
Government Notice No. 206 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 Catering and Tourism Industries (Remuneration) Regulations 2019.

2. In these regulations –

“accounts clerk” means an employee who –

- (a) receives cash, cheques and credit card payments and checks such payments against appropriate documents;
- (b) effects bank deposits and withdrawals;
- (c) makes entries in accounting and bookkeeping records;
- (d) assists in the preparation of financial accounts;
- (e) assists in the annual and periodic stocktaking; and
- (f) performs related work as may be required;

“animal keeper” means an employee who is employed in a recreational or leisure park and is responsible for –

- (a) feeding, bathing and providing general care to animals;
- (b) maintaining cleanliness of sheds at all times;
- (c) treating animals in case of minor injury;

“assistant bartender” means an employee who assists a bartender and replaces the bartender in his absence;

“assistant *cafetier*” means an employee who assists a *cafetier* and who is engaged in the café department – in the tourism

industry to prepare tea, coffee, chocolate or other similar breakfast requisites and replaces a *cafetier* in his absence;

“assistant cook” means an employee who –

- (a) assists a cook;
- (b) prepares simple dishes, cooks and fries snacks;
- (c) cooks food for the personnel; and
- (d) performs other ancillary duties;

“assistant handyperson” means an employee who assists a handyperson and may be required to assist a cabinet maker, carpenter, electrician, welder, plumber, mason, painter or refrigeration mechanic employed in the same establishment;

“assistant head cook” means an employee who prepares and cooks food and performs other ancillary duties under the supervision of a head cook;

“assistant head pastry cook” means an employee in the tourism industry who prepares and cooks pastries, sweets, ices, puddings and performs such other ancillary duties, under the supervision of a head pastry cook;

“assistant head waiter” means an employee who –

- (a) assists a head waiter;
- (b) attends to service for not more than 25 guests at any one time; and
- (c) replaces the head waiter in his absence;

“assistant housekeeper” means an employee, in the tourism industry, who assists a housekeeper and replaces the housekeeper in his absence;

“assistant pastry cook” means an employee, in the tourism industry, who assists a pastry cook, prepares simple pastries and performs such other ancillary duties;

“assistant receptionist” means an employee, in the tourism industry, who assists a receptionist and replaces the receptionist in his absence;

“assistant restaurant supervisor” means an employee who assists the restaurant supervisor and replaces the restaurant supervisor in his absence;

“assistant storekeeper” means an employee who is responsible for ordering, receiving, recording, classifying and issuing goods in a store;

“bar” means premises where alcoholic drinks, whether or not together with non-alcoholic drinks, snacks or cakes are sold for consumption on the premises;

“bartender” means an employee who –

- (a) prepares and serves drinks and cocktails;
- (b) is responsible for cash takings;
- (c) replaces the head barman in his absence; and
- (d) where he works in the catering industry, also keeps relevant records in the discharge of his duties as a bartender;

“beach waiter” means an employee who is employed by a seaside hotel to –

- (a) supply to hotel residents such items as may be provided by the hotel for the comfort of the residents while they are on the beach;

- (b) serve drinks, snacks, cigarettes or other similar items to hotel residents while they are on the beach and to take charge of bills; and
- (c) remove from the beach any bottle, can, rubbish or item supplied under paragraphs (a) and (b);

“boarding house” means a building comprising –

- (a) not less than 2 bedrooms or sleeping rooms set apart and appropriately furnished for letting; and
- (b) a room set apart and appropriately furnished where food and non-alcoholic drinks may be sold to residents, their guests and visitors for consumption on the premises only;

“cabinet maker” means an employee who –

- (a) is capable of using and maintaining the tools of the trade;
- (b) makes completely wooden articles, effects repairs and refashions wooden articles;
- (c) makes sketches or drawings of work to be done; or
- (d) carves designs in wood for decoration;

“café” means premises where non-alcoholic drinks, whether or not together with snacks or cakes, are sold for consumption on the premises;

“*cafetier*” means an employee in the tourism industry who is responsible for a café department and the keeping of records therein;

“carpenter” means an employee who –

- (a) is capable of using and maintaining the tools of the trade;
- (b) constructs any structure, building or shuttering for concrete work;

