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2 November 2012

Wages Regulation Orders 2012

This Alert summarises the Wages Regulation Orders gazetted on 30 October 2012 (**WROs**) pursuant to the Employment Relations Promulgation 2007 (**ERP**). The WROs follow proposals that were gazetted on 29 June 2012 and written submissions that were invited to be made.

The WROs affect workers in the industries listed below whose minimum rate of remuneration does not exceed \$250 per week:

WRO (Industry)	Legal Notice
Wages Regulation (Building and Civil and Electrical Engineering Trades) Order 2012	LN 72 of 2012
Wages Regulation (Garment Industry) Order 2012	LN 73 of 2012
Wages Regulation (Hotel and Catering Trades) Order 2012	LN 74 of 2012
Wages Regulation (Manufacturing Industry) Order 2012	LN 75 of 2012
Wages Regulation (Mining and Quarrying Industry) Order 2012	LN 76 of 2012
Wages Regulation (Printing Trades) Order 2012	LN 77 of 2012
Wages Regulation (Road Transport) Order 2012	LN 78 of 2012
Wages Regulation (Sawmilling and Logging Industry) Order 2012	LN 79 of 2012
Wages Regulation (Security Services) Order 2012	LN 80 of 2012
Wages Regulation (Wholesale and Retail Trades) Order 2012	LN 81 of 2012

Overview of changes

The common proposed change across all industries is an increase in the rates of pay of between approximately 7-10% from the 8-15% initially proposed.

In some industries there are increases in meal allowances, subsistence allowances, split shift allowances and night allowances. In other industries, new definitions and categories of worker have been introduced.

The WROs are effective **31 October 2012**.

The table below summarises the key changes. The rates shown are the lowest and highest hourly rates in the range of minimum wage rates set out in the respective WROs and the percentages are estimates only:

Industry	2011	Proposed WROs	2012
	(effective 1 May 2011 - now revoked)	(proposed in August 2012)	(effective 31 October 2012)
Building and Civil and Electrical Engineering Trades	<i>Rates</i> \$2.38-4.62	<i>Rates</i> \$2.74-5.31 - 15% increase	<i>Rates</i> \$2.57-4.98 - 7.9% increase

Industry	2011 (effective 1 May 2011 – now revoked)	Proposed WROs (proposed in August 2012)	2012 (effective 31 October 2012)
	<i>Subsistence allowance</i> \$4.60 if quarters provided \$6.60 if quarters and meals not provided <i>Meal allowance</i> \$5.50 or a decent hot meal	<i>Subsistence allowance</i> \$6.50 if quarters provided \$8.60 if quarters and meals not provided <i>Meal allowance</i> \$7.00 or a decent hot meal	<i>Subsistence allowance</i> \$6.50 if quarters provided \$8.60 if quarters and meals not provided <i>Meal allowance</i> \$7.00 or a decent hot meal
Garment	<i>Rates</i> \$1.65-1.96 <i>Meal allowance</i> \$5.50 or a decent hot meal	<i>Rates</i> \$1.80-2.15 – 9.9% increase <i>Meal allowance</i> \$6.00 or a decent hot meal	<i>Rates</i> \$1.81-2.15 – 9.9% increase <i>Meal allowance</i> \$6.00 or a decent hot meal
Hotel and Catering Trades	<i>Rates</i> <i>Licensed Undertaking</i> \$2.75-2.97 <i>Unlicensed Undertaking</i> \$2.53-2.70 <i>Split Shift allowance</i> \$1.15 per day <i>Night shift allowance</i> 11 cents per hour <i>Meal allowance</i> \$5.50 or a decent hot meal	<i>Rates</i> <i>Licensed Undertaking</i> \$3.16-3.36 – 15% increase <i>Unlicensed Undertaking</i> \$2.91-3.11 – 15% increase <i>Split Shift allowance</i> \$2.30 per day <i>Night shift allowance</i> 20 cents per hour <i>Meal allowance</i> \$7.00 or a decent hot meal	<i>Rates</i> <i>Licensed Undertaking</i> \$2.97-3.20 – 7.9% increase <i>Unlicensed Undertaking</i> \$2.73-2.91 – 7.9% increase <i>Split Shift allowance</i> \$2.30 per day <i>Night shift allowance</i> 20 cents per hour <i>Meal allowance</i> \$7.00 or a decent hot meal
Manufacturing	<i>Rates</i> \$2.75 Casual - \$3.44 <i>Meal allowance</i> \$5.50 or a decent hot meal <i>Night shift allowance</i> 9 cents per hour	<i>Rates</i> \$3.10 – 13% increase Casual – 25% more than above <i>Meal allowance</i> \$6.00 or a decent hot meal <i>Night shift allowance</i> 20 cents per hour	<i>Rates</i> \$3.02 – 9.9% increase Casual - \$3.78 <i>Meal allowance</i> \$6.00 or a decent hot meal <i>Night shift allowance</i> 20 cents per hour
Mining and Quarrying	<i>Rates</i> Underground - \$2.63-4.03 Surface - \$2.48-3.87	<i>Rates</i> Mining Underground - \$2.95-4.51 – 12% increase	<i>Rates</i> Mining Underground - \$2.84-4.35 – 7.9% increase

