

# **Printing Industry (Remuneration) Regulations 2014**

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

## **THE EMPLOYMENT RELATIONS ACT**

1. These regulations may be cited as the Printing Industry (Remuneration) Regulations 2014.

2. In these regulations —

“apprentice” means a worker who —

- (a) is not less than 16 years old;
- (b) has passed the Certificate of Primary Education Examinations; and
- (c) is employed solely for the purpose of learning his trade;

“archivist” means a worker who does one or more of the following duties —

- (a) collecting, organising and preserving documents;
- (b) analysing and preparing brief descriptions of contents of retained documents for reference;
- (c) undertaking restoration of documents in poor condition;

“assistant supervisor” means a worker who —

- (a) works under the direction of a supervisor; and
- (b) is responsible for ensuring the proper carrying out of duties by workers under his supervision;

“binder/cutter” means a worker who —

- (a)
  - (i) performs a series of tasks in binding books or other printed materials by hand or by machine;
  - (ii) sews together signature to form book bodies with sewing machines;
  - (iii) compresses sewn together signatures of book bodies to uniform thickness with smashing machine;
  - (iv) trims books to size with powered cutting machine;
  - (v) inserts each book into machine which rounds backs and forms grooves at back edge in which covers are hinged;
  - (vi) stacks and aligns books and glues super lining and back lining on each book;
  - (vii) glues cover to end sheets and places books in press to dry;
  
- (b) may be required to —
  - (i) fabricate cover for books, cut and trim cover material;
  
  - (ii) emboss designs and titles on covers and decorate book edges with plain or mixed colours; and
  
  - (iii) operate various types of machinery connected with binding and cutting of printed materials;

“camera person and plate maker” means a worker who —

- (a) photographs matters to be printed by adjusting camera;
  
- (b) amounts copy to be printed and illuminates it;
  
- (c) places fine cross-lined glass screens between film and copy for half-tone printing;
  
- (d) develops film to obtain negative and examines negative for defects;

- (e) does retouching at film and plate level;
- (f) prepares photo sensitive glass plates; and
- (g) prints negative on plates, etches and retouches metal plates;

“casual worker” means a worker specified in regulation 3(5);

“clerk” —

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

“computer to plate operator” means a worker who operates an automatic plate making machine, lays the plate, verifies same with its soft copy before the printing process;

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

“earnings” —

- (a) means basic wages set out in the First Schedule or such higher wages paid by the employer, as the case may be; and
- (b) includes —
  - (i) wages earned for extra work under paragraph (2) of the Second Schedule;
  - (ii) wages paid under paragraphs 3, 8, 9, 10, 11, 12(1)(a), (2) and (3) of the Second Schedule;
  - (iii) the allowance paid under paragraph 1(5) of the Second Schedule;

(iv) any other allowance regularly paid to the worker, or any productivity payment;

“flexographic machine operator” means a worker who —

- (a) sets and operates, satisfactorily, a machine in which a range of flexible materials in reels, including paper and paper laminates, polyethylene, polypropylene and allied products, cellophane and allied products, laminates of all kinds and aluminium foil, are printed in line;
- (b) cleans inking rollers and replaces them in the machine;
- (c) mounts rubber or photopolymer or any other flexo plate on to plate-cylinders;
- (d) examines plates for defects;
- (e) washes plates when necessary;
- (f) packs back of plate to obtain desired printing thickness;
- (g) sets proper printing tension;
- (h) fills ink ducts and adjusts proper inking of print;
- (i) checks and adjusts ink viscosity;
- (j) checks substrates thickness, width and surface treatment for conformity;
- (k) adjusts proper temperature;
- (l) carries out make-ready;
- (m) starts press;

- (n) ensures that printing proceeds correctly;
- (o) ensures adjusted rewinding;
- (p) keeps records of weight of incoming unprinted reels and of printed outgoing reels; or
- (q) performs daily maintenance and cleaning;

“helper or handyperson” —

- (a) means a worker who does one or more of the following duties —
  - (i) helping machine operators;
  - (ii) attending to the upkeep of machines and the placing of forms on machines;
  - (iii) assisting workers engaged on the placing or carrying of forms and galleys;
  - (iv) performing any other work to assist another worker;
  - (v) manual tasks involving physical effort, but requiring no particular skill, on machine or otherwise;
  - (vi) running errands;
- (b) includes an attendant;

“layout artist” means a worker who —

- (a) prepares designs or layouts for books, magazines, posters, charts and other related processes as per specifications of the clients, or on his own judgment; and
- (b) arranges type or illustrations and prepares final copy for printing;