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- (c) prepares and correctly sets out all timber members and erects all partitions, roofs, doors and window frames;
 - (d) takes off quantities from plans and prepares cutting lists;
 - (e) inspects and reports on the state of repairs of any wooden structure; and
 - (f) makes free-hand dimensioned sketches;

“cashier” means an employee, other than a bartender or receptionist, engaged, wholly or mainly, in dealing with cash or any medium of currency and keeping relevant books;

“catering industry” means –

- (a) the industry relating to the preparation and provision of food and drinks; and
- (b) includes any trade or business carried on in a bar, café, fast food outlet, restaurant, *table d’hôte* or victualler’s shop;

“caviste” means an employee who is responsible for –

- (a) (i) the stock in the wine cellar;
(ii) issuing wine for service;
- (b) keeping of relevant records; and
- (c) performing other relevant duties;

“certified trainee” means a person who holds a certificate of competency issued by the Mauritius Institute of Training and Development or any other training institution registered and accredited with the Mauritius Qualification Authority and who is employed for the purpose of being graded in a job;

“cleaner” means an employee, other than a valet or gardener, who performs one or more of the following duties –

- (a) doing general cleaning, including sweeping of floors;

- (b) keeping in orderly conditions the interior and exterior of premises, grounds and beaches;
- (c) cleaning of toilets;
- (d) performing unskilled work involving physical effort; and
- (e) assisting in doing other cognate duties;

“cook” means an employee who –

- (a) prepares or cooks food, pastries, sweets, ices, puddings and other similar items in the catering industry; or
- (b) prepares and cooks food in the tourism industry;
- (c) cooks food for the personnel; and
- (d) performs other ancillary duties;

“driver” means an employee who –

- (a) drives any motor vehicle, including a lift truck or a trailer;
- (b) is responsible to effect minor repairs, clean his vehicle and keep it in running order;
- (c) is responsible to ensure that other repairs of any vehicle entrusted to him are effected; and
- (d) assists in loading and unloading of a motor vehicle;

“delivery person” means an employee, in the catering industry, who is responsible for delivering ordered products on a home to home basis and deals with cash for the payment of the delivered products;

“*domaine*” –

- (a) means a place of interest with recreational or leisure facilities; and

- (b) may include the provision of accommodation, food and drinks;

“electrician” means an employee who –

- (a) is capable of using and maintaining the tools of the trade;
- (b) installs, maintains and repairs electrical wirings and related equipment; and
- (c) reads and understands simple wiring diagrams;

“employee” –

- (a) means any person employed in the catering or tourism industry; 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 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;

“entertainer” means an employee who gives musical, dance, song or other similar performances, in group or otherwise, and entertains hotel guests and residents;

“fast food operative” means an employee who works in a fast food outlet and who, in the discharge of his duties, is required to perform the following tasks –

- (a) preparing food, snacks and other in-house specialities, according to procedures laid down by the unit; or
- (b) attending to and serving customers, taking charge of bills or being responsible for cash takings;
- (c) cleaning his immediate work space only;

“fast food outlet” means premises where food, prepared using standard ingredients and set procedures for cooking, is sold as a quick meal for consumption on and off the premises, irrespective of whether or not non-alcoholic drinks, snacks or cakes are also sold on the premises;

“gardener” means an employee who is sufficiently skilled to be able on his own to operate mechanically propelled garden equipment, sow seeds, trim hedges, prepare flower beds and maintain the green, including plants;

“guide” means a person employed for the purpose of providing information and assistance to customers;

“hairdresser” means an employee who shaves, cuts, trims, dresses, waves, curls, stains, dyes or treats, in any other manner, the hair and beard of any person;

“handyperson” means an employee who is in charge of maintenance of buildings and premises and performs other odd jobs;

“head bartender” means an employee who supervises other bartenders, prepares and serves drinks and is responsible for a bar and the keeping of relevant records;

“head cook” means an employee who –

- (a) (i) prepares or cooks food, pastries, sweets, ices, puddings and other similar items in the catering industry; or
- (ii) prepares or cooks food in the tourism industry;
- (b) supervises not less than 3 cooks; and
- (c) is responsible for the cleanliness of his place of work;

“head pastry cook” means an employee in the tourism industry who –

- (a) prepares and cooks pastries, sweets, ices, puddings and other similar items;
- (b) supervises not less than 3 pastry cooks; and
- (c) ensures the cleanliness of his place of work;

