (grade 2)" means a worker capable of -

- (a) performing all the operations of a plumber and pipe fitter (grade 3);
- (b) reading scale plans, taking dimensions and setting out any house sewer and connections;
- (c) preparing estimates for material, labour and time required for plumbing work; and
- (d) preparing and erecting low pressure piping used in a tea factory up to a diameter of 15 cm;

"plumber and pipe fitter(grade 3)" means a worker capable of -

- (a) carrying out measurements required in the trade;
- (b) using and maintaining the tools of the trade;
- (c) performing light riveting and simple soldering and brazing;
- (d) preparing and replacing common tap washers;
- (e) making water- tight joints;
- (f) laying properly galvanised pipes including reduction and branches;
- (g) laying cast iron or lead pipes and caulking joints;
- (h) screwing pipes with stocks and dies;
- (i) using a pipe cutter and hack-saw to cut pipes square or to given angle;
- (j) installing and repairing urinals; and
- (k) knowing the names of fittings in galvanised pipe work and cast iron pipe work and understanding their use;

"prolonged illness" means the period of illness of a worker which is -

- (a) wholly spent in a clinic or hospital; or
- (b) spent at home for the recuperation of his health, on the recommendation of a medical practitioner of a clinic or hospital or of a panel of doctors agreed upon between the employer and the worker or the worker's trade union representative;

"sirdar/gangman" means a worker who is responsible for supervising the work of other workers and who may be required to record -

- (a) the attendance of workers in his charge;

- (b) the task set to each worker;
- (c) the amount of work done by each worker during each day; and
- (d) the amount earned by each worker;

"stone mason(grade1)" means a worker capable of -

- (a) performing the operations of a stone mason (grade 2);
- (b) carrying out from drawings and specifications any concrete, stone or brick work;
- (c) inspecting and reporting on the state of repairs of any concrete, stone or brick structure;
- (d) estimating quantities from drawings and specifications;
- (e) laying glazed floor tiles and wall tiles accurately finished to line and level; and
- (f) setting out arches and determining the shape of bricks and stone for arches;

"stone mason (grade 2)" means a worker capable of -

- (a) performing all the operations of a stone mason (grade 3);
- (b) plastering and trowelling walls, ceilings,angles and curves;
- (c) dealing with the materials used in different types of work such as refractory brick and cement for furnaces;
- (d) effecting all repairs to boiler furnaces, arches and walls;
- (e) fixing window and door frames; and
- (f) performing the correct placing and joining or reinforcement;

"stone mason (grade 3)" means a worker capable of -

- (a) carrying out measurements and calculations required in the trade;
- (b) setting out foundations and setting levels and square angles accurately;
- (c) dressing stone or brick (including refractories) for any purpose;
- (d) building any type of stone or brick wall and knowing the correct use of parpens;
- (e) making joints in stone, brick and concrete block walls;
- (f) plastering with cement all wall surfaces and laying and trowelling cement floors to level;
- (g) doing minor repairs to boiler furnaces, arches and walls; and
- (h) mixing mortar and concrete;

"turner (grade 1)" means a worker capable of -

- (a) performing all the operations of a turner (grade2); and

- (b) correctly using precision instruments in performing all work of the highest precision;

"turner (grade 2)" means a worker capable of -

- (a) performing all the operations of a turner (grade 3);
- (b) performing high precision work; and
- (c) working out the change of wheels for screw cutting and gauging the correct cutting speeds and feeds for metal;

"turner (grade 3)" means a worker capable of -

- (a) using and maintaining the tools of the trade;
- (b) carrying out measurements and calculations required in the trade;
- (c) accurately performing simple pieces of work, plane and taper turning and ordinary screw cutting;

"watchman (grade 1)" means a watchman who is in charge of the offices or the tea plantations of an estate;

"watchman (grade 2)" means a watchman other than a watchman (grade 1);

"weigher (grade 1)" means a worker engaged in weighing all green leaf entering the factory;

"weigher (grade 2)" means a worker engaged in weighing all green leaf in the fields;