“letter press machine operator” means a worker who —

- (a) sets and operates a cylindrical process/plate printing machine;
- (b) cleans, fills, places and regulates inking rollers;
- (c) locks type on press bed and adjusts printing surface for correct pressure;
- (d) operates machine to obtain proof sheets and corrects surface pressure where necessary;
- (e) sets and adjusts paper guides, paper feeding and counting system and ensures that printing proceeds correctly; and
- (f) performs daily maintenance;

“Mauritius Qualifications Authority” means the Mauritius Qualifications Authority established under section 3 of the Mauritius Qualifications Authority Act;

“offset/lithographic machine operator” means a worker who — (a) sets and operates a machine in which separate sheets of paper, tinplate or other materials are printed by roller which obtains an ink impression from engraved lithographic plate;

- (b) cleans inking rollers, adjusts and replaces them on machines;
- (c) examines plates for defects;
- (d) washes plate to remove protective coating and makes surface more ink-attracting;
- (e) packs back of plate with tissue paper to obtain desired printing thickness;
- (f) clamps plate in position on cylinder, adjusting it for correct tension;
- (g) inserts packing under rubber blanket until correct diameter is obtained for

impression;

- (h) fills ink fountain and regulates flow of ink on inking rollers;
- (i) adjusts space between cylinders according to thickness of sheets to be printed and sets damping rollers to deliver ink and water balance on the plate cylinder;
- (j) runs off several proof sheets and makes further adjustments if necessary;
- (k) sets and adjusts paper guides and checks paper feed;
- (l) starts press and ensures that printing proceeds correctly;
- (m) mixes ink and adjusts machine for numbering and perforating ; or
- (n) performs daily maintenance;

“photo engraver” means a worker who —

- (a) prepares metal printing plates by photogravure process;
- (b) photographs copy of matter to be printed;
- (c) develops films and retouches negative if necessary;
- (d) prints negative on metal plate;
- (e) etches metal plate with acid;
- (f) retouches plate;
- (g) mounts plates on wooden blocks; and
- (h) may be required to make proof from finished plate;

“photo-type setter” means a worker who —

- (a) operates keyboard of machine which reproduces letters on film or sensitised paper for eventual reproduction on printing plates;
- (b) places unexposed film on sensitised paper in photographic element of machine;
- (c) examines layout copy for typographical indications, such as spacing type-faces and length of lines;
- (d) starts machine and sets dial according to typographical instructions on layout copy;
- (e) reads copy and depresses keys and keyboard to reproduce required letters on film or sensitised paper;
- (f) manipulates machine controls as necessary to change type, size and spacing, adjusts camera light and eliminates incorrect lines;
- (g) removes container with exposed film or sensitised paper on completion of operation and sends it to developing room; or
- (h) works on numerical control phototype setting machine;

“printing industry” —

- (a) means the industry relating to the printing of texts and illustrations on paper, metal, cloth or other materials;
- (b) includes —
  - (i) the binding of texts and illustrations and other related tasks;
  - (ii) the production of newspapers and periodicals;



“productivity payment” —

- (a) means any sum of money, by whatever name called, paid to a worker in respect of any work performed by him, in addition to the basic wages set out in the First Schedule, or such higher basic wages agreed upon between him and his employer, as the case may be, and which is related to productivity;
- (b) does not include payments such as meal allowance, transport allowance or any other allowances or payments not related to productivity;

“proof reader” means a worker who does either or both of the following duties —

- (a) comparing printers’ proofs with original copies and marking errors for correction;
- (b) reading proof against copy and marking errors by means of a standardised code and returning marked proof for correction of type;

“quality controller” means a worker who is responsible for checking the quality of work ranging from printing to finishing, packing and labelling and who ensures that output corresponds to requirements of clients;

“remuneration” —

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

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

- (a) operating a telephone switchboard;

- (b) dealing with telephone enquiries;
- (c) receiving, recording and passing on telephone messages;
- (d) greeting callers and ascertaining wants;
- (e) supplying information to callers and directing them to persons called upon;
- (f) keeping record of callers;

“store attendant” means a worker who is employed in stores and is required to clean the stores, carry and deliver goods and perform other ancillary duties;

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

“supervisor” means a person who is in charge of a group of workers and responsible for ensuring the proper carrying out of their duties;

“typist” means a person who —

- (a) types letters, memoranda, and similar matter according to written, dictated or other information; or
- (b) makes type written copies of existing records;

“varnishing machine operator” means a worker who performs one or more of the following duties —

- (a) setting and operating a varnishing machine;
- (b) feeding the varnishing machine with paper and board and filling the varnishing tank;