“head waiter” means an employee in the tourism industry who –

- (a) takes charge of banquets and receptions;
- (b) advises clients as to the choice of meals and wines;
- (c) supervises other waiters; and
- (d) ensures that cleaners maintain the place under his responsibility free from dirt or filth;

“hotel” means a building comprising –

- (a) not less than 9 bedrooms or sleeping rooms set apart and appropriately furnished for letting; and
- (b) a room set apart and appropriately furnished where food, tobacco, alcoholic and non-alcoholic drinks may be sold to residents, their guests and visitors for consumption on and off the premises;

“housekeeper” means an employee, in the tourism industry, who is responsible for household administration, selection and control of staff, domestic stores and cleanliness of the premises;

“job contractor” has the same meaning as in the Workers’ Rights Act 2019;

“kids’ club hostess” means an employee who is responsible to look after and to organise activities for kids;

“kitchen cost controller” means an employee who –

- (a) verifies the quantity and quality of deliveries from suppliers in conformity with purchase orders;
- (b) checks, controls and records the quantity of foodstuffs, drinks and other materials issued from the kitchen store to avoid wastage;
- (c) conducts inventory of stock of foodstuffs, drinks and other materials used or kept in the kitchen;
- (d) prepares daily food cost, controls fluctuation in the quantity and price of deliveries from suppliers and submits relevant reports to management;
- (e) verifies orders from the restaurant and keeps relevant records; and
- (f) keeps up to date information in relation to the costs of standard recipes;

“kitchen helper” means an employee who cleans crockery, cutlery and other kitchen requisites;

“launderer” means an employee who does laundering, drying and ironing;

“linen keeper” means an employee, in the tourism industry, who is responsible for receiving, issuing, despatching, checking

or stacking of linen or laundry and for sewing and repairs of clothing;

“loader” means an employee who –

- (a) prepares meal trays;
- (b) loads and unloads meal containers from a high lift truck or an aircraft; and
- (c) performs other ancillary duties;

“mason” means an employee who –

- (a) is capable of using and maintaining the tools of the trade;
- (b) lays building bricks, iron frames and structures;
- (c) does concrete works, aligns blocks with level and plumb line, applies plaster;
- (d) examines drawings and specifications; and
- (e) performs other similar duties connected with construction;

“Mauritius Qualifications Authority” has the same meaning as in the Mauritius Qualifications Authority Act;

“painter” means an employee who –

- (a) is capable of using and maintaining the tools of the trade;
- (b) cuts all types of glass;
- (c) mixes putty and glazing;
- (d) estimates materials for puttying, painting, varnishing, glazing and any other operation appertaining to the trade;
- (e) mixes and blends paints to any required shade;
- (f) deals with the properties and application of the various types of paints, enamels, stains, varnishes and polishes;

(g) deals with fillers and thinning paint; and

(h) uses primers and undercoats;

“pastry cook” means an employee in the tourism industry who prepares or cooks pastries, sweets, ices, puddings and other similar items and performs other ancillary duties;

“personnel clerk” means an employee who –

(a) keeps records of personnel, including wages and other related information;

(b) makes up wage packets and wage sheets; and

(c) deals with enquiries in relation to the duties specified in paragraphs (a) and (b);

“pleasure craft” has the same meaning as in the Tourism Authority Act;

“plumber” means an employee who –

(a) is capable of using and maintaining the tools of the trade;

(b) assembles, installs and maintains pipe fittings and fixtures of drainage, heating and cooling systems;

(c) cuts passage holes for pipes;

(d) cuts, reams, threads, bends and joins pipes and tests them for leaks;

(e) installs fixtures and does repair and maintenance work; and

(f) understands drawings or other specifications;

“porter operator” means an employee who –

(a) is wholly or mainly engaged in carrying luggage;

(b) attends to guests generally; and

(c) may be required to operate a telephone switchboard;

“reasonable business grounds” means –

(a) inability or impracticability to reorganise working arrangements of existing employees;

(b) a detrimental effect on the ability to meet customers’ demand;

“receptionist” means an employee, in the tourism industry, who –

(a) is responsible for the reception counter;

(b) makes reservation, arranges registration of guests and allocates rooms to them;

