

SCHEDULE  
(Regulation 4)

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<i>Class of Workers [First Column]</i>	<i>Minimum Hourly Remuneration No age discrimination [Second Column]</i>
Cashier	\$3.04
Clerk	\$3.04
Driver L/Goods & Group 2	\$3.04
Driver H/Goods	\$3.52
Fork Lift Operator	\$3.23
Packer	\$2.92
Salesman	\$3.04
Sewing Machinist	\$3.04
Shop Assistant	\$3.04
Storeman	\$3.04
Unskilled Worker	\$2.86
Watchman	\$2.80
Other Worker	\$3.04

[LEGAL NOTICE NO. 60]

EMPLOYMENT RELATIONS PROMULGATION 2007  
(PROMULGATION No. 36 OF 2007)

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## Wages (Garment Industry) Regulations 2015

IN exercise of the powers conferred upon me by section 264(1)(w) of the Employment Relations Promulgation 2007, and following the advice of the Employment Relations Advisory Board, I hereby make these Regulations—

*Short title and commencement*

1.—(1) These Regulations may be cited as the Wages (Garment Industry) Regulations 2015.

(2) These Regulations shall come into force on 1st July, 2015.

*Application*

2. These Regulations shall apply to all workers whose minimum rate of remuneration, without taking into consideration any allowance, bonus, overtime payment or additional benefit whatsoever, whether in money or otherwise, does not exceed \$250.00 per week and who are employed in any undertaking or any part of an undertaking engaged in the garment manufacturing process in respect of which a licence under the Business Licensing Act (Cap. 204) is in force or is required by law for such undertaking and their employers.

*Interpretation*

3. In these Regulations, unless the context otherwise requires,—

“casual worker” means a worker whose terms of engagement provide for the worker’s payment at the end of each day’s work and who is not re-engaged within a 24 hour period immediately following the payment;

“industry” means the garment industry;

“learner” means a worker who has worked in the industry for less than 5 months;

“LMCCC” means the Labour Management, Consultation and Cooperation Committee;

“overtime” means work performed in excess of the normal hours on a normal working day and all work performed on days other than a normal working day;

“Promulgation” means the Employment Relations Promulgation 2007;

“public holiday” means any of the days specified in section 64 of the Promulgation or any day appointed by notification in the *Gazette* under section 66 of the Promulgation;

“week” means a period of 7 consecutive days; and

“worker” means a worker to whom these Regulations apply.

*Rates of remuneration*

4.—(1) The minimum hourly rates of remuneration to be paid to a worker, whether paid hourly, daily, weekly or for any other period shall be—

(a) in the case of a learner – \$2.00;

(b) in the case of any other worker – \$2.24.

(2) The minimum hourly rate of remuneration to be paid to casual workers of the classes specified in this regulation is 25% more than the minimum rates specified.

*Working week*

5. The normal working week shall consist of no more than 45 hours spread over 5 days in any one week.

*Public holiday*

6. Every worker shall be paid in respect of each public holiday for the number of hours of work, exclusive of overtime, which he or she would normally have worked on that day had it not been a public holiday, provided that this regulation does not apply to any worker unless—

- (a) he or she worked for the employer throughout the last working day preceding the public holiday; and
- (b) he or she presents himself or herself for employment on the first working day after such public holiday,

and provided further that paragraphs (a) and (b) shall be deemed to have been complied with where the worker is excused from presenting himself or herself for employment by his or her employer, or is prevented from presenting himself or herself for employment by illness or injury verified by a medical certificate or is prevented from presenting himself or herself for employment by any other reason which the employer considers satisfactory.

*Overtime*

7.—(1) Overtime remuneration payable under this regulation for a public holiday is in addition to that payable under regulation 6.

(2) The rate of remuneration payable for overtime worked is—

- (a) on any working day or a Saturday – one and a half times the worker's normal hourly rate of remuneration for the first 4 hours, and thereafter twice the worker's normal hourly rate of remuneration;
- (b) on public holidays and Sundays – twice the worker's normal hourly rate of remuneration.

(3) The minimum overtime payable under this regulation is 1 hour for week days and 2 hours for Saturdays.

(4) A minimum of 4 hours overtime remuneration at the rates specified in sub-regulation (2) is to be paid in respect of any overtime worked on a public holiday or a Sunday.

