

Media Employees (Remuneration) Regulations 2023

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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 **Media Employees (Remuneration) Regulations 2023**.
2. In these regulations –
 - “accounts clerk” means an employee who performs one or more of the following duties –
 - (a) receiving cash and keeping records;
 - (b) preparing money for deposits in banks and arranging withdrawals;
 - (c) effecting bank deposits and withdrawals;
 - (d) making up wage packets and wage sheets; or
 - (e) such other related duties;
 - “advertisement clerk” means an employee who performs one or more of the following duties –
 - (a) liaising between an undertaking and advertising agents;
 - (b) giving instructions relating to particulars of advertisement to the workshop of the undertaking;
 - (c) preparing costs relating to advertisement;
 - (d) attending to persons requesting advertisement; or
 - (e) such other related duties;
 - “assistant documentalist” means an employee who assists a documentalist;

“audiovisual editor” means an employee of a private radio station, who does one or more of the following duties –

- (a) performing and editing recordings;
- (b) editing programmes and making them available for live or deferred broadcast;
- (c) creating medleys or jingles;

“caricaturist” means an employee who does one or more of the following duties –

- (a) creating cartoons to depict persons and events in caricature;
- (b) depicting any subject matter by means of a sequence of drawing or satirical or humorous portrayal;
- (c) preparing captions for cartoons;

“cashier” means an employee engaged, wholly or mainly, in dealing with cash in any currency and keeping record relevant to his duties;

“clerk” means an employee who performs clerical or similar duties;

“documentalist” means an employee who does one or more of the following duties –

- (a) collecting, organising and preserving records and historically valuable documents;
- (b) analysing and preparing brief descriptions of contents of documents available as reference material;
- (c) preparing indexes, bibliographies, microfilm copies of available documents and records and other reference aids;
- (d) assisting employees involved in research work;
- (e) assisting any person seeking information by making documents available to them;

“driver” means an employee who –

- (a) drives a motor vehicle for the transport of other employees in the performance of their duties; or
- (b) drives a motor vehicle and distributes newspapers and periodicals to vendors, shops and stallholders;

“employee” –

- (a) means a person who is employed in an undertaking or effecting broadcast on a

private radio;

(b) includes –

- (i) any employee specified in the Second Schedule;
- (ii) a part-time employee;
- (iii) a share employee;
- (iv) an atypical employee;
- (v) an employee working from home;
- (vi) a person, other than a consultant, who is classified by an employer as a service provider or by any other such appellation, whether or not he holds a business registration number, but who performs personally the same or similar work of a comparable employee employed in the same undertaking, enterprise or industry; but

(c) does not include an employee –

- (i) whose basic wage or salary is at a rate exceeding 600,000 rupees in a year, except in relation to –
 - (A) Part II of the First Schedule; and
 - (B) sections 5, 26, 32, 33, 34, 49, 50, 52, 53, 54 and Parts VI, VII, VIII and XI of the Workers' Rights Act 2019;
- (ii) whose conditions of employment are governed by any other Remuneration Regulations;
- (iii) employed by a statutory body or a local authority whose conditions of employment are governed by the recommendations made by the Pay Research Bureau, or a salary commission, by whatever name called;

“journalist” means an employee who performs one or more of the following duties –

- (a) interviewing persons, attending public functions or seeking information from other sources concerning his subject of interest;
- (b) producing print, radio or audiovisual reports and commentaries, collecting and interpreting the information to give his personal assessment of their causes, consequences and likely implications;

“junior journalist” means an employee who performs one or more of the following duties –

(a) collecting, through interview, investigation, attendance at meetings and press conferences or by other means, relevant information for publication and carrying out any special assignment;

(b) producing print, radio or audiovisual reports based on information collected;

“maquettiste” means an employee who decides on the form, space and position allocated to articles and planning page layout;

“multimedia tasks” means tasks which involve –

(a) taking photographs, shooting videos, recording audio bytes, and publishing articles on the web;

(b) uploading photographs, videos and audio bytes on the web;

(c) leading discussions and monitoring comments on the web;

“photographer” means an employee who –

(a) takes photographs of events, to be published in newspapers and periodicals;

(b) develops films and makes prints and enlargements;

(c) digitally edits and adapts photographs for use in multimedia products;

“proofreader” means an employee who performs the following duties –

(a) comparing the printers’ proofs with originals and marking errors for correction; or

(b) reading proof against copy and marking errors by means of a standardised code and returning marked proof for correction of type;

“radio presenter” means an employee who does one or more of the following duties –