(c) presents bills to guests on their departures and collects payments; and

(d) performs related clerical or similar duties;

“refrigeration mechanic” means an employee who performs repair works on air conditioning and refrigeration system and equipment;

“restaurant” means premises where food, pastry and non-alcoholic drinks are sold for consumption on or off the premises and alcoholic drinks are sold for consumption on the premises;

“restaurant supervisor” means an employee who is responsible to welcome guests and to plan and supervise the organisation of the restaurant;

“room service clerk” means an employee who –

(a) takes orders from rooms and collects payments;

(b) submits bills to relevant services; and

(c) is responsible for the overall supervision of the room service;

“security officer” means an employee who provides security and protection services and who does one or more of the following duties –

- (a) guarding the premises against hazards, theft and illegal entry;
- (b) ensuring the safety and security of clients, personnel and any other authorised person on the premises of the employer;
- (c) performing preventive patrol to guard against theft and illegal access to the premises; and
- (d) taking appropriate actions upon the detection of suspicious activities, undesirable conduct or behaviour and events and recording such entries as may be necessary;

“senior accounts clerk” means an employee who –

- (a) supervises staff under his control;
- (b) prepares, examines, reconciles and executes all accounts;
- (c) assists in the preparation of budgets and estimates;
- (d) carries annual and periodic stocktaking; and
- (e) performs any other ancillary duties;

“sewing attendant” means an employee who attends to the sewing of clothing by way of repairs or confection;

“skipper” means an employee who holds a licence issued under the Tourism Authority Act and who –

- (a) drives a pleasure craft;
- (b) advises passengers as to their safety;

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- (c) is responsible for the proper loading and unloading of such materials as are required for a trip;
 - (d) is responsible for minor repairs, simple maintenance of the pleasure craft and its cleanliness;

“skipper’s assistant” means an employee who assists a skipper;

“spa therapist” means an employee who offers massage, beauty care, nail and body treatment to the clients of a hotel;

“sports instructor” means an employee in the tourism industry who –

- (a) welcomes guests at playing points and invites them to participate in indoor and outdoor games;
- (b) organises and animates competition among guests in games and sports, and attributes prizes to winners;
- (c) participates in games and sports as co-partner or opponent;
- (d) initiates first time players to rules, procedures and basics of games and sports;
- (e) submits requisitions for the purchase of sports materials and equipment; and
- (f) assists in making inventory of sport equipment;

“sports and leisure attendant” means an employee in the tourism industry who –

- (a) prepares playing grounds for indoor and outdoor activities;
- (b) carries sports equipment and materials, installs the materials and removes them after use; and
- (c) keeps playing grounds and equipment clean;

“store attendant” means an employee who –

- (a) carries and delivers goods in a store;
- (b) keeps the stores in an orderly condition; and
- (c) performs other ancillary duties;

“storekeeper” means an employee 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;

“*table d’hôte*” means a designated space at the residence of a person where guests are served with meals consisting of a limited choice, offered at fixed hours and at a fixed price for consumption on the premises;

“teamaker” means an employee engaged in a café, who is required to make and serve tea or coffee;

“telephonist” means an employee who is mainly or wholly engaged in operating a telephone switchboard, and in addition –

- (a) receives, records and passes on telephone messages; and
- (b) deals with telephone enquiries and supplies information where necessary;

“tourism industry” –

- (a) means the industry relating to the commercial organisation and operation of holidays and visits to places of interest for tourists, both inbound and outbound; and
- (b) includes –
 - (i) activities provided principally as direct or essential support services to the organisation and operation of holidays and visits to places of interests referred to

in paragraph (a), such as accommodation, food and drinks, and recreational or leisure facilities provided by establishments such as hotels and boarding houses;

- (ii) inland tourists attractions, including *domaines* and recreational or leisure parks; and
- (iii) in-flight catering services;

“tourist” –

- (a) means a person who travels to a place outside his usual environment and stays at that place for not more than 12 consecutive months for leisure, business and other purposes not related to the exercise of an activity remunerated from within the place visited; and
- (b) includes a person ordinarily resident in Mauritius;

“trainee” means an employee, other than a kitchen helper or a cleaner, who is employed for the purpose of being trained in a job;

“valet” means an employee who is responsible, in respect of not more than 10 rooms, for making beds, cleaning bedrooms, bathrooms, arranging rooms and caring for clothes;