- (c) checking at intervals the print quality and the viscosity of the varnish;
- (d) submitting daily production time sheet to the supervisor;
- (e) repairing or changing conveyor transport belt when damaged;
- (f) changing application of intermediate rollers;
- (g) ensuring that varnishing proceeds correctly;
- (h) cleaning and performing daily maintenance of the varnishing machine;

“watchperson” means a worker who performs one or more of the following duties —

- (a) keeping watch over premises and property;
- (b) making periodic inspection tours in respect of buildings and grounds and recording such entries as required;
- (c) keeping watch for suspicious persons and activities;

“worker”—

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

3. (1) Subject to 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) Where a scale of wages applies to a worker specified in the First Schedule, he shall be entitled to —

(a) the initial wages specified in the scale which applies to him; and

(b) one increment for each completed year of service he reckons with his employer, other than as an apprentice, until he reaches the top wages of the scale corresponding to the category applicable to him.

(3) The rates specified in the First Schedule include the additional remuneration payable under the Additional Remuneration (2014) Act 2013.

(4) Where a worker is called upon to replace another worker drawing higher wages, the worker shall be paid the higher wages applicable to the other worker.

(5) (a) An employer may engage a worker on a casual basis for a period not exceeding 3 months in aggregate over a period of 12 consecutive months.

(b) The wages payable to the casual worker shall be computed on a daily basis.

(c) Where, at the end of the period of 3 months, the casual worker remains in the employment of the same employer, that employer shall employ the worker on a permanent basis in the appropriate category.

(d) Where the casual worker remains in continuous employment with the same employer for not less than 4 weeks, the worker shall be entitled to not less than one week's notice of termination of employment.

(6) Where an apprentice completes 4 years' service with an employer, or successfully completes his apprenticeship at the Mauritius Institute of Training and Development or any other training institution registered and accredited with the Mauritius Qualifications Authority, whichever is the earlier, the apprentice shall be employed in the appropriate category in which he has served as apprentice.

(7) Where an employer who does not employ a mechanic on a permanent basis, requires a machine operator who has experience in mechanics, to be in charge of a very highly automatic printing machine, the worker shall receive an allowance of 10 per cent of his basic wage in addition to his normal wages.

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 —

(i) remunerating a worker at a rate higher than that specified in the First Schedule; or

(ii) providing the worker with conditions of employment which are more favourable than those specified in the Second Schedule;

(b) authorise an employer to —

(i) reduce the wages of a worker; or

(ii) alter the conditions of employment of the worker so as to make them less favourable.

6. The Printing Industry (Remuneration Order) Regulations 1984 are revoked.

7. These regulations shall be deemed to have come into operation on 1 May 2014.

Made by the Minister on 16 April 2014.

### FIRST SCHEDULE

[Regulations 2, 3(l)(a), (2), (3) and 5]

<b>Category of worker</b>	<b>Year of Service</b>	<b>Monthly Basic Wages(Rs)</b>
Supervisor		16,935
Assistant Supervisor		16,240
Machine operator! operator		15,970
Quality controller! Checker		15,037
Archivist		13,543
Layout artist	1st year	10,926
	2ndyear	11,186
	3rd year	11,445
	4th year	11,704
	5th year	11,963
	6th year	12,223
	7th year	12,482
	8th year	12,741
	9th year	13,000
	10th year & thereafter	13,260
Proofreader	1st year	10,666
	2ndyear	10,925
	3rd year	11,185
	4th year	11,444
	5th year	11,703
	6th year	11,962
	7th year	12,222
	8th year	12,481

	9th year	12,740
	10th year & thereafter	12,999
Cameraperson/platemaker, Photoengraver Photo-type setter Computer to plate operator	1st year	10,267
	2nd year	10,500
	3rd year	10,759
	4th year	11,019
	5th year	11,278
	6th year	11,537
	7th year	11,796
	8th year	12,056
	9th year	12,315
	10th year & thereafter	12,574
Assistant machine operator		11,500
Binder/cutter	1st year	8,880
	2nd year	9,088
	3rd year	9,295
	4th year	9,503
	5th year	9,736
	6th year	9,969
	7th year	10,202
	8th year	10,436
	9th year	10,695
	10th year & thereafter	10,954
Handyperson, Helper	1st year	7,800
	2nd year	7,975
	3rd year	8,150
	4th year	8,325
	5th year & thereafter	8,530
Apprentice	1st year	8,000
	2nd year	8,175
	3rd year	8,350
	4th year	8,556
Clerk	1st year	9,180

