

STATUTORY INSTRUMENT 55 OF 1992

Interpretation

“chargehand” means a journeyman who is appointed by his employer to supervise the operation of a workshop, including the direction of employees therein, and who is responsible to a foreman or a member of management;

“chief inspector” means the chief inspector responsible for the exercising of quality control in terms of the Air Navigation Regulations;

“clerk (class 1)” means an employee who is engaged mainly in office or clerical work and who has had more than one year of experience in that occupation with any one employer;

“clerk (class 2)” means an employee who is engaged mainly in office or clerical work who has had less than one year of experience in that occupation with one employer;

“commercial employee” means any employee whose occupation is listed in the Third Schedule;

“continuous service” means the total period of an employee’s unbroken service with his employer;

“day shift” means any shift which is not a night shift;

“driver” means an employee whose duties require him/her to possess a light-vehicle license;

“duty period” means the total elapsed duty time for an assignment which is not a rest period, and commences at the time that the employee is required by the employer to report for duty or thirty minutes before the schedule time of the first take-off, whichever is the earlier, and terminates fifteen minutes after the last landing in any assignment or at such later time as the employer may specify;

“duty time” means the time during which the employee is performing any function directly connected with his employment and is at the disposal of the employer and shall include such periods of duty connected with the performance of a flight as defined in the Air Navigation Regulation and these regulations;

“emergency” means a sudden unplanned situation demanding immediate remedial action;

“emergency work” means work which must be performed immediately to prevent harm to the employer’s assets, the employees, or nearby persons or property;

“flight engineer” means an employee who :-

- (a) Is licenced on the type, terms of Air Navigation Regulations, as a flight engineer; and
- (b) Is licensed on the type, in terms of those regulations, as an aircraft maintenance engineer or who possess valid equivalent approval; and
- (c) Performs the in-flight duties of a flight engineer and who is responsible for the maintenance of aircraft on the ground;

“foreign posting” means any posting outside the boundaries of Zimbabwe;

“foreman of labourers” means an employee who is specifically charged by his employer with the supervision of employees engaged as labourers;

“general labourer” means an employee engaged in one or more of the following duties:

- Weighing and packaging of chemicals;
- Cleaning waterways;
- Cleaning drains and ablutions;
- Gardening;
- Preparing and cooking of rations;
- Tea and beverage making;
- Collecting, packing, weighing, sorting or counting of goods;
- Delivery of letters, parcels or messages;
- Lime washing of buildings;
- Making and maintaining of fires and removal of ash;
- Stacking or delivering goods;
- Rubbing down with compound, polishing and waxing surfaces by hand or machine (excluding aircraft);

“hangar or workshop labourer” means an employee engaged in one or more of the following duties;

- Cleaning engines, aircraft and components by detergents or other means, including the application of a power-driven brush;
- Cleaning interior trim under directions of a journeyman or apprentice;
- Cleaning radiator cores in cleaning solution;
- Cleaning, washing, polishing and vacuum-cleaning of aircraft;
- Cleaning factory, hangar, workshop, plant, tools, equipment and utensils;
- Hand or electrical operating of cranes and lifting blocks under the direction of a journeyman;
- Hoisting and lowering of aircraft and engines under the direction of a journeyman;
- Loading and unloading of aircraft;
- Masking and cleaning of aircraft in connection with painting;
- Operating hand or fly presses under the supervision of a journeyman;