“waiter” means an employee who –

- (a) serves at table not more than 25 guests at any one time;
- (b) prepares and cleans tables;
- (c) serves meals or refreshments in rooms; and
- (d) performs other ancillary duties;

“waste water plant operative” means an employee who attends to the cleaning of sewerage plant or waste water treatment plant and performs minor repairs on them;

“watchperson” means an employee who –

- (a) keeps watch over premises and property; and
- (b) carries out periodic inspection tours within the premises and keeps appropriate records;

“welder” means an employee who –

- (a) is capable of using and maintaining the tools of the trade;
- (b) deals with electrodes in general use and prepares all materials for welding;
- (c) carries out all forms of welding in mild steel and structural steel, and uses oxyacetylene torch and electric arc welding for simple cutting and welding; and
- (d) reads and understands any drawing or specification relating to his duties;

“victualler’s shop” means premises where food, snacks and cakes and non-alcoholic drinks are sold for consumption on or off the premises;

“workplace” means any premises or part of premises which are not domestic premises and which are made available to any employee as a place of work.

- 3.** Every employer who carries out his business on the premises of any establishment referred to in the definition of “tourism industry” or operates under the administrative control of any of the establishments, for the purpose of providing to the residents or guests of those establishments, food and drinks, recreational or

leisure facilities or any other facilities directly related to the tourism industry, shall comply with the provisions of these regulations.

4. (1) Subject to the other provisions of this regulation and regulation 9 –

- (a) every employee shall be –
 - (i) governed by the conditions of employment specified in –
 - (A) the Workers’ Rights Act 2019;
 - (B) the First Schedule;
- (b) an employee employed in –
 - (i) a bar, café;
 - (ii) a fast food outlet, restaurant for consumption on, or on and off, the premises, with less than 40 covers;
 - (iii) a *table d’hôte*, with less than 40 covers;
 - (iv) a boarding house;
 - (v) a hotel with less than 60 rooms;
 - (vi) inland tourists attractions, including *domaines* and recreational or leisure parks, with restaurants having less than 40 covers,shall be remunerated at the rates specified in Column III of the Second Schedule;
- (c) an employee employed in –
 - (i) a fast food outlet, restaurant for consumption on, or on and off, the premises with 40 or more covers;

- (ii) a *table d'hôte* with 40 or more covers;
 - (iii) a hotel with 60 or more rooms;
 - (iv) inland tourists attractions, including *domaines* and recreational or leisure parks, with restaurants having 40 or more covers; and
 - (v) in-flight catering services,
- shall be remunerated at the rates specified in Column IV of 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.

5. (1) (a) The period of training for a trainee, other than a certified trainee, shall not exceed 12 months.

(b) Where, at the end of the training period, a trainee other than a certified trainee continues to be employed by the same employer, he shall be employed in the appropriate category.

(c) No person shall be employed as a trainee more than once by the same employer.

(2) (a) The period of adaptation for a certified trainee shall not exceed 3 months.

(b) Where, at the expiry of 3 months, a certified trainee continues to be employed by the same employer, he shall be employed in the appropriate category.

6. Every employee shall be entitled to a rest of not less than 11 consecutive hours in any day.

7. 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.

8. Notwithstanding paragraphs 1(5) and 2(2) of the First Schedule, for the period ending 31 December 2019 –

- (a) the normal working week for a watchperson or a security officer 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 or a security officer referred to in paragraph (a) shall be remunerated at one and a half times the basic rate for every additional hour of work after the performance of 12 hours' work in every day.

9. 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.

10. The Catering and Tourism Industries Remuneration Regulations 2014 are revoked.

11. Subject to paragraph 5(2)(b) of the First Schedule, these regulations shall come into operation on 24 October 2019.

Made by the Minister on 25 October 2019.

FIRST SCHEDULE
[Regulations 2, 4, 8 and 9]

PART I – GENERAL CONDITIONS

1. Normal working hours

(1) The normal working week for every employee, other than a watchperson or a security officer, may begin on any day, whether or not a public holiday and shall consist of 45 hours' work, excluding time allowed for meal and tea breaks.

(2) Every employee shall be entitled on every working day to a meal break of one hour and 2 tea breaks of 15 minutes each.