"welder (grade 1)" means a worker capable of -

- (a) performing all the operations of a welder (grade 2);
- (b) making dimensioned free-hand sketches and reading any drawing;
- (c) reading and carrying out properly welding instructions in English and French; and
- (d) carrying out all welding jobs of the highest precision and importance, such as repairs to boilers, arc-welding of cast iron and cast steel with and without preheating, and high precision torch welding such as building bearings;

"welder (grade 2)" means a worker capable of-

- (a) performing all the operations of a welder (grade 3);
- (b) using an oxyacetylene torch for all welding and cutting purposes;
- (c) working from simple drawings or sketches;
- (d) carrying out all forms of welding in all thickness of materials;
- (e) making sound welds in down-hand, oblique, vertical and uphand positions;

- (f) adopting correct measures to avoid undercutting, expansion and contraction; and
- (g) recognising different metals and selecting the most suitable electrodes for welding;

"welder (grade 3)" means a worker capable of -

- (a) using and maintaining the tools of the trade;
- (b) taking the 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 for simple cutting and welding purposes;

"worker"-

- (a) means a worker employed in the tea industry; but
- (b) does not include a person employed by the Tea Development Authority;

"young person" means a worker who has attained the age of 15 years but is under the age of 18 years.

3. (1) Subject to 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 appropriate additional remuneration payable under Additional Remuneration Act .
4. Any agreement by a worker to relinquish his right to a paid holiday or to forego such leave 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.
- 6.. The Tea industry Workers (RemunerationOrder) Regulations 1977 are repealed.

7. These regulations shall come into operation on 26 November 1984.

Made by the Minister on 23 November 1984.

SECOND SCHEDULE

(regulation 3)

1. Normal Working Hours

- (1) Where a worker, other than a watchman, is employed otherwise than on task work, the length of a normal day's work, excluding one hour for meal, shall be not more than -
 - (a) 8 hours on every day which is not a public holiday; and
 - (b) 5 hours on a Saturday.
- (2) Where a worker specified in Group A of the First Schedule, other than a watchman, 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) 6 hours on every day which is not a public holiday; or
 - (ii) 5 hours on a Saturday; or
 - (b) he completes the task allotted to him.
- (3) The task allotted to a worker, other than a watchman, on a Saturday shall be equivalent to five-sixths of the task allotted on any other day.
- (4) The length of a normal day's work for a watchman shall be 12 hours and his basic wages shall be deemed to include payment for -
 - (a) 4 hours on every day which is not a public holiday; and
 - (b) 7 hours' additional work on a Saturday.

2. Extra Work

- (1) A worker, other than a watchman, who -
 - (a) is required to work on a public holiday shall be remunerated -
 - (i) for the first 8 hours, at twice the basic rate; and
 - (ii) thereafter, at three times the basic rate;
 - (b) performs more than a normal day's work on any day, other than a public holiday, shall be remunerated at one and a half times the basic rate in respect of the additional hours of work which he performs.

- (2) A watchman who -
- (a) is required to work on a public holiday shall be remunerated -
 - (i) for the first 12 hours, at twice the basic rate; and
 - (ii) thereafter, at three times the basic rate;
 - (b) performs more than a normal day's work on any day, other than a public holiday, shall be remunerated at one and a half times the basic rate in respect of the additional hours of work which he performs.

3. Notional Calculation of Basic Rate

GN No163/2004

- (1) For the purpose of determining remuneration due for extra work or for any other cause.-
 - (a) a month shall be deemed to consist of 26 days; and
 - (b) a day shall be deemed to consist of 8 hours, except in the case of a watchman.
- (2) The basic hourly rate shall be deemed to be -
 - (i) Rs **12.55**, in the case of a watchman (grade 1); and
 - (ii) Rs **11.73**, in the case of a watchman (grade2).

