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*Government Notice No. 230 of 2019*

**THE EMPLOYMENT RELATIONS ACT**

**Regulations made by the Minister under section 93 of  
the Employment Relations Act**

1. These regulations may be cited as the Tea Industry Workers (Remuneration) Regulations 2019.
2. In these regulations –
  - “assistant sirdar or gangman” means an employee who is appointed to assist a sirdar or gangman in his duties;
  - “boiler and turbine operator” means an employee who –
    - (a) attends to, operates and repairs a boiler, turbine and ancillary steam equipment; and
    - (b) services steam straps, valves and pipes;
  - “carpenter grade I” means an employee 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 free-hand dimensioned sketches;

“carpenter grade II” means an employee capable of –

- (a) performing all the operations of a carpenter grade III;
- (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 grade III” means an employee 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;

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(h) erecting and repairing wooden roof structures, including the fixing of roofing sheets and shingles; and

(i) making and fixing doors, windows and louvres;

“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 Watts (40 h.p) nor more than 44129.94 Watts (60 h.p); or

(d) a road roller or a motor car;

“driver grade II” 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 Watts (40 h.p);

“electrician grade I” means an employee capable of –

(a) performing all the operations of an electrician grade II;

(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 grade II” means an employee capable of –

- (a) performing all the operations of an electrician grade III;
- (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 III” means an employee 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;

“employee” –

- (a) means an employee employed in the tea industry; but
- (b) does not include an employee –
- (i) whose basic wage or salary is at rate exceeding 600,000 rupees in a year, except in relation to –
- (A) Part II of the First Schedule; and
- (B) sections 5, 26, 32, 33, 34, 49, 50, 52, 53, 54 and Parts VI, VII, VIII and XI of the Workers’ Rights Act 2019;
- (ii) whose conditions of employment are governed by any other Remuneration Regulations;
- (iii) 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;

“factory attendant” –

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

“factory operator” means an employee who is required continuously to attend to –

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

(c) steam engine machine;

“factory supervisor” means an employee engaged in the supervision of gangmen in the factory;

“factory employee (female)” means a female employee who does light unskilled factory work;

“factory employee (male)” means a male employee who does unskilled or semi-skilled factory work;

“field labourer (female)” means a female employee who does unskilled field work;

“field labourer (male)” –

(a) means a male employee who does unskilled or semi-skilled field work; and

(b) includes a gardener;

“fitter grade I” means an employee capable of –

(a) performing all the operations of a fitter grade II;

(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 II” means an employee capable of –

- (a) performing all the operations of a fitter grade III;
- (b) doing simple marking off;
- (c) filling and scraping to a finish of 0.005 centimetre;
- (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 III” means an employee 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 grade I” means an employee 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 (grade II)” means an employee 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 an employee engaged in checking green leaf in the fields or at the factory;

“lorry attendant” means an employee 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 an employee who accompanies a lorry driver for the purpose of loading and unloading the materials carried in the vehicle;

“messenger” means a 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;

“motor mechanic grade I” means an employee who holds a valid driving licence and is capable of –

- (a) performing all the operations of a motor mechanic grade II;



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- (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 II” means an employee who holds a valid driving licence and is capable of –

- (a) performing all the operations of a motor mechanic grade III;
- (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 III” means an employee 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 I” means an employee capable of –

- (a) performing all the operations of a plumber and pipe fitter grade II;
- (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 II” means an employee capable of –

- (a) performing all the operations of a plumber and pipe fitter grade III;
- (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 centimetres;

“plumber and pipe fitter grade III” means an employee 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;

“reasonable business grounds” means –

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

“sirdar/gangman” means an employee who is responsible for supervising the work of other employees and who may be required to record –

- (a) the attendance of employees in his charge;
- (b) the task set to each employee;
- (c) the amount of work done by each employee during each day; and
- (d) the amount earned by each employee;

“stone mason grade I” means an employee capable of –

- (a) performing the operations of a stone mason grade II;
- (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;

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“stone mason grade II” means an employee capable of –

- (a) performing all the operations of a stone mason grade III;
- (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 III” means an employee 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 carpens;
- (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 I” means an employee capable of –

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

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

“turner grade II” means an employee capable of –

- (a) performing all the operations of a turner grade III;
- (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 III” means an employee 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;

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

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

“weigher grade I” means an employee engaged in weighing all green leaf entering the factory;

“weigher grade II” means an employee engaged in weighing all green leaf in the fields;

“welder grade I” means an employee capable of –

- (a) performing all the operations of a welder grade II;
- (b) making dimensioned free-hand sketches and reading any drawing;

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- (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 II” means an employee capable of –

- (a) performing all the operations of a welder grade III;
- (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 III” means an employee 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;

“young person” means a person, other than a child, who is under the age of 18.