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

(4) An employee shall not be required to work continuously for a period exceeding 15 hours.

(5) The normal working week for a watchperson or security officer shall consist of 48 hours' work, made up of 8 hours' work on any working day.

2. Payment of remuneration for extra work

(1) Subject to paragraph 3, an employee, other than a watchperson or security officer, who –

- (a) works on a public holiday or 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 every hour of work;

- (b) performs more than 45 hours' work in any week, not being hours of work referred to in sub subparagraph (a), 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 or a security officer who –

- (a) works on a public holiday or 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 every 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 sub subparagraph (a), shall be remunerated at one and a half times the basic rate for every additional hour of work.

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

3. Payment of remuneration for public holiday

(1) Every employee 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.

(2) Where an employee 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 subsection (1), any remuneration due under paragraph 2.

(3) Any agreement by an employee, 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.

4. 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 8 hours.

5. Shift work

(1) An employer may request an employee to work on shift work.

(2) (a) Where work is performed on night shift, an employer shall not require the employee to work –

- (i) on more than 6 consecutive nights; and
- (ii) except with the written consent of the employee, for more than 8 hours a day.

(b) Notwithstanding sub subparagraph (a)(ii), where shift work of more than 8 hours a day was being performed before 24 October 2019, the shift system of more than 8 hours a day shall continue until 31 January 2020.

(3) For the purpose of subparagraph (2)(a) –

“night work” means any period during which an employee is required to work or to remain at his workplace for at

least 6 consecutive hours between 6 p.m. and 6 a.m. the following day.

(4) Where a female employee 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.

(5) 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.

(6) (a) A copy of the monthly schedule of duty worked out on a roster basis indicating the date and time at which an employee shall attend duty shall be handed over to the employee.

(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.

(7) Where an employee 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 subparagraphs (2)(a) and (3).

6. 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 vacation leave under the revoked Catering and Tourism Industries Remuneration Regulations 2014 prior to, or within a period of less than 5 years from, 24 October 2019, the employee shall, upon 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 an 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) an 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 an 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

7. Uniforms and protective equipment

(1) Every employer shall provide –

- (a) 3 sets of uniform and 2 pairs of shoes every year to every employee, other than an employee referred to in sub subparagraphs (d) and (e);
- (b) 2 caps to every head cook, assistant head cook, cook, assistant cook, head pastry cook, assistant head pastry cook, pastry cook, assistant pastry cook, *cafetier* and assistant *cafetier*;
- (c) a pair of gloves to every kitchen helper, cleaner, waste water plant operative and gardener;
- (d) a pair of safety shoes, steel capped shoes or boots, as appropriate, and 3 sets of uniform to every cabinet maker, carpenter, electrician, welder, plumber, mason, painter, refrigeration mechanic, handyperson and assistant handyperson;
- (e) one raincoat, a pair of boots or shoes, and 3 sets of uniform to every watchperson, security officer, waste water plant operative and gardener.

(2) Subject to subparagraph (3), the uniforms and protective equipment referred to in this paragraph shall be provided by

the employer when the employee first assumes duty and shall be renewed –

- (a) at latest by 31 March every year, in respect of the items provided under subparagraphs (1)(a), (d) and (e) except for the raincoat;
- (b) at latest by 31 March every 2 years in respect of the raincoat; and
- (c) as and when the items specified in subparagraphs (1)(b) and (c), become unserviceable.

(3) An employee shall be entitled to the re-issue of the uniforms and protective equipment under subparagraph (2)(a) by 31 March where he has assumed duty within a period of 6 months prior to that date.

(4) The uniforms and protective equipment referred to in this paragraph shall remain the property of the employer.

(5) Notwithstanding the protective equipment granted under these regulations, the employer shall comply with the Occupational Safety and Health Act.

8. Medical facilities

(1) An employer shall cause an employee who is directly or indirectly exposed to noise, dust, or, chemical or noxious substances to undergo a complete medical examination at the expense of the employer every 6 months.

(2) 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 employee to a medical institution

for appropriate investigations and all the corresponding expenses shall be borne by the employer.