Industry	2011 (effective 1 May 2011 – now revoked)	Proposed WROs (proposed in August 2012)	2012 (effective 31 October 2012)
	<p><i>Meal allowance</i> \$5.50 or a decent hot meal</p> <p><i>Other allowances</i> <i>Tool:</i> \$70 per annum <i>Height:</i> 24 cents per hour <i>Underground:</i> 14 cents per hour</p>	<p>Surface – \$2.78-4.33 – 12% increase</p> <p><i>Meal allowance</i> \$6.00 or a decent hot meal</p> <p>Quarrying Underground – \$2.84-4.35 – 8% increase Surface – \$2.68-\$4.18 – 8% increase</p> <p><i>Other allowances</i> <i>Tool:</i> \$70 per annum <i>Height:</i> 24 cents per hour <i>Underground:</i> 14 cents per hour</p>	<p>Surface – \$2.68-4.18 – 7.9% increase</p> <p><i>Meal allowance</i> \$6.00 or a decent hot meal</p> <p>Quarrying Underground – \$2.84-4.35 – 7.9% increase Surface – \$2.68-4.18 – 7.9% increase</p> <p><i>Other allowances</i> <i>Tool:</i> \$70 per annum <i>Height:</i> 24 cents per hour <i>Underground:</i> 14 cents per hour</p>
Printing Trades	<p><i>Rates</i> \$2.42-2.92</p> <p><i>Meal allowance</i> \$5.50 or a decent hot meal</p>	<p><i>Rates</i> \$2.65-3.30/3.35 – 9.5%-15% increase</p> <p><i>Meal allowance</i> \$6.00 or a decent hot meal</p>	<p><i>Rates</i> \$2.61-3.15 – 7.9% increase</p> <p><i>Meal allowance</i> \$6.00 or a decent hot meal</p>
Road Transport	<p><i>Rates</i> <i>Other Operators</i> \$1.43-3.10 <i>Buses and Taxi Operators</i> \$1.40-2.97</p> <p><i>Subsistence allowance</i> \$10.00 if quarters provided \$20.00 if quarters not provided</p> <p><i>Meal allowance</i> \$5.50 or a decent hot meal</p>	<p><i>Rates</i> <i>Other Operators</i> \$1.64-3.57 – 15% increase <i>Buses and Taxi Operators</i> \$1.54-3.27 – 10% increase</p> <p><i>Subsistence allowance</i> \$10.00 if quarters provided \$20.00 if quarters not provided</p> <p><i>Meal allowance</i> \$7.00 or a decent hot meal</p>	<p><i>Rates</i> <i>Other Operators</i> \$1.57-3.41 – 10% increase <i>Buses and Taxi Operators</i> \$1.54-3.16 – 10% increase</p> <p><i>Subsistence allowance</i> \$10.00 if quarters provided \$20.00 if quarters not provided</p> <p><i>Meal allowance</i> \$7.00 or a decent hot meal</p>
Sawmilling and Logging	<p><i>Rates</i> \$3.16-4.69</p> <p><i>Subsistence allowance</i> \$15.00</p>	<p><i>Rates</i> \$3.56-5.28 – 12.5% increase</p> <p><i>Subsistence allowance</i> \$17.00</p>	<p><i>Rates</i> \$3.49-5.18 – 10.4% increase</p> <p><i>Subsistence allowance</i> \$17.00</p>

Industry	2011	Proposed WROs	
	(effective 1 May 2011 – now revoked)	(proposed in August 2012)	(effective 31 October 2012)
	<i>Meal allowance</i> \$5.50 or a decent hot meal	<i>Meal allowance</i> \$5.50 or a decent hot meal	<i>Meal allowance</i> \$5.50 or a decent hot meal
Security Services	<i>Rates</i> \$2.20 Casual - \$2.75 <i>Meal allowance</i> \$5.50 or a decent hot meal	<i>Rates</i> \$2.42 – 10% increase Casual - \$3.03 <i>Meal allowance</i> \$6.00 or a decent hot meal	<i>Rates</i> \$2.41 – 9.7% increase Casual - \$3.01 <i>Meal allowance</i> \$6.00 or a decent hot meal
Wholesale and Retail Trades	<i>Rates</i> \$2.53-3.19 <i>Meal allowance</i> \$5.50 or a decent hot meal <i>Subsistence allowance</i> \$21.00 if accommodation without meals provided \$30.00 if accommodation and meals not provided	<i>Rates</i> \$2.78-3.44 – 25 cents increase <i>Meal allowance</i> \$6.00 or a decent hot meal <i>Subsistence allowance</i> \$25.00 if accommodation without meals provided \$35.00 if accommodation and meals not provided	<i>Rates</i> \$2.73-3.44 – 7.9% increase <i>Meal allowance</i> \$6.00 or a decent hot meal <i>Subsistence allowance</i> \$25.00 if accommodation without meals provided \$35.00 if accommodation and meals not provided

To obtain copies of the WROs

For further details we recommend you review the WRO that affects you as this summary may not contain all changes that are now in effect.

Please visit: <http://www.munroleyslaw.com/legalalerts/wro2012.asp> to download a copy.

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If you require specific advice in relation to the WROs or any other employment law matter please contact any of the lawyers listed below.

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