4. Task Work

GN No 163/2004

- (1) Field work shall, wherever possible, be performed on a task basis and the work shall be measured by the metre, except for plucking which shall be measured by weight.
- (2) Subject to subparagraph (3), every worker who plucks green leaves and does levelling off shall be paid on the amount of leaves plucked by him at the following rate –

	<u>Rs/cents per kg</u>
(a) up to 30 kg	4.39
(b) over 30 kg and up to 40 kg	4.86
(c) over 40 kg	4.94

- (3) The rates for task work shall be so determined that the worker shall earn not less than the relevant wages specified in the First Schedule for a normal day's work.

5. Assignment of Work

- (1) A lorry attendant or a lorry helper may, where there is no work available for him, be required by his employer to perform field work.
- (2) No field labourer (female) or young person shall perform -
 - (a) holing;
 - (b) uprooting;
 - (c) forking;
 - (d) crowbar work;
 - (e) heavy cleaning;
 - (f) heavy buttage;
 - (g) herbicide spraying;
 - (h) pruning;
 - (i) skiffing;
 - (j) drain digging; or
 - (k) any work involving the lifting and carrying of a load of more than 18 kg.

6. Conversion to Monthly Employment

Every daily worker who has completed 12 months' continuous employment with the same employer in a grade or category shall be classified as a monthly worker in that grade or category and shall be paid accordingly from the first day of the next ensuing month.

7. Payment of Wages

- (1) Every monthly worker shall be paid his wages in 2 instalments, the first not later than the 17th working day of the month and the second not later than the second working day of the following month.

- (2) Every daily worker shall be paid his wages not later than the last working day of the week.
- (3) All payments of wages shall be made at the estate office or sub-office.
- (4) Every worker shall, together with his wages, receive a payslip showing -
 - (a) his name;
 - (b) his total wages and allowances; and
 - (c) the number of days on which he was present at work during the pay period.

8. Field Labourer's Allowance

- (1) Every field worker who, in the course of a normal day's work is required to perform -
 - (a) heavy cleaning;
 - (b) holing;
 - (c) uprooting;
 - (d) facing of stones (parmentage);
 - (e) stump planting;
 - (f) loping of green manures;
 - (g) stone breaking;
 - (h) "jallorage"; or
 - (i) crowbar work,shall be entitled to an allowance equivalent to not less than 15 per cent of his wages for that day.
- (2) Every worker who, in the course of his normal day's work, is required to spray herbicide shall be entitled to an allowance equivalent to not less than 20 per cent of his wages for that day.

9. Travelling Benefits

GN No 150/1992

- (1) Every worker shall be entitled to free transport or be paid the return bus fare where no free transport is available if the distance between his residence and the place where he reports for work exceeds -
 - (a) 5 km, in the case of a male; and

- (b) 3 km, in the case of a female.
- (2) 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.

10. Annual Leave

- (1) Where a worker has remained in continuous employment with the same employer for 12 consecutive months, he shall be entitled to 14 days' leave on full pay in the following 12 months.
- (2) Of the 14 days' leave to which the worker is entitled under subparagraph (1), 7 days may, with the employer's approval, be taken consecutively by the worker and the remaining 7 days shall be taken at such time as the employer shall determine.
- (3) Where a worker has not taken or been granted all the leave to which he is entitled under subparagraph (1) he shall, except if he is, before the expiry of the period of 12 months, dismissed for misconduct, be paid a normal day's wage in respect of each day's leave still outstanding.

11. Sick Leave

- (1) Subject to subparagraph (2), where a worker who has remained in continuous employment with the same employer for 12 consecutive months is sick, he shall during the following 12 months be entitled to -
 - (a) 21 days' sick leave on full pay; and
 - (b) a further period of 15 days' sick leave on half pay for prolonged illness.
- (2) Where a worker absents himself on grounds of illness, he shall -
 - (a) as soon as possible notify his employer of the illness; and
 - (b) forward a medical certificate to his employer so as to reach his employer not later than on the fifth day of his absence if his illness continues for more than 4 consecutive days.
- (3) The employer may, at his own expense, cause a medical practitioner of his choice to examine a worker who is absent on grounds of illness.