**3.** (1) Subject to the other provisions of this regulation and regulation 7, every employee shall be –

(a) governed by the conditions of employment specified in –

(i) the Workers’ Rights Act 2019; and

(ii) the First Schedule;

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

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

(3) The rates specified in the Second Schedule shall include –

(a) the appropriate national minimum wage payable under the National Minimum Wage Regulations 2017; and

(b) the additional remunerations payable under the Additional Remuneration and Other Allowances (2018) Act 2017 and the Additional Remuneration and Other Allowances (2019) Act 2018.

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

**5.** Where an employer employs more than one watchperson, the terms and conditions of employment of the watchpersons shall be governed by the Private Security Services Employees (Remuneration) Regulations 2019.



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- 6.** Notwithstanding paragraphs 1(4) and 2(2) of Part I of the First Schedule, for the period ending 31 December 2019 –
- (a) the normal working week for a watchperson shall consist of 72 hours' work, made up of 6 days of 12 hours, including time allowed for meal and tea breaks; and
  - (b) the watchperson referred to in paragraph (a) shall be remunerated at one and a half times the basic rate for every additional hour of work after the performance of 12 hours' work in every day.
- 7.** Nothing in these regulations shall –
- (a) prevent an employer from –
    - (i) providing an employee with conditions of employment which are more favourable than those specified in the First Schedule; or
    - (ii) remunerating the employee at a rate higher than that specified in the Second Schedule;
  - (b) authorise an employer to –
    - (i) reduce the wages of an employee; or
    - (ii) subject to section 57 of the Employment Relations Act, alter the conditions of employment of the employee so as to make them less favourable.
- 8.** The Tea Industry Workers (Remuneration Order) Regulations 1984 are revoked.
- 9.** These regulations shall come into operation on 24 October 2019.

Made by the Minister on 11 October 2019.

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**FIRST SCHEDULE**

[Regulations 2, 3, 6 and 7]

**CONDITIONS OF EMPLOYMENT****PART I – GENERAL CONDITIONS****1. Normal working hours**

Where an employee, other than a watchperson, 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 an employee specified in Group A of the Second Schedule, other than a watchperson, is employed on task work, he shall be deemed to have performed a normal day's work if –

- (a) excluding any time allowed for a meal break he remains diligently at work for –
  - (i) 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 an employee, other than a watchperson, 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 watchperson shall be 8 hours and the normal working week shall consist of 48 hours.

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## 2. Extra Work

- (1) An employee, other than a watchperson, 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 3 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 watchperson 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 3 times the basic rate;
  - (b) performs more than 48 hours or such lesser stipulated number of hours in any week, not being hours of work referred to in subparagraph (a), shall be remunerated at one and a half times the basic rate for every additional hour of work.
- (3) For the purpose of computation of extra work, any authorised leave, including injury leave shall be deemed to constitute attendance at work.
- (4) Any agreement by a watchperson, other than a collective agreement under section 57 of the Employment Relations Act, to relinquish his right to a paid public holiday or to forego such leave shall be null and void.

**3. Task work**

(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 employee who plucks green leaves and does levelling off shall be paid on the amount of leaves plucked by him at the following rate –

	<b>(Rs cs per kg)</b>
up to 30 kg	9.51
over 30 kg and up to 40 kg	10.49
over 40 kg	10.70

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

**4. 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 the following work –

- (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 kilogrammes.

## **5. Conversion to monthly employment**

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

## **6. Field labourer's allowance**

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

- (a) heavy cleaning;
- (b) holing;
- (c) uprooting;
- (d) facing of stones (parmentage);
- (e) stump planting;
- (f) loping of green manures;
- (g) stone breaking;
- (h) jallonage; 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 employee 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.

## **7. Milk**

Where a female employee 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 800 millilitres of milk per day during the 3 months following her confinement or an allowance of 6 rupees per day if milk is not readily available.

## **8. Housing allowance**

(1) Every monthly employee shall be entitled to free housing accommodation as follows –

- (a) where the employee is unmarried or is married with not more than 2 children, 2 rooms;
- (b) where the employee is married with 3 children, 3 rooms.

(2) Every monthly employee 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) 37.50 rupees, if he is married; and
- (b) 30 rupees, if he is single.