SECOND SCHEDULE

[Regulations 4,9]

Column I Category of employee	Column II Year of service	Column III Monthly basic wages (Rs)	Column IV (Rs)
Head Cook, Head Pastry Cook		13,404	13,795
Assistant Head Cook, Assistant Head Pastry Cook	1st year	12,784	13,200
	2nd year	13,034	13,330
	3rd year	13,284	13,460
	4th year & thereafter	13,534	13,590
Cook, Pastry Cook	1st year	12,090	12,685
	2nd year	12,340	12,815
	3rd year	12,590	12,945
	4th year & thereafter	12,840	13,075
Assistant Cook, Assistant Pastry Cook	1st year	10,497	11,230
	2nd year	10,697	11,370
	3rd year	10,897	11,500
	4th year & thereafter	11,097	11,630
Fast Food Operative	1st year	10,292	11,195
	2nd year	10,492	11,230
	3rd year	10,692	11,370
	4th year & thereafter	10,892	11,500
Head Waiter	1st year	11,592	12,285
	2nd year	11,817	12,490
	3rd year	12,067	12,685

	4th year & thereafter	12,317	12,880
Assistant Head Waiter	1st year	10,250	11,125
	2nd year	10,450	11,165
	3rd year	10,650	11,300
	4th year & thereafter	10,850	11,435
Waiter, Beach Waiter, Loader, Tea Maker	1st year	9,752	10,640
	2nd year	9,927	10,770
	3rd year	10,127	10,905
	4th year & thereafter	10,327	11,055
Head Bartender		13,404	13,795
Bartender	1st year	11,592	12,285
	2nd year	11,817	12,490
	3rd year	12,067	12,685
	4th year & thereafter	12,317	12,880
Assistant Bartender	1st year	9,752	10,640
	2nd year	9,927	10,770
	3rd year	10,127	10,905
	4th year & thereafter	10,327	11,055
Restaurant Supervisor		14,474	14,760
Assistant Restaurant Supervisor	1st year	13,404	13,795
	2nd year	13,654	14,050
	3rd year	13,904	14,245
	4th year & thereafter	14,154	14,435

Kitchen Controller	Cost	1st year	10,748	11,435
		2nd year	10,948	11,565
		3rd year	11,148	11,695
		4th year & thereafter	11,248	11,825
Cashier		1st year	12,090	12,685
		2nd year	12,340	12,815
		3rd year	12,590	12,945
		4th year & thereafter	12,840	13,070
<i>Cafetier</i>		1st year	10,497	11,230
		2nd year	10,697	11,370
		3rd year	10,897	11,500
		4th year & thereafter	11,097	11,630
Assistant <i>Cafetier</i>		1st year	9,527	10,440
		2nd year	9,702	10,570
		3rd year	9,877	10,705
		4th year & thereafter	10,077	10,835
Storekeeper		1st year	12,597	13,005
		2nd year	12,847	13,200
		3rd year	13,097	13,395
		4th year & thereafter	13,347	13,590
Assistant Storekeeper		1st year	10,915	11,565
		2nd year	11,140	11,695
		3rd year	11,265	11,890
		4th year & thereafter	11,490	12,155
Store Attendant		1st year	10,672	11,300
		2nd year	10,872	11,435

	3rd year	11,072	11,565
	4th year & thereafter	11,172	11,695
<i>Caviste</i>	1st year	10,915	11,565
	2nd year	11,140	11,695
	3rd year	11,265	11,825
	4th year & thereafter	11,490	12,025
Receptionist	1st year	12,457	13,005
	2nd year	12,707	13,135
	3rd year	12,957	13,265
	4th year & thereafter	13,207	13,395
Assistant Receptionist	1st year	11,348	12,025
	2nd year	11,573	12,155
	3rd year	11,798	12,285
	4th year & thereafter	12,048	12,490
Senior Accounts Clerk	1st year	14,186	14,535
	2nd year	14,436	14,790
	3rd year	14,686	15,050
	4th year & thereafter	14,936	15,320
Accounts Clerk	1st year	12,416	13,005
	2nd year	12,666	13,200
	3rd year	12,916	13,395
	4th year	13,166	13,590
	5th year	13,416	13,795
	6th year	13,666	14,050
	7th year & thereafter	13,916	14,245