(a) hosting radio programmes, organising meetings and interviews in or outside radio stations;

(b) managing contents, chronicles, information and music;

(c) carrying out background research;

(d) welcoming and speaking to guests and listeners;

(e) using social communication platforms or other means to speak to guests and listeners;

“radio switchboard operator” means an employee who does one or more of the following duties –

- (a) receiving telephone calls from radio listeners and keeping records of their particulars;
- (b) registering listeners to live games and providing necessary briefings;
- (c) effecting liaison between the radio presenter and the listeners and managing text platforms;
- (d) making follow-up of calls;
- (e) managing live games and prizes; or
- (f) keeping records of callers;

“radio technician” means an employee who does any of the following duties –

- (a) installing, adjusting, testing, maintaining, and repairing mobile or stationary radio transmitting and receiving equipment and two-way radio communications systems and monitoring their performance and determining causes of faults;
- (b) providing technical assistance during live broadcasts;

“reasonable business grounds” means –

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

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

- (a) operating a telephone switchboard;
- (b) receiving, recording and passing telephone messages;
- (c) providing information to callers and directing them to persons called upon;

“*secrétaire de rédaction*” means an employee who, under the responsibility of an editor, performs one or more of the following duties –

- (a) checking and passing on instructions to the workshop of the undertaking and to proof readers;
- (b) checking final proof;
- (c) reading unsolicited manuscripts and making a selection from them for review by

the editor;

(a) replying to correspondence relating to publication matters;

“store clerk” means an employee who is responsible for the procurement, receipt, custody, issue and the keeping of records of goods in a store;

“undertaking” means –

(a) an undertaking publishing newspapers, periodicals or such other publications; and

(b) includes a private radio station;

“videographer” means an employee who –

(a) shoots videos;

(b) digitally edits and finalises videos for publication on the web;

“word processing operator” means an employee who performs one or more of the following duties –

(a) typing and collating letters, memoranda and similar items according to written, dictated or other information;

(b) performing word processing and simple computer or data processing work, or both;

(a) operating a telefax and using email services.

3. (1) Subject to the other provisions of this regulation and regulation 8, an employee shall be –

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

(i) the First Schedule;

(ii) the Workers’ Rights Act 2019;

(iii) the Workers’ Rights (Atypical Work) Regulations 2019; or

(iv) the Workers’ Rights (Working from Home) Regulations 2020;

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

(2) Where the conditions of employment in the Workers’ Rights Act 2019, the Workers’ Rights (Atypical Work) Regulations 2019 and the Workers’ Rights (Working from Home) Regulations 2020, are different from the conditions of employment specified in the First Schedule, the conditions specified in the First Schedule shall prevail.

(3) (a) Where a junior journalist completes 12 months' continuous service, he shall be employed as a journalist.

(b) No person shall be employed as a junior journalist more than once by the same employer.

4. (1) An employee who is employed by a new employer in a same or similar position as in his previous employment and has the level of skills or competencies and responsibilities comparable to requirements of the work he performed with the previous employer, shall be remunerated at a rate which shall not be less than the salary point prescribed in the Second Schedule, corresponding to his years of service with the previous employer.

(2) An employee who holds at least a certificate of not less than the level of a diploma, awarded by an institution recognised by the Mauritius Qualifications Authority, and which is related to his job, shall, after a period of probation of 6 months, be granted 3 increments in the salary scale prescribed, in the Second Schedule, for his job category.

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

6. Every employee in Group A of the Second Schedule, who is required to perform any multimedia task in addition to his normal duties, shall be entitled to a monthly payment of 10 per cent of his monthly basic wage.

7. (1) An agreement shall specify that the remuneration provided for in the agreement includes payment for work on public holidays and overtime where –

(a) the maximum number of public holidays; and

(b) the maximum number of hours of overtime on week days and public holidays,

covered by the remuneration are specified in writing in the agreement.

(2) For the purpose of paragraph (1), the monthly or hourly basic salary shall be specified in the agreement.

8. 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 Act, alter the conditions of employment of the employee so as to make them less favourable.

9. The Newspapers and Periodicals Employees (Remuneration) Regulations 2019 are revoked.

10. These regulations shall be deemed to have come into operation on 1 February 2023.

Made by the Minister on 28 March 2023.