- Treatment of metal by chemical process for cleaning purposes under the supervision of a journeyman;
- Treatment of metal by chemical process for cleaning purposes under the supervision of a journeyman;
- Jacking up of aircraft or components under the supervision of a journeyman;
- Inflating tyres and tubes under the direction of a journeyman or apprentice;
- Pressure-testing tyres and tubes under the supervision of a journeyman or apprentice;
- Operating manual guillotines by hand or foot under the supervision of a journeyman or apprentice;
- Removing and replacing carpets;
- Treatment of metal by chemical process for paint stripping;
- Rough grinding, buffing and filing of materials, excluding aircraft parts;
- touching up of screw heads or bolts under the supervision of a journeyman or apprentice;
- applying sound-deadener and materials and anticorrosive coatings under the supervision of a journeyman or apprentice;
- applying synthetic and cellulose fillers under the supervision of a journeyman or apprentice;
- assisting artisans and assisting generally, including the use of spanners and screwdrivers under the supervision of a journeyman;
- assisting in all forms of stripping and dismantling;
- dustproofing and waterproof by application of sealing compounds under the supervision of a journeyman or apprentice;
- removing and replacing of passenger seats under the direction of a journeyman or apprentice;
- sand-papering or rubbing down with wet or dry paper by hand or mechanical appliance;
- painting of items of ground equipment;
- rubbing down paint work of ground equipment;
- taping and masking of areas of ground equipment to be painted;
- masking by means of lacquer and adhesive tapes, including masking of components, in preparation for phenolic resin spraying;
- assisting with dismantling suspension and steering parts of motor transport vehicles;
- manhandling of light aircraft;
- replacing minor parts such as batteries and road wheels and repairing wheel punctures, excluding aircraft;
- removing tyres, replacing floor panels, and draining oils of motor transport vehicles;
- dismantling of aircraft toilet and galley equipment for inspection as directed by a journeyman, when removed from aircraft;
- attaching upholstery materials to aircraft bulkheads, panels and covers removed from aircraft using adhesives tacks, screw-moulding and trimming strips and other recognised forms of attachment under the direction of a journeyman;

“home base” means any place which may be termed a base for the purpose of a permanent or temporary posting;

“Industrial holiday” means any day prescribed as a paid holiday in terms of section 21;

“industry” means the air transport industry;

“inspector” means:-

- (a) a journeyman appointed by and responsible to the chief inspector for the exercising of quality control in terms of an inspection approval granted by the Director of Civil Aviation or by any other airworthiness authority; or
- (b) a journeyman appointed by and responsible to his/her employer for the quality control of work performed by other journeyman;

“leading hand” means a journeyman who is appointed by his/her employer to assist in supervisory capacity;

“line-engineer” means a journeyman who holds appropriate aircraft maintenance engineer’s licences or equivalent approvals and who is appointed by his employer to service and maintain aircraft, aircraft engines and equipment at the employer’s base prior to or after a flight or during transit stops or inspections at the employer’s base;

“main base” means the place in which the employer’s head office is established;

“medical practitioner” means any person who is legally permitted to practise as a medical practitioner in Zimbabwe;

“messenger” means an employee engaged wholly or substantially in any or all of the following duties –

(a) delivering or conveying letters, parcels, goods or messages on foot or by means of a bicycle, tri-cycle or similarly propelled vehicle;

(b) collecting cash in the delivery of cash-on-delivery orders ;

(c) operating a duplicating-machine, an addressing-machine or a paper folding-machine, and using a franking-machine.

“night-shift” means any shift or part of a shift which falls between the hours of 1900 hours on one day and 0700 on the following day;

“overtime” means any time worked out of or in excess of an employee’s normal rostered daily shift duty hours;

“outstation engineer” means a station engineer;

“outstation” means any airfield other than the employer’s base;

“part-time employee” means an employee who is engaged to perform office and administrative work during specified hours falling within the hours of work required to be exhibited in terms of subsection (2) of section 31, but not exceeding a total of five hours per day or thirty hours per week;

“permanent employee” means an employee who has taken on full-time employment which is not a temporary nature;

“permanent posting” means a period of time exceeding ninety days’ duration spent on an assignment or a series of assignments which requires permanent residence at the location of the assignment;

“piece-work” means any system by which earnings are calculated wholly on the quantity or output of work done, irrespective of the time spent on such work;

“pilot” means an employee whose wage is prescribed in the Fifth Schedule;