Personnel Clerk, Room Service Clerk	}	1st year	12,029	12,555
		2nd year	12,279	12,750
		3rd year	12,529	12,945
		4th year & thereafter	12,779	13,135
Telephonist	1st year	10,292	11,195	
	2nd year	10,492	11,230	
	3rd year	10,692	11,435	
	4th year & thereafter	10,892	11,630	
Porter Operator	1st year	10,122	10,972	
	2nd year	10,322	11,090	
	3rd year	10,522	11,195	
	4th year & thereafter	10,722	11,195	
Housekeeper	1st year	13,239	13,655	
	2nd year	13,489	13,860	
	3rd year	13,739	14,115	
	4th year & thereafter	13,989	14,310	
Assistant Housekeeper	1st year	12,784	13,200	
	2nd year	13,034	13,395	
	3rd year	13,284	13,590	
	4th year & thereafter	13,534	13,795	
Linen Keeper	1st year	12,457	13,005	
	2nd year	12,707	13,135	
	3rd year	12,957	13,265	
	4th year & thereafter	13,207	13,395	
Valet	1st year	9,752	10,640	

	2nd year	9,927	10,770
	3rd year	10,127	10,905
	4th year & thereafter	10,327	11,055
Launderer, Sewing Attendant	1st year	9,527	10,440
	2nd year	9,702	10,570
	3rd year	9,877	10,705
	4th year & thereafter	10,077	10,835
Trainee, Certified Trainee		8,900	9,195
Sports Instructor	1st year	12,416	13,005
	2nd year	12,666	13,265
	3rd year	12,916	13,525
	4th year & thereafter	13,166	13,795
Entertainer	1st year	11,592	12,285
	2nd year	11,817	12,620
	3rd year	12,067	12,880
	4th year & thereafter	12,317	13,135
Skipper	1st year	10,131	10,975
	2nd year	10,331	11,125
	3rd year	10,531	11,230
	4th year & thereafter	10,731	11,435
Skipper's Assistant	1st year	9,774	10,670
	2nd year	9,949	10,770
	3rd year	10,149	10,870
	4th year & thereafter	10,349	10,975

Kitchen Helper, Sports & Leisure Attendant, Cleaner	1st year	9,527	10,440
	2nd year	9,702	10,570
	3rd year	9,877	10,705
	4th year & thereafter	10,077	10,835
Waste Water Plant Operative	1st year	9,644	10,570
	2nd year	9,819	10,705
	3rd year	10,019	10,835
	4th year & thereafter	10,219	10,975
Cabinet Maker, Carpenter, Electrician, Welder/Plumber, Mason, Painter, Refrigeration Mechanic	1st year	12,128	12,750
	2nd year	12,378	12,880
	3rd year	12,628	13,005
	4th year & thereafter	12,878	13,135
Handyperson	1st year	12,007	12,620
	2nd year	12,257	12,750
	3rd year	12,507	12,880
	4th year & thereafter	12,757	13,005
Assistant Handyperson	1st year	11,592	12,285
	2nd year	11,817	12,490
	3rd year	12,067	12,620
	4th year & thereafter	12,317	12,750
Gardener	1st year	9,752	10,640
	2nd year	9,927	10,770
	3rd year	10,127	10,905

	4th year & thereafter	10,327	11,055
Driver	1st year	11,348	12,025
	2nd year	11,573	12,155
	3rd year	11,798	12,285
	4th year & thereafter	12,048	12,490
Security Officer	1st year	10,498	11,165
	2nd year	10,698	11,300
	3rd year	10,898	11,435
	4th year & thereafter	11,123	11,565
Watchperson	1st year	9,880	10,835
Animal Keeper	1st year	9,610	10,535
	2nd year	9,785	10,665
	3rd year	9,960	10,795
	4th year & thereafter	10,160	10,925
Delivery Person	1st year	10,310	11,210
	2nd year	10,510	11,240
	3rd year	10,710	11,370
	4th year & thereafter	10,910	11,500
Guide	1st year	10,810	11,460
	2nd year	11,035	11,635
	3rd year	11,160	11,810
	4th year & thereafter	11,385	11,985

Kid's Club Hostess	1st year	9,010	9,910
	2nd year	9,185	10,085
	3rd year	9,360	10,260
	4th year & thereafter	9,535	10,435
Spa Hairdresser	Therapist/ 1st year	11,210	11,885
	2nd year	11,435	12,060
	3rd year	11,660	12,235
	4th year & thereafter	11,885	12,410