Receptionist! Telephonist Typist Secretary	2ndyear	9,387
	3rd year	9,621
	4th year	9,854
	5th year	10,087
	6th year	10,321
	7th year	10,554
	8th year	10,813
	9th year	11,073
	10th year & thereafter	11,332
	Storekeeper	1st year
2ndyear		9,902
3rd year		10,135
4th year		10,368
5th year		10,602
6th year		10,861
7th year		11,120
8th year		11,379
9th year		11,639
10th year & thereafter		11,898
Store Attendant	1st year	8,200
	2ndyear	8,375
	3rd year	8,582
	4th year	8,789
	5th year & thereafter	8,996
Watchperson	1st year	7,705
	2ndyear	7,880
	3rd year	8,055
	4th year	8,230
	5th year & thereafter	8,405

**SECOND SCHEDULE**



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

**1. Normal working hours**

- (1) A normal working week for a worker, other than a watchperson, shall consist of 45 hours.
- (2) Every employer may operate his enterprise 24 hours daily on an 8-hour shift system.
- (3) A worker may be required to work on a shift system as follows —
  - (a) the first shift to be performed between 6.00 a.m. and 5.00 p.m.;
  - (b) the second shift to be performed between 3.00 p.m. and midnight; and
  - (c) the third shift to be performed between 8.00 p.m. and 6.00 a.m.
- (4) An employer shall not, without a worker's consent, require the worker performing on a shift to —
  - (a) work on more than 8 hours in a day;
  - (b) work during the second or third shift on more than 3 consecutive days.
- (5) Every worker shall be paid an allowance of 20 per cent of his basic wages in addition to his normal day's wage for work performed during the second or third shift.
- (6) Where no shift system is in operation, the normal working hours shall be —
  - (a) 8 hours on 5 days of the week to be performed between 6 a.m. and 5 p.m.;  
and
  - (b) 5 hours on one day of the week to be performed between 6 a.m. and 1 p.m.
- (7) (a) The hours of work specified in this paragraph shall be exclusive of one hour allowed for a meal break.

(b) Every worker shall be entitled, during the normal working hours, to 15 minutes for a tea break with pay.

(8) A worker may be required to work on a public holiday.

(9) Where a worker who has completed a normal day's work is required to work on a subsequent shift immediately following his normal day's work, the worker shall, during the first hour's work on the subsequent shift, be provided with light refreshments.

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

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

## **2. Extra work**

(1) Subject to paragraph 3, a worker, other than a watchperson, who —

(a) works on a public holiday or on a weekly rest day shall be remunerated —

(i) for the first 8 hours, at twice the basic rate; and

(ii) thereafter, at 3 times the basic rate,

for each hour of work;

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

(2) Subject to paragraph 3, a watchperson who —

(a) works on a public holiday, or on a weekly rest day, shall be remunerated —

(i) for the first 12 hours, at twice the basic rate; and

(ii) thereafter, at 3 times the basic rate,

for each hour of work;

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

### **3. Extra remuneration for public holidays**

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

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

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

(b) in the case of a monthly-paid worker, his monthly wages,

in addition to any wages for extra work due under paragraph 2.

### **4. Payment of remuneration**

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

(2) Every employer shall, at the time of paying the remuneration of a worker, issue to the worker a pay. slip stating, *inter alia* —

(a) the name and the National Pension Registration Number of the employer;

- (b) the name, National Identity Card Number, date of entry, job title and grade, if any, of the worker;
- (c) the basic wages and each item of allowance, including any productivity payment;
- (d) the total number of days on which the worker was present at work and details of leave taken, if any;
- (e) the number of hours of extra work performed by the worker, the relevant applicable rates and the corresponding amount for extra work;
- (f) the piece rate earnings, if any;
- (g) all deductions made and the reasons therefor;
- (h) the total remuneration and the net pay.

## **5. Notional calculation of basic rate**

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

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

## **6. Transport benefits and facilities**

- (1) Every worker shall —
  - (a) be entitled to free transport; or

(b) in case no free transport is available,, be paid the return bus fare,

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

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

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

## **7. Meal allowance**

(1) Where a worker is required to perform more than 2 hours' extra work after having completed his normal day's work on any day of the week, whether or not a public holiday, the worker shall, in addition to any wages due for extra work, be provided by the employer with an adequate free meal or be paid a meal allowance of 70 rupees per day.

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

## **8. Annual leave**

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

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

elects.

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

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

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

## 9. Sick leave

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

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

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

(a) for medical treatment in a hospital, public or private;

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

any additional sick leave granted to the worker may be deducted from the accumulated sick

leave under subparagraph (2).

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

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

(i) in case he is admitted to a public or private hospital, within 3 days' following his discharge; or

(ii) in any other case, on the fifth day of absence.

