

## THE INDUSTRIAL RELATIONS ACT

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

1. These regulations may be cited as the Blockmaking, Construction, Stone Crushing and Related Industries (Remuneration Order) (Amendment) Regulations 2008.

2. In these regulations –

“principal regulations” means the Blockmaking, Construction, Stone Crushing and Related Industries (Remuneration Order) Regulations 2003.

3. The principal regulations are amended –

(a) in regulation 2 –

- (i) by deleting the definitions of “chief foreman”, “foreman” and “tyreman”; and
- (ii) by inserting in their appropriate alphabetical order the following new definitions –

“chief supervisor” means an employee who –

- (a) organises, coordinates and controls activities of employees engaged on a site of work to ensure efficient uses of resources;
- (b) allocates work programmes to any supervisor working under his supervision;
- (c) verifies the proper carrying out and progress of work on sites of work; and
- (d) ensures respect of all health and safety regulations on sites of work;

“supervisor” means an employee who –

- (a) assigns duties or tasks to each employee working under his supervision according to instructions received from his employer or the chief supervisor;
- (b) supervises and coordinates the work of the employees under his supervision to ensure proper and timely completion of tasks on sites of work;

- (c) verifies and records the amount of work performed by each employee during the day;
- (d) ensures that employees under his supervision work in a safe environment and comply with all safety regulations; and
- (e) performs any ancillary duties as may be assigned to him by his employer or the chief supervisor;

“tyreperson” means an employee who –

- (a) uses and maintains the tools of the trade;
  - (b) removes and replaces tyres of all types of wheels;
  - (c) repairs inner tubes;
  - (d) understands the purpose of ordinary, tubeless and radial tyres;
  - (e) maintains and repairs punctures in tubeless tyres by plugging, vulcanising, and performing any other such connected works;
  - (f) adjusts wheel balancing where the necessary apparatus is available; and
  - (g) operates and maintains air compressors for inflating tyres;
- (b) in regulation 3, paragraph (2), by deleting the figure “2007” and replacing it by the figure “2008”;
  - (c) by deleting the First Schedule and replacing it by the Schedule to these regulations;
  - (d) in the Second Schedule –
    - (i) in paragraphs 1, 2, 3, 7 and 15, by deleting the word “watchman” wherever it appears and replacing it by the word “watchperson”;
    - (ii) in paragraph 7, by deleting the words “Rs 35” and replacing them by the words “Rs 50”;
    - (iii) in paragraph 8(1)(a), by deleting the words “second working day in the following month” and replacing them by the words “last working day of the month”;

- (iv) by deleting paragraph 20 and replacing it by the following new paragraph –

## **20. Vacation leave**

(1) An employee who remains in continuous employment with the same employer for a period of at least 10 years shall be entitled to a vacation leave of 2 months to be spent wholly or partly abroad, or locally, at the employee's discretion.

(2) Subject to subparagraph (1), at least one month of the vacation leave shall be with pay, and such pay shall, in case an employee intends to spend his vacation abroad, be effected in advance and at least 7 days before he proceeds abroad.

(3) The leave specified at subparagraph (1) shall be taken at such time as the employer and the employee agree.

(4) A vacation leave shall be deemed to constitute attendance at work.

- (v) by adding after paragraph 24 the following new paragraphs –

## **25. Optional retirement**

(1) Every employee who remains 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 55 years and shall be paid a gratuity.

(2) The gratuity specified in subparagraph (1) shall be paid in a lump sum and calculated on the basis of 15 days' basic wages per year of service irrespective of any benefits the employee may be entitled to under the National Pensions Act.

## **26. Special Leave**

Where an employee remains in continuous employment with the same employer for a period of 12 consecutive months, he shall be entitled to –

- (a) 6 days' special leave on full pay on the occasion of the celebration of his first religious or civil marriage;

- (b) 3 days' special leave on full pay on the occasion of the religious or civil marriage of his son or daughter;
- (c) 3 days' special leave on full pay on the death of his spouse, child, father, mother, brother or sister; or
- (d) one working day's paternity leave on the occasion of the birth of his first three children.