FIRST SCHEDULE

[Regulations 2, 3(1)(a)(i) and (2) and 8(a)(i)]

CONDITION OF EMPLOYMENT

PART I – GENERAL CONDITIONS

1. Normal working hours

(1) For employees of Group A of the Second Schedule, the following conditions shall apply –

- (a) the normal working days shall be of 5 days in a week and may begin on any day, whether or not a public holiday;
- (b) an employee shall be granted 2 days off duty every week to be mutually agreed between the employer and the employee or, in default of agreement, to be fixed by the employer; and
- (c) a normal working fortnight may begin on any day, and shall consist of 90 hours, including time allowed for meal and breaks;
- (d) work on public holiday shall as far as convenient be fixed by rotation.

(2) For employees of Group B of the Second Schedule, the following conditions shall apply –

- (a) a normal working week shall consist of 45 working hours, to be completed in 6 days;
- (b) a normal day's work shall, excluding time allowed for meals, consist of 8 hours actual work on 5 days of the week and 5 hours actual work on one other day of the week; and
- (c) meal and tea break hours shall be as specified in the Workers' Rights Act 2019 and shall be without pay.

2. Extra work

(1) Every employee of Group A of the Second Schedule 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;

(b) performs more than 90 hours or such lesser number of hours as may be

specified in an agreement, in a fortnight, not being the hours of work referred in sub subparagraph (a), shall be remunerated at one and a half times the notional rate for every hour of work performed.

(2) Every employee of Group B of the Second Schedule 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;

(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.

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

(b) Where an employee is required to work on a public holiday, other than a Sunday, he shall be paid, in addition to the normal day's pay provided for under sub subparagraph (a), any remuneration due under subparagraph (1) or (2), as the case may be.

(4) Any employee who performs extra work may, instead of payment to which he is entitled under subparagraph (1) or (2), be granted with his consent, paid time off which shall be equal to the number of hours worked in excess of his normal working hours multiplied by the rate specified in subparagraph (1) or (2).

3. Notional calculation of basic rate

For the purpose of determining remuneration payable to employees for extra work or for any other cause –

(a) a month shall be deemed to consist of –

(i) 26 days in the case of an employee employed on a 6-day week basis; and

(ii) 22 days in the case of an employee employed on a 5-day week basis;

(b) a day shall be deemed to consist of –

(i) 8 hours in the case of an employee employed on a 6-day week basis; and

(ii) 9 hours in the case of an employee employed on a 5-day week basis;

(c) the normal hours of work of an employee who works from home shall include –

(i) time spent in the performance of his duties from home or from any other site of work outside his normal place of work;

- (ii) time spent to travel from his residence, other site of work or from his normal place of work to cover any event.

4. Meal allowance

(1) Every employee referred to in –

(a) Group A shall, where an assignment lasts beyond 7 p.m.;

(b) Group B, who is required to perform more than 2 hours' extra work after completing his normal day's work on any day of the week,

shall, in addition to any remuneration due for extra work, be provided by the employer with an adequate free meal or be paid a meal allowance of 125 rupees.

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

5. Information technology allowance

Every employee referred to in Group A of the Second Schedule shall, in respect of cost for Internet service and related expenses, be entitled to an allowance of 1,500 rupees per month.

6. Death grant

(1) Where an employee who has remained in continuous employment with the same employer for not less than 12 consecutive months dies, the employer shall pay a death grant equivalent to one month's salary to –

(a) his spouse; or

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

(2) In this section –

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

7. Vacation leave

(1) Subject to subparagraphs (2), (3) and (4), 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) 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, for an employee, other than a journalist, a *secrétaire de rédaction*; and
- (b) 2 months' leave with pay for every period of 5 consecutive years for every journalist and *secrétaire de rédaction* proceeding abroad.

(2) A journalist and a *secrétaire de rédaction* not desirous of travelling abroad shall be entitled to 30 days' leave if he chooses to spend the leave specified in subparagraph (1)(b) at a holiday resort in Mauritius.

(3) 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 subparagraphs (1) and (2).

(4) The vacation leave specified in subparagraphs (1)(a) and (2) 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 abroad, wholly or partly, 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) The employee shall, except in special circumstances, make an application for vacation leave not less than 3 months before the date on which he intends to proceed on such leave and the leave shall, subject to reasonable business grounds, be acceded to by the employer.

(7) Where an employer cannot, on reasonable business grounds, accede to the request of the 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 the 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 the payment.

(9) For the purpose of entitlement to vacation leave, the period of service of an employee in a different occupation or grade shall be reckoned as eligibility period.

8. Passage benefit

(1) Every employee, other than a migrant employee, shall be entitled to payment of passage benefits for foreign travel for the purpose of vacation at the rate of 3 per cent of his annual wages.

