

*Government Notice No. 215 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 Light Metal and Wooden Furniture Workshops (Remuneration) Regulations 2019.

2. In these regulations –

“apprentice” means an employee, other than an apprentice governed under a contract of apprenticeship regulated under the Mauritius Institute of Training and Development Act, who is employed solely for the purpose of learning and acquiring skill in the appropriate trade;

“attendant” –

(a) means an employee who performs manual tasks involving physical effort, but no particular skill; and

(b) includes a cleaner;

“cabinet maker superior grade” means an employee who is capable of –

(a) making repairs and refashioning high grade articles or wooden furniture;

(b) making sketches or drawings of work to be done; or

(c) carving designs in wood for decoration, furniture, screen panelling and other uses, using hand tools or mechanical tools;

“clerk” –

(a) means a person employed for the purpose of performing clerical or similar duties; but

(b) does not include a receptionist, a telephonist or a word processing operator;

“driver grade I” means a driver who drives a vehicle of over 10 tonnes;

“driver grade II” means a driver who drives a vehicle of not less than 5 tonnes nor more than 10 tonnes;

“employee” –

(a) means a person employed in a light metal and wooden furniture workshop; but

(b) 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, 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;

“light metal and wooden furniture workshop” –

(a) means a workshop engaged in –

(i) building and repairing metal coaches;

- (ii) manufacturing or repairing light metal structures, utensils, furniture, components for buildings and other industrial and domestic use;
- (iii) bending, cutting, welding, drilling and machining of metals for use in such manufacture or repairs;
- (iv) making and repairing of wooden and/or rattan furniture; or
- (v) other allied occupations; but

(b) does not include an export enterprise;

“lorry helper” means an employee who accompanies a lorry driver for the purpose of loading and unloading a vehicle;

“reasonable business grounds” means –

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

“receptionist or 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) supplying information to callers and directing them to persons called upon;
- (d) keeping records of callers;

“skilled employee grade I” means an employee who is highly skilled in the trade and whose work achieves a high degree of excellence;

“skilled employee grade II” means an employee who does similar work as an employee grade I but has not achieved the high standards required of a worker grade I;

“skilled employee grade III” means an employee who has not reached the skill or experience described in respect of an employee grade I or II, but has acquired the ability to do some repetitive tasks of a routine or semi-routine nature;

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

- (a) typing and collating letters, memoranda and similar matters according to written, dictated or other information;
- (b) performing word processing and simple computer/data processing work; and
- (c) operating a telefax and email services.

**3.** (1) Subject to the other provisions of this regulation and regulation 7, an 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 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) Where a scale of wages applies to an employee, he shall be entitled to –

- (a) the initial wages prescribed in the scale which applies to him; and
- (b) one increment in respect of every year of service he reckons with his employer in the category in which he is employed.

(5) Where an apprentice has completed 5 years' service with the same employer, he shall be remunerated as a skilled employee in at least the lowest grade of the trade in which he has served as an apprentice.

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.

6. Notwithstanding paragraph 1(1) and (3) 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

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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 Light Metal and Wooden Furniture Workshops (Remuneration Order) Regulations 2002 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. Provisions applicable specifically to watchperson**

(1) The normal working week for a watchperson shall consist of 48 hours' work, made up of 6 days of 8 hours on any working day, whether or not a public holiday, including time allowed for meal and tea breaks.

(2) Except where his services are required in special circumstances, a watchperson shall be entitled to one rest day in any working week, and the rest day shall, at least twice a month, be a Sunday.

(3) Subject to subparagraph (4), a watchperson 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,

for each hour of work;

(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.

(4) For the purpose of computation of extra work, any authorised leave, including injury leave shall be deemed to constitute attendance at work.

(5) (a) Every watchperson 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 a watchperson 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 (3).

(c) 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.

## **2. Piece work**

(1) Every employee may be required to perform piece work by his employer at such rates to be agreed between them, which shall be so determined that the worker shall earn not less than 10 per cent over and above the relevant rate specified in the Second Schedule.

(2) Where an employee is required to perform piece work –

(a) (i) in excess of a normal day's work on a week day, he shall be paid at a rate which shall not be less than one and a half times the normal basic rate for every additional hour; and

(ii) 10 per cent of the pay under sub subparagraph (i);

(b) on a public holiday –

(i) during normal working hours, he shall be paid at not less than twice the rate at which the work is



remunerated when performed during the normal hours on a week day;

- (ii) after normal working hours, he shall be paid at not less than 3 times the rate at which the work is remunerated when performed during the normal hours on a week day,

and 10 per cent of the pay under sub sub subparagraph (i) or (ii), as the case may be.

### **3. Leave to attend training courses**

(1) Subject to subparagraph (2), an employee shall be entitled to absent himself on full pay to attend a training course connected with his trade at a recognised institution.