**4.** These regulations shall be deemed to have come into operation on 01 July 2008.

Made by the Minister on 8 August 2008.

**SCHEDULE**  
*(regulation 3(c))*

**FIRST SCHEDULE**  
*(regulation 3)*

**PART I**

<b>Category of employee</b>	<b>Year of service</b>	<b>Monthly basic wages Rs</b>
<b>Administrative staff</b>		
Accounts clerk, store and tool keeper, timekeeper	1st Year	8,975
	2nd Year	9,160
	3rd Year	9,345
	4th Year	9,530
	5th Year	9,715
	6th Year	9,900
	7th Year	10,085
	8th Year & thereafter	10,270
Clerk	1st Year	7,980
	2nd Year	8,205
	3rd Year	8,480
	4th Year	8,705
	5th Year	8,930
	6th Year	9,155
	7th Year	9,380
	8th Year & thereafter	9,610
Weighbridge clerk	1st Year	7,690
	2nd Year	7,910
	3rd Year	8,130
	4th Year	8,350
	5th Year	8,625
	6th Year	8,850
	7th Year	9,075
	8th Year & thereafter	9,310

Word processing operator	1st Year	7,580
	2nd Year	7,805
	3rd Year	8,030
	4th Year	8,255
	5th Year	8,535
	6th Year	8,765
	7th Year	8,995
	8th Year & thereafter	9,225
Receptionist/Telephonist	1st Year	6,585
	2nd Year	6,800
	3rd Year	7,065
	4th Year	7,280
	5th Year	7,495
	6th Year	7,715
	7th Year	7,935
	8th Year & thereafter	8,155
Learner	First 3 months	6,280
	Next 3 months	8,810

## **PART II**

<b><i>Category of employee</i></b>	<b><i>Year of service</i></b>	<b><i>Monthly basic wages Rs</i></b>
<b>Non-administrative staff</b>		
Chief supervisor		12,370
Supervisor	1st Year	10,150
	2nd Year	10,380
	3rd Year	10,610
	4th Year	10,840
	5th Year	11,070
	6th Year	11,300
	7th Year	11,535
	8th Year & thereafter	11,770

		<b>Daily basic wages Rs</b>		
Leading hand	1st Year		372.38	
	2nd Year		376.13	
	3rd Year		379.88	
	4th Year		383.63	
	5th Year & thereafter		387.38	
Plant operator	1st Year		347.38	
	2nd Year		353.38	
	3rd Year		359.38	
	4th Year		365.38	
	5th Year & thereafter		371.38	
Multiskilled employee	1st Year		334.38	
	2nd Year		341.88	
	3rd Year		349.38	
	4th Year		356.88	
	5th Year & thereafter		364.38	
Skilled employees				
		<b>Superior Grade Rs</b>	<b>Grade I Rs</b>	<b>Grade II Rs</b>
Barbender, blacksmith, carpenter, electrician, mason, mechanic, painter, plumber, turner, welder and any other employee possessing the same level of skill in allied occupations	1st Year	359.38	347.38	326.38
	2nd Year	365.38	349.88	329.63
	3rd Year	371.38	352.38	332.88
	4th Year	377.38	354.88	336.13
	5th Year & thereafter	383.38	357.38	339.38

**Category of employee**

**Year of service**

**Daily basic wages**

		<b>Grade I Rs</b>	<b>Grade II Rs</b>
Driver	1st Year	347.38	326.38
	2nd Year	349.88	329.63
	3rd Year	352.38	332.88
	4th Year	354.88	336.13
	5th Year & thereafter	357.38	339.38
Stone mason		372.38	
Cabinet maker		372.38	
Blockmaker		339.38	
Stone driller		339.38	
Stone breaker		339.38	
Stone splitter		339.38	
Stone employee		339.38	
Tyreperson		339.38	
Unskilled employee		297.46	
Watchperson		332.88	