(2) The foreign travel shall be at intervals of not less than 5 years.

(3) An employee not desirous of travelling abroad shall not be entitled to cash payment in lieu of passage benefits, but he shall be entitled to a maximum of 75 per cent of the accumulated passage benefits specified in subparagraph (1), to be used to cover his expenses if he chooses to spend his vacation at a holiday resort in Mauritius.

9. Refund to junior journalists, journalists and caricaturists

Every junior journalist, journalist and caricaturist who takes photographs in the performance of his work shall be refunded the actual expenses incurred by him for such photographs.

10. Sound recording equipment

(1) Every employer shall provide a suitable sound recording equipment to every junior journalist or journalist.

(2) An equipment provided under subparagraph (1) shall remain the property of the employer.

11. Grooming allowance

Every employee referred to in Group A shall, every year, be entitled to a grooming allowance of 4,000 rupees, to be paid not later than 31 May of each year.

PART II – HEALTH AND SAFETY CONDITIONS

12. Optical benefits

(1) Every employer shall, on the recommendation of an eye specialist, provide to an employee optical benefits of not less than 3,500 rupees.

(2) The spectacles (frames and/or lenses) shall be renewed as and when they become unserviceable.

13. Medical check-up

(1) Every employer shall, at his own expense, cause every employee to undergo a complete medical check-up once every 6 months.

(2) (a) Where, in the course of the medical check-up under subparagraph (1), a medical practitioner detects any work-related health problem which, in his opinion necessitates further medical examination and/or treatment, the medical practitioner may refer the employee to a health institution for appropriate investigation.

(b) Where the employee produces documentary evidence in respect of medical examination, the employer shall provide adequate release time to the employee to attend to such treatment.

SECOND SCHEDULE

[Regulations 3(1)(b), 6 and 8(a)(ii)]

GROUP A

Category of employee	Year of service	Monthly salary (Rs)
Journalist, <i>Secrétaire de Redaction</i> , Caricaturist, Radio Presenter	1 st year	21,000
	2nd year	21,500
	3rd year	22,000
	4th year	22,500
	5th year	23,000
	6th year	23,500
	7th year	24,000
	8th year	24,500
	9th year	25,000
	10 th year & thereafter	25,500
Junior Journalist, Photographer, Videographer, Audiovisual Editor, Radio Technician	1 st year	16,000
	2nd year	16,300
	3rd year	16,600
	4th year	16,900
	5th year	17,200
	6th year	17,500
	7th year	17,800
	8th year	18,100
	9th year	18,400
	10 th year	18,700

11 th year	19,000
12 th year	19,300
13 th year	19,600
14 th year	19,900
15 th year & thereafter	20,200

GROUP B

Category of employee	Year of service	Monthly salary (Rs)
Documentalist, <i>Maquettiste</i>	1 st year	16,000
	2nd year	16,250
	3rd year	16,500
	4th year	16,750
	5th year	17,000
	6th year	17,250
	7th year	17,500
	8th year	17,750
	9th year	18,000
	10 th year & thereafter	18,250
Proofreader	1 st year	13,807
	2nd year	13,957
	3rd year	14,107
	4th year	14,257
	5th year	14,407
	6th year	14,557
	7th year	14,707
	8th year	14,857
	9th year	15,007
	10 th year & thereafter	15,157

Clerk, Word Processing

Operator	1 st year	14,500
	2nd year	14,650
	3rd year	14,800
	4th year	14,950
	5th year	15,100
	6th year	15,250
	7th year	15,400
	8th year	15,550
	9th year	15,700
	10 th year & thereafter	15,850

Assistant Documentalist

1 st year	13,740
2nd year	13,890
3rd year	14,040
4th year	14,190
5th year	14,350
6th year	14,590
7th year	14,640
8th year	14,790
9th year	14,938
10 th year & thereafter	15,088

Receptionist/Telephonist,
Radio Switchboard Operator

1 st year	13,500
2nd year	13,600
3rd year	13,700
4th year	13,800
5th year	13,900
6th year	14,000
7th year	14,100

8th year	14,200
9th year	14,300
10 th year & thereafter	14,400

Advertisement Clerk, Accounts

Clerk, Store Clerk, Cashier	1 st year	14,500
	2nd year	14,700
	3rd year	14,900
	4th year	15,100
	5th year	15,300
	6th year	15,500
	7th year	15,700
	8th year & thereafter	15,900

Driver

1 st year	14,225
2nd year	14,375
3rd year	14,525
4th year	14,675
5th year & thereafter	14,825