“radio telephone licence” means a valid licence issued in terms of section 114 of the Air Navigation Regulations entitling the holder to act in the capacity of that licence as specified in those regulations;

“receptionist” means an employee engaged mainly in receiving customers or clients preparatory to such customers or clients being attended to by some other employee or by the employer, or who makes appointments with customers or clients on behalf of some other employee or the employer, and whose duties may include the operating of a telephone appliance;

“recurrent posting” means a posting necessitated by a regular service based on the employers’ published programme of operation;

“rest days” means such days in a week on which an employee is not normally required to work;

“rest period” means a period which is not a duty period;

“skilled worker” means a person who has been certified by the Registrar of Apprenticeship and Skilled Manpower as a skilled worker class I, II, III, or IV in a designated or recognised trade in terms of the Manpower Planning and Development Act, 1984, or the holder of a journeyman registration certificate issued by a National Industrial Council before the 1st February, 1982, and recognised by the Registrar of Apprenticeship and Skilled Manpower;

“skilled worker’s assistant” means an employee who assists the skilled worker as directed and who may perform such duties delegated to him by the skilled worker, but who may not perform skilled worker’s work;

“skilled worker’s work” means work prescribed as a job function listed in the First Schedule;

“skilled worker’s leading assistant” means an employee appointed by an employer to assist in the supervision of skilled worker’s assistants and their work;

“skilled worker’s assistant (learner)” means an employee who is engaged to learn the work of a skilled worker’s assistant and who may be engaged by the employer on any operation prescribed in the Second Schedule for not more than six months;

“station engineer” means a journeyman who is employed on servicing and carrying out maintenance of aircraft, engines and aircraft equipment at an outstation prior to or after a flight or during transit stops or inspections at such airfields and who is in possession of a valid aircraft maintenance engineer’s licence;

“storeman’s assistant” means an employee who is engaged under the supervision of a storeman in receiving, storing, packing or unpacking goods from a store or hangar to departments or for dispatch;

“storeman” means an employee who is in charge of stores and who is responsible for receiving, storing, packing and unpacking goods in a store or hangar to departments or for dispatch;

“task work” means a task stated by an employer for an employee which is to be completed as a condition of earning a wage;

“technician” means a journeyman who holds a valid aircraft maintenance engineer’s licence;

“telephonist” means an employee who is engaged in the operation of a telephone having more than one line or extension;

“temporary posting” means any period of time spent away from a base on an assignment or series of assignments which is not of a permanent nature and which is of not less than seven days and not more than ninety days’ duration;

“temporary employee” means an employee who is employed on a short term or contract basis;

“ticket system” means a system whereby an employee is engaged at a wage calculated by reference to the completion of a ticket of an agreed number of days worked or to a record based on the number of days worked;

“transit time” means the lapsed time, not including a rest period between any two consecutive flights of an assignment;

“type” shall have the meaning assigned to it in the Air Navigation Regulations;

“typist” means an employee engaged wholly or substantially in operating a typewriting machine, but does not include a typist-shorthand;

“typist-shorthand” means an employee who is required from time to time to record dictation in a system of short hand and to transcribe such shorthand on a typewriter,

and who has attained minimum speeds of eighty words per minute in the case of shorthand and fifty words per minute in the case of typing;

“wage” means the earnings of an employee, but does not include and travelling or subsistence allowance or any bonus or other like benefits;

“watchman” means an employee charged by his/her employer with ensuring the protection and security of the employer’s premises;

“working day” means any day other than a rest day or an industrial holiday.

Grading and wages

4. (1) Every employer shall place each employee in a grade appropriate to his occupation classification, duties, experience and qualifications in terms of the relevant schedule applicable to that occupation and shall pay a wage and any appropriate allowance applicable to such employee of at least the amount(s) prescribed in the relevant schedule for that occupational grade and length of continuous service of the employee in that grade and no employee shall accept a wage or allowance amounting to less than that prescribed.