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

## **10. Vacation leave**

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

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

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

## **11. Special leave**

Where a worker remains in continuous employment with the same employer for a period

of 12 consecutive months, the worker shall be entitled to —

- (a) (i) 6 working days' special leave on full pay; and
  - (ii) the payment of an allowance equivalent to 10 days of his basic wages;  
on the occasion of the celebration of his first religious or civil marriage;
- (b) 3 working days' special leave on full pay on the occasion of the first religious or civil marriage of each of his son or daughter; and
- (c) 3 working days' special leave on full pay on the death of his spouse, child, father, mother, brother or sister.

## **12. Maternity leave and benefits**

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

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

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



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

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

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

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

(ii) one break of one hour.

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

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

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

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

(7) An employer, shall not, without a female worker's consent, require the female worker to perform the second or third shift specified in paragraph 1(3) during the 12 months following her confinement.

### **13. Protective equipment**

(1) Every employer shall provide —

- (a) a pair of leather or latex gloves, whichever is appropriate, to every worker;
  - (b) suitable hearing protection to every worker who attends an automatic press or who is directly or indirectly exposed to noise;
  - (c) 2 overalls or 2 uniforms, and, wherever appropriate 2 aprons, to every worker.
- (2) The protective equipment provided under subparagraph (1) shall be —
- (a) first issued on assumption of duty by the worker; and
  - (b) renewed as and when they become unserviceable, except for the items specified in subparagraph (1)(c) which shall be renewed by 31 May at latest every year.

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

(4) The protective equipment specified in subparagraph (1) shall be provided in addition to any protective equipment provided under the Occupational Safety and Health Act.

#### **14. Medical facilities**

- (1) Every employer shall —
- (a) cause a worker who is directly or indirectly exposed to noise, dust and chemical or noxious substances to undergo, at the expense of the employer, a complete medical examination, including an eye and ear test every 6 months; and
  - (b) make necessary arrangements for the release of the worker to attend the medical examination.
- (2) Every worker who attends a medical examination under this paragraph shall be

entitled to the refund of transport expenses incurred in relation to the medical examination.

(3) An employer shall not make any deduction from the remuneration of the worker in respect of the release granted for the medical examination.

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

(5) Every worker shall be provided, where required, with glasses at the expense of the employer.

#### **15. Issue of milk**

Every employer shall provide to every worker who is directly or indirectly exposed to noxious substances with 750 millimetres of milk on every day on which the worker attends work and works at his trade.

#### **16. End of year bonus**

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

(2) Every worker who — -

(a) takes employment during the course of a year;

(b) is still in employment as at 31 December of the year; and

(c) has performed a number of normal days' work equivalent to not less than 80 per cent of the working days during his employment in that year,

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

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

(4) For the purposes of this paragraph, a day on which a worker —

- (a) is absent with the employer's authorisation;
- (b) reports for work but is not offered work by his employer; or
- (c) is absent on ground of—
  - (i) illness duly notified under paragraph 9(4);
  - (ii) injury arising out of and in the course of employment,

shall be reckoned as a working day.

## **17. Washing facilities**

(1) Every place of work shall remain open for half an hour after the normal working hours to enable workers to wash up and dress.

(2) Every worker exposed to dust, ink or any other similar substances shall be provided with —

- (a) 2 towels every 6 months; and
- (b) one toilet soap every month,

the first towel and soap to be provided on assumption of duty by the worker.

## **18. Minimum establishment**

(1) Where an employer has 7 or more workers in his employment, the employer shall employ at least one supervisor.

(2) Where an employer employs 15 or more workers, the employer shall employ, in addition to any supervisor employed under subparagraph (1), at least one assistant supervisor for each group of **15 workers**.

(3) Where an employer employs 4 or more workers, excluding apprentices or helpers, the employer shall not employ more than one apprentice for each group of 4 workers.

(4) For the purposes of computing the number of workers in subparagraphs (1) to (3), an employer who is also a worker shall be excluded.

#### **19. Gratuity on retirement before the age of 60 on medical ground**

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

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

(3) The gratuity specified in subparagraph (1) shall be —

(a) calculated on the basis of 15 days' remuneration per year of service of the worker; and

(b) paid in a lump sum.

(4) In this paragraph —

“year of service” shall be computed as from the first day of the period during which a

worker has been in continuous employment with the same employer up to his last day of employment with that employer.

## **20. Gratuity at death**

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

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

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

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

(3) In this paragraph —

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

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

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

day of employment with that employer.

## **21. Death grant**

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

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

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

(2) In this paragraph —

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

## **22. Certificate of employment**

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

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