12. Maternity Benefits

GN No148/1990 &150/1992

- (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.
 - (c) 800 ml of milk per day during the 3 months following her confinement or an allowance of Rs 6 per day if milk is not readily available.
- (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) Where a female worker suffers a miscarriage duly certified by a Government Medical Officer or by the employer's medical practitioner, she shall be entitled to a minimum of 2 weeks' leave on full pay.

13. Public Holidays

Where a daily worker has remained in continuous employment with the same employer for 12 consecutive months, he shall be entitled, during 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.

14. Housing Allowance

- (1) Every monthly worker shall be entitled to free housing accommodation as follows -
 - (a) where the worker is unmarried or is married with not more than 2 children, 2 rooms;
 - (b) where the worker is married with 3 children, 3 rooms.
- (2) Every monthly worker who is the head of a household and for whom suitable housing accommodation is not available shall be entitled to a monthly allowance of -
 - (a) **Rs 37.50**, if he is married; and
 - (b) **Rs 30.00**, if he is single.

15. Uniforms and Protective Equipment

GN No 150/1992

- (1) Every worker who has remained in continuous employment with the same employer for 12 consecutive months shall be provided, simultaneously but not later than 31 October in every year, with -
 - (a) 2 uniforms; and
 - (b) according to the worker's choice -
 - (i) 2 pairs of boots;
 - (ii) one pair of boots and one pair of shoes; or
 - (iii) 2 pairs of shoes.
- (2) Every employer shall provide a raincoat once every 3 years to every -
 - (a) sirdar or gangman specified in Group A of the First Schedule;
 - (b) watchman, leaf-checker, plucking-machine operator and lorry helper;
 - (c) field labourer and young person.
- (3) Every worker specified in Group B of the First Schedule shall be provided with a beret or cap not later than 31 October in every year.
- (4)
 - (a) Every electrician shall be supplied with rubber gloves and insulated pliers;
 - (b) Every electrician engaged in electric arc welding shall be supplied with a face shield.
- (5) Every welder shall be supplied with protective glasses and gloves.
- (6) Every worker specified in Group A who is engaged in weeding or spreading fertilizers shall be provided with a pair of gloves.

16. Medical Care

Every monthly worker and every worker residing in accommodation provided by his employer shall be entitled to -

- (a) free consultation with a medical practitioner chosen from a panel of doctors agreed upon between the employer and the worker or the worker's trade union representative; and
- (b) free transport or a refund of expenses incurred in travelling to and from the medical practitioner specified in subparagraph (a) and/or hospital or clinic.

17. Subsistence Allowance

GN No 150/1992

Where a worker who has completed a normal day's work is required to work after 6.00 p.m., he shall, in addition to any remuneration due under paragraph 2, be provided with either a free meal or a subsistence allowance of **Rs 15.00**.

18. Death Grant

GN No150/1992

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 responsible for his funeral.

19. End of Year Bonus

GN No150/1992

- (1) Where a worker has remained in continuous employment with the same employer for one year, he shall be entitled at the end of the 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 not later than 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 % 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.

(4) For the purpose of this paragraph, a day on which a worker -

- (a) was absent with his employer's authorisation;
- (b) has reported for work but has not been offered work by his employer; or
- (c) has absented himself on ground of -
 - (i) illness after notification to his employer under paragraph 11(2); or
 - (ii) injury,

shall count as a working day.

20. Special Leave

(1) Every worker shall be entitled to -

- (a) 5 continuous working days' leave on full pay, on the occasion of his marriage;
- (b) one day's leave on full pay, on the death of his spouse, father, mother or child.

(2) No worker shall claim the leave specified in subparagraph (1)(a) more than once.

21. Bonus to Workers retiring before the end of the year

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

22. Optional Retirement

Every field labourer (female) 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 58 years.

23. Tools and Equipment

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

24 Overseas Leave

GN No150/1992

- (1) 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) For the purposes of annual and sick leave and end of year bonus, such leave shall be deemed to constitute attendance at work.

25. Gratuity at Death or on Retirement before 60

GN No150/1992

- (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 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.