(2) A part-time employee shall be paid, for each hour worked, not less than the equivalent hourly rate of a permanent employee doing the same job.

(3) An employee who at the date of commencement of these regulations is in receipt of a higher wage for his particular occupation than the wage prescribed in terms of this section shall not, by reason of these regulations, suffer any reduction in his wage.

(4) An employee who is required to perform work in a grade higher than that in which he is normally employed shall be paid not less than the minimum wage applicable to such higher grade for all hours worked in such grade.

(5) An employee who is required to perform work in a grade lower than that in which he is normally employed shall be paid the wage applicable to the grade of work s/he normally performs.

(6) An employee who is required or permitted to perform work in occupations listed in more than one grade shall be paid not less than the minimum wage prescribed for the highest grade in which he is required or permitted to work.

(7) Subject to section 11, an employer shall not reduce the wage of an employee for any time not worked if the employee was able and willing to work and was present at his place of work but the employer was unable or unwilling to furnish him with work.

(8) Where an operation performed by an employee is not specified in the Third or Fourth Schedule:-

- (a) the employer shall provisionally place the employee in a grade; and
- (b) the employer or employee shall notify the secretary to the employment board : and
- (c) the secretary, after consultation with the chairman of the employment board, shall determine an interim classification of the operation, which shall be subject to ratification by the employment board at its next meeting;

Provided that if the interim classification by the secretary or the final classification by the employment board places the employee in grade:-

- (i) higher than the employee's current grade, he shall be paid not less than the minimum wage prescribed for such higher grade, with effect from the date upon which he commenced performing that operation; or
- (ii) lower than the employee's current grade, it shall be lawful to reduce his/her wage to not less than the minimum wage prescribed for such lower grade, with effect from the date upon which such interim classification or final classification is determined, unless the employee refuses to accept the lower wage, in which event:-

- A. he may be given the relevant notice of termination of employment; and
- B. during the period of such notice, s/he shall be paid the wage he was receiving prior to such termination.

(9) On promotion to a higher grade, an employee:-
(a) shall be paid not less than the wage which s/he last received prior to his promotion; or

(b) shall be paid at least the minimum wage prescribed for such higher grade;

Whichever is greater.

Wages, grading and allowances: pilots and flight engineers

5. (1) Every employer shall place each employee in a grade appropriate to his duties, experience and qualifications and shall pay a wage and such allowances as may be applicable to such employee of at least the amount prescribed in the Fifth Schedule for that grade and length of continuous service of the employee in that grade, and no employee shall accept a wage or allowance amounting to less than that prescribed.

(2) For the purpose of this section employees shall be classified as follows:-

- (a) Class A, that is to say: employees flying aircraft with a maximum all-up mass of five thousand six hundred and seventy kilograms or less: and
- (b) Class B ,that is to say: employees flying aircraft with an all-up mass of more than five thousand six hundred and seventy kilograms.

(3) An employee who is required to fly both types of aircraft referred to in subsection (2) shall be paid not less than the minimum wage prescribed for Class B.

(4) Notwithstanding the annual increment in wages prescribed in the Fifth Schedule, where an employee has been found guilty of a serious neglect of duty, such annual increment may be withheld by the employer.

(5) An employee who has been promoted to Captain grade IV shall not be reduced to a lower grade by his employer unless such employee:-

- (a) does not retain the prescribed qualifications for Captain grade IV; or
- (b) does not maintain an adequate standard of competency.

(6) If the requirements of an employer's undertaking necessitate that an employee who is graded Captain grade IV is no longer required continuously to perform the duties of that grade, an employer may require such employee to perform the duties of a Senior Officer grade III, but such employee shall continue to be paid the and allowance applicable to a Captain grade IV:
Provided that such employee shall not be paid further annual increments until he resumes continuous duty as a Captain grade IV.

(7) An employee referred to subsection (6) who is required by his employer to perform more than two hundred hours per annum of duty as a Captain grade IV shall be re-appointed by his employer to that grade.