*Annual holiday*

8. No deduction is to be made from a worker's remuneration in respect of annual holiday taken by a worker under section 58 of the Promulgation.

*Sick leave*

9.—(1) Where a worker who has completed more than 3 months continuous service with the same employer and who is incapable of work because of sickness or injury, the worker is entitled to paid sick leave of not less than 10 working days during each year of service.

(2) Sick leave entitlement must not be accumulated and unused sick leave for each year automatically lapses in the next year.

(3) For a worker to be entitled to sick leave, the worker must—

- (a) as soon as reasonably practicable, notify the employer of his or her absence and the reason for it; and

- (b) produce, if requested by the employer, a written certificate signed by a registered medical practitioner, certifying the worker's incapacity for work.

*Meal allowance*

10. Every worker who is required to work overtime in excess of 3 hours on any normal working day is entitled to a substantial decent hot meal or meal allowance of \$6.00 in lieu of a meal.

*Bereavement leave*

11. A worker who has completed more than 3 months continuous service with the same employer is entitled to 3 days paid bereavement leave in a year, in addition to any other leave entitlement.

*Occupational Health and Safety compliance*

12.—(1) The employer has a duty of care responsibility under section 9 of the Health and Safety at Work Act 1996 to ensure, as far as possible, the workers' health, safety and welfare while at work.

(2) The Health and Safety at Work (General Workplace Conditions) Regulations 2003 specifies the conditions which must be followed by all employers in any workplace to ensure that the workers are protected according to the requirements of the Health and Safety at Work Act 1996 where some of these requirements in these Regulations include the provisions of personal protective equipment, which must be provided by the employer without any cost to the employees.

*Grievance procedure*

13. In the case of any employment grievance in a workplace, the parties shall resort to the grievance procedure in the employment contract or in the absence of such contract, shall use the procedure stipulated in Schedule 4 of the Promulgation.

*Labour Management, Consultation and Cooperation Committee*

14.—(1) All employers with more than 20 workers are required by section 9(1)(d) and (3) of the Promulgation to have a Labour Management, Consultation and Cooperation Committee to assist them to review and develop work practices in order to promote good faith employment relations and increase productivity.

(2) All employers must complete LMCCC record forms as a general obligation to ensure the attainment of quality control.

*Sexual harassment*

15. All employers must develop and maintain a policy to prevent sexual harassment in the workplace.

*Notices*

16.—(1) An employer must display a written notice in the workplace for the purpose of informing the workers of any wages regulations affecting them.

(2) An employer that fails to comply with sub-regulation (1) commits an offence and shall be liable to a fixed penalty of \$100.

(3) If the employer fails to pay the fixed penalty within the specified period of time, the offender shall be liable on conviction—

- (a) for an individual, to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 2 years or both;
- (b) for a body corporate, to a fine not exceeding \$50,000.

*Revocation*

17. The Wages Regulation (Garment Industry) Order 2012 is hereby revoked.

Made this 23rd day of June 2015.

J. K. KONROTE

Minister for Employment, Productivity and Industrial Relations

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[LEGAL NOTICE NO. 61]

EMPLOYMENT RELATIONS PROMULGATION 2007  
(PROMULGATION NO. 36 OF 2007)

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## **Wages (Road Transport) Regulations 2015**

IN exercise of the powers conferred upon me by section 264(1)(w) of the Employment Relations Promulgation 2007, and following the advice of the Employment Relations Advisory Board, I hereby make these Regulations—

*Short title and commencement*

- 1.—(1) These Regulations may be cited as the Wages (Road Transport) Regulations 2015.
- (2) These Regulations shall come into force on 1st July, 2015.

*Application*

2. These Regulations shall apply to all workers whose minimum rate of remuneration, without taking into consideration any allowance, bonus, overtime payment or additional benefit whatsoever, whether in money or otherwise, does not exceed \$250.00 per week and who are employed—

- (a) in any undertaking; or
- (b) if the undertaking consists of several parts, in any part of the undertaking, where the business of such undertaking or such part is, wholly or mainly, the carriage, for hire or reward, of passengers and goods, or either of them, by any motor vehicle required to be licensed as a public service vehicle or a goods vehicle under the Land Transport Act 1998; and to the employers of such workers.