## **9. Shift work for watchperson**

(1) Where work is performed on night shift, an employer shall not, without the watchperson's consent, require the watchperson to work –

- (a) on more than 6 consecutive nights; and
- (b) for more than 12 hours a day.

(2) For the purpose of subparagraph (1), night work means any period during which a watchperson is required to work or to remain at his workplace for at least 6 consecutive hours between 6 p.m. and 6 a.m. the following day.

(3) Where a female watchperson who may be required to perform night shift work produces a medical certificate certifying that she is pregnant, her employer shall not require her to perform night shift work during a period of at least 8 weeks before confinement.

(4) Shift work shall be scheduled –

- (a) on a monthly basis; and
- (b) organised in 2 or more shifts during a period of 24 consecutive hours.

(5) (a) A copy of the monthly schedule of duty worked out on a roster basis indicating the date and time at which a watchperson shall attend duty shall be handed over to the watchperson.

(b) The monthly schedule of duty shall be posted up in a conspicuous place at the place of work at least one week before the schedule is due to take effect.

(6) Where a watchperson is employed on shift work, he shall be paid an allowance of 15 per cent of his basic wage in addition to his normal day's wage for work performed during night shift as specified at subparagraphs (1)(a) and (2).

**10. Vacation leave**

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

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

(3) Where an employee would have been eligible to take overseas leave under the revoked Tea Industry Workers (Remuneration Order) Regulations 1984 prior to, or within a period of less than 5 years from, 24 October 2019, the employee shall, upon completion of the prescribed period in the revoked regulations, be entitled to the vacation leave under subparagraph (1).

(4) The vacation leave shall be –

- (a) for a period of not less than 6 consecutive days; and
- (b) with pay and such pay shall, in case the employee opts to spend the leave wholly or partly abroad, be effected at least 7 working days before the employee proceeds abroad.

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

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



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

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

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

## **11. 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 and the field labourer (female) shall be paid a gratuity under Part VIII of the Workers' Rights Act 2019.

## **PART II – HEALTH AND SAFETY CONDITIONS**

### **12. Uniforms and protective equipment**

(1) Every employee 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 employee'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 employers shall provide a raincoat once every 3 years to every –

- (a) sirdar or gangman specified in Group A of the Second Schedule;
- (b) watchperson, leaf-checker, plucking-machine operator and lorry helper;
- (c) field labourer and young person.

(3) Every employee specified in Group B of the Second 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 employee specified in Group A who is engaged in weeding or spreading fertilisers shall be provided with a pair of gloves.

### **13. Medical care**

Every monthly employee and every employee residing in an 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 employee or the employee'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.

#### **14. Tools and equipment**

(1) Every employer shall issue to every employee all tools and equipment used in the performance of work.

(2) All tools and equipment issued under subparagraph (1) shall remain the property of the employer.

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**SECOND SCHEDULE**  
[Regulations 3 and 7]

Category of employee	Wages	
	Monthly (Rs)	Daily (Rs cs)
<b>GROUP A</b>		
Field Labourer (Male)	9,280	356.92
Field Labourer (Female)	8,900	342.31
Young Person	8,900	342.31
Watchperson (grade II)	9,195	353.65
Sirdar or Gangman	9,941	382.35
<b>GROUP B</b>		
Factory Employee (Male)	9,280	356.92
Factory Employee (Female)	8,900	342.31
Gardener	9,280	356.92
Factory Supervisor	10,853	417.42
Messenger	9,300	357.69
Store Attendant	9,683	372.42
Laboratory Attendant grade I	9,683	372.42
Laboratory Attendant grade II	9,448	363.38
Sirdar or Gangman	9,941	382.35
Assistant Sirdar or Gangman	9,535	366.73
Turner, Fitter, Electrician, Motor Mechanic, Welder, Plumber and Pipe Fitter	} grade I 10,563 } grade II 10,252 } grade III 9,753	406.27 394.31 375.12
Carpenter & Stone Mason	grade I 9,771	375.81

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	grade II	9,562	367.77
	grade III	9,368	360.31
Factory Operator		9,683	372.42
Weigher	grade I	10,293	395.88
	grade II	9,729	374.19
Leaf Checker		9,675	372.12
Watchperson	grade I	9,530	366.54
	grade II	9,195	353.65
Driver	grade I	9,813	377.42
	grade II	9,615	369.81
Lorry Attendant/Lorry Helper		9,280	356.92
Factory Attendant		9,219	354.58
Boiler & Turbine Operator		10,666	410.23

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