Hours of work: commercial employees

6. (1) Subject to subsection (1) of section 7, this section shall not apply to shift workers.

(2) The ordinary hours of work for employees other than watchman, shall not exceed forty-five hours per week:
Provided that the ordinary hours of work shall not exceed nine hours per day and shall be completed within ten hours of commencing work.

(3) The ordinary hours of work for watchman shall not exceed fifty-four hours per week:
Provided that the ordinary hours of work shall not exceed nine hours in any period of twenty-four hours.

(4) An employer shall permit all employees to have a ten minute break during the first three hours of work:
Provided that an employee shall be paid during such break.

(5) The employer may require an employee to perform shift-work.

(6) An employer may request, but may not require, an employee to work overtime, and shall, whenever possible, give twenty-four hour's notice to such employee of such request:
Provided that an employee needed to render emergency work may not decline to work overtime without reasonable excuse.

(7) Except in the case of emergency work, no employer shall require or permit any employee, other than a watchman, to work more than sixty hours, ordinary time and overtime included, in any one week.

(8) Every employee shall receive at least one day off duty in each week.

(9) No employer shall require or permit an employee, other than a watchman, to work for a continuous period of more than five hours without a meal break of at least thirty minutes:

Provided that such meal break shall not be paid.

Hours of work: shift workers

7. (1) Subsections (6) to (9) of section 6 shall apply to shift workers.

(2) The ordinary hours of work for shift workers shall not exceed forty hours per week.

Provided that the ordinary hours of work shall not exceed ten hours in any period of twenty-four hours.

(3) No employer shall require or permit a shift worker to work for a continuous period of more than five hours without a meal break of at least thirty minutes.

Provide that such meal break shall not be paid.

(4) An employer shall provide each shift-work with a beverage during the break referred to in subsection (3).

(5) No employee shall be required to work two shifts in any one day, except for the purpose of changing shifts on in the case of emergency work, and no employee shall commence work on a new shift until at least ten hours have elapsed after the completion of his previous shift.

(6) Nothing contained in this section shall confer any right to payment for overtime on any shift worker who is required to work two shifts in any one day for the purpose of changing shifts.

(7) No shift worker shall be kept on night shift for a continuous period of more than four weeks without his consent.

(8) A shift worker who is changed from night shift to day shift shall be placed on day shift for a period at least equal to the period during which he was on night shift, unless s/he otherwise agrees.

Hours of work: aircraft engineering employees

8. (1) The ordinary hours of work for employees shall not exceed forty-five hours per week:

Provided that the ordinary hours of work shall not exceed nine hours per day and shall be completed within ten hours of commencing work.

(2) No employer shall require or permit an employee to work for a continuous period of more than five hours without a meal break of at least thirty minutes: Provided that such meal break shall not be paid.

(3) During a continuous working period of not more than three hours every employer shall permit a break in the work of an employee of not less than ten minutes.
Provided that an employee shall be paid during any such break.

(4) An employer may require an employee to perform shift work.

(5) An employer may request, but may not require, an employee to work overtime, and shall, whenever possible, give three days' notice to such employee of such request:
Provided that an employee needed to render emergency work may not decline to work overtime without reasonable excuse.

(6) An employee shall be given a minimum rest period of ten continuous hours between successive ordinary hours of work.

(7) The rest period referred to in subsection (6) shall not be reduced by reason of overtime or call-out worked in terms of subsection (9).

(8) Any period of overtime or call-out worked by an employee before the completion of the rest period referred to in subsection (6) shall be followed by a rest of ten continuous hours following such overtime or call-out:
Provided that where such rest period results in lost time during the next ordinary hours of work of the employee, the employer shall grant the employee paid leave of absence for the period of time lost.

(9) An employee who is called out to work by his employer outside the ordinary hours of work shall be paid for overtime in terms of section 13:
Provided that he shall be paid for every hour or part of an hour or for not less than two hours, whichever is the greater.

(10) Every employee shall receive at least one day off duty in each week.