(2) Subparagraph (1) shall not apply unless –

- (a) the employee has given reasonable advance notice of his absence to the employer; and
- (b) his absence is likely to disrupt the work of the employer.

### **4. 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

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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 subparagraph (1)(a) and (2).

## **5. 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 Light Metal and Wooden Furniture Workshops (Remuneration Order) Regulations 2002 prior to, or within a period of less than 5 years from, 24 October 2019, the employee shall, on 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 exceptional circumstances, give not less than 3 months' notice when applying for the vacation leave and the employer shall, subject to reasonable business grounds, accede to the application.

(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.

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

### **6. Issue of milk**

Every blacksmith, painter and welder and every other employee exposed to the emission of harmful chemicals shall be issued with 500 millimetres of milk every day.

### **7. Protective equipment**

(1) Subject to subparagraph (3), every employer shall provide –

- (a) a pair of goggles and gloves to every welder;
- (b) a suitable apron to every blacksmith and every welder;
- (c) a pair of gloves and insulated pliers to every electrician;
- (d) a suitable overall to every cabinet maker in the wooden furniture workshop;
- (e) 2 overalls yearly to every skilled employee and to every apprentice, attendant and lorry helper.

(2) Any protective equipment provided under this paragraph shall –

- (a) remain the property of the employer; and
- (b) subject to subparagraph (1)(e), be renewed as soon as it becomes unserviceable.

(3) Notwithstanding the protective equipment granted under subparagraph (1), the employer shall abide by the provisions of the Occupational Safety and Health Act.

## **8. Medical facilities**

(1) Every blacksmith, painter and welder and every other employee exposed to dust and noxious fumes and substances shall undergo a complete medical check-up at the expense of their employer every 6 months.

(2) In the event of health problems detected during such check-up necessitating further investigation, the doctor doing the check-up shall refer the worker to a recognised medical institution for appropriate investigations and medical care.

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**SECOND SCHEDULE**

[Regulations 3 and 7]

**PART I**

<b>Category of employee</b>	<b>Year of service</b>	<b>Monthly basic wages (Rs)</b>
<b>Administrative staff</b>		
Accounts Clerk, Cashier, Storekeeper	1st year	11,241
	2nd year	11,446
	3rd year	11,606
	4th year	11,767
	5th year	11,998
	6th year	12,218
	7th year	12,448
	8th year & thereafter	12,734
Clerk	1st year	10,825
	2nd year	11,048
	3rd year	11,201
	4th year	11,263
	5th year	11,542
	6th year	11,767
	7th year	11,992
	8th year & thereafter	12,207
Word Processing Operator	1st year	10,467
	2nd year	10,631
	3rd year	10,782
	4th year	10,947
	5th year	11,123
	6th year	11,402

	7th year	11,627
	8th year & thereafter	11,853
Receptionist/Telephonist	1st year	9,577
	2nd year	9,742
	3rd year	9,897
	4th year	10,051
	5th year	10,295
	6th year	10,534
	7th year	10,760
	8th year & thereafter	11,048

## PART II

Category of employee	Year of service	Daily basic wages (Rs cs)		
Cabinet Maker (Superior Grade)	1st year	438.53		
	2nd year	440.99		
	3rd year	443.07		
	4th year	445.14		
	5th year & thereafter	447.19		
<b>Skilled employees</b>		<b>Grade I (Rs cs)</b>	<b>Grade II (Rs cs)</b>	<b>Grade III (Rs cs)</b>
Blacksmith, Cabinet Maker, Electrician, Fitter, Machine Operator, Mechanic, Painter, Panel Beater, Pipe Bender, Trimmer, Turner, Upholsterer, Welder and other employees in charge of sophisticated equipment	1st year	424.93	396.36	370.47
	2nd year	427.08	399.01	373.00
	3rd year	429.19	401.28	375.15
	4th year	429.19	403.47	377.28
	5th year & thereafter	429.47	405.55	379.39

Apprentice	1st year	342.31
	2nd year	342.31
	3rd year	342.31
	4th year	342.31
	5th year & thereafter	342.31

Category	Year of Service	Monthly Basic Wages		
		Grade I (Rs)	Grade II (Rs)	Others (Rs)
Driver	1st year	10,869	10,620	10,358
	2nd year	10,925	10,675	10,415
	3rd year	10,980	10,728	10,472
	4th year	11,093	10,782	10,529
	5th year & thereafter	11,148	10,836	10,593

Lorry helper	1st year	9,632
	2nd year	9,698
	3rd year	9,754
	4th year & thereafter	9,809

		Daily Basic Wages (Rs cs)
Attendant	1st year	354.43
	2nd year	356.69
	3rd year	359.04
	4th year & thereafter	361.12

Watchperson	1st year	367.08
	2nd year	369.20
	3rd year	371.36
	4th year & thereafter	373.88