Duty time: pilots and flight engineers

9. (1) Duty time shall conform to the Air Navigation Regulations, provided always that, where the number sectors of an assignment are between six and eight, the duty time shall not exceed the limits provided for night operations and, further, that the maximum number of sectors which shall be operated in any one period of twenty-four hours shall not exceed eight, except in the case of agricultural operations, instruction flights and pleasure flights of less than thirty minutes' duration.

(2) Where one duty period ends after 0001 hours local time or commences before 0600 hours local time, not more than two such duties shall be operated on consecutive days without the employee's agreement

(3) Duty time shall not exceed sixty hours in any seven day period or one hundred and eighty hours in any twenty-eight day period, except in the case of agricultural operations.

(4) The allocation of duty time shall be as follows:-

(a) full time –

(i) administrative duties:

(ii) technical and other courses (whilst in actual attendance):

(iii) all flying duty:

(iv) type trainer/simulator duties:

(v) dead head flying:

(vi) transit time of less than two hours' duration:

(b) half time –

(i) standby duties

(ii) where the transit time is of two hours' duration or more, the total transit time will count half duty time

Provided that adequate facilities for relaxation are made available.

(5) Subject to the Air Navigation Regulations, in the event of emergency or unusual circumstances the captain of the aircraft, at his discretion, may exceed the duty times laid down.

(6) The minimum rest period shall be eleven hours.

(7) Unless he is engaged in work of a seasonal nature, an employee shall be entitled to a minimum of six days off flying duties in any one calendar month.

(8) Employees shall be entitled to time off, free from all employment duties, on return to base from temporary postings, as follows:-

<i>Time on posting</i>	<i>Time off entitlement</i>
(a) seven days or more but less than fourteen days	two days
(b) fourteen days or more but less than twenty-one days	three days
(c) twenty-one days or more but less than thirty days	four days

(9) An employee who is assigned by his employer to standby duties shall be available immediately.

(10) An employee who is assigned by his employer to reserve duties shall be available at one and one half hours' notice.

(11) No period of reserve duty shall form part of the rest period referred to in subsection (6).

(12) Every employer shall prescribe minimum reporting times for duty.

(13) The employer and the employee shall keep an accurate and true record of all flying hours and hours spent on duty in respect of each employee and such record shall be available for inspection at any time.

Duties and postings: pilots and night engineers

10. (1) An employee may perform any duty within the scope and privilege of his licence and any other administrative duties as may be reasonably required by the employer at any place specified by the employer.

(2) Except in an emergency, an employer shall give, to an employee thirty days' notice of any permanent posting.

(3) Except in an emergency, an employer shall give, to an employee, notice at the rate of one day in respect of any period of ten days' duration of any temporary posting.

(4) An employee shall travel to and from a posting at the expense of his employer.

(5) Prior to any posting, the costs thereof payable by the employer to the employee shall be agreed and such agreement shall be expressed in writing.

(6) An employee who after initial appointment to a main base, is subsequently sent to a different location on a permanent posting shall be reimbursed by his employer for the costs of his dependent's travelling and furniture removal to such location.

(7) an employee whose service is terminated whilst on a foreign posting shall be returned to main base, whenever possible by air, at the employer's expense by the first available means.

(8) Where the dependants of an employee, who is on a foreign posting described in subsection (7), have been permitted to accompany him on such posting, his employer shall, on termination of his service, pay the cost of returning such dependants and their reasonable personal effects, to main base.

(9) Notice of termination of service may be given to an employee at any place, but his service shall not be deemed to have been terminated until the employee is returned to main base from a foreign posting.

(10) The service of an employee, whose service is terminated in terms of subsection (9) but who chooses not to return to main base by the first available means, shall be deemed to have been terminated on the date he would have returned had he returned by the first available means.

(11) An employee shall, whenever required by his employer, undergo such course or courses of instruction, as the employer, at the employer's expense, may require,

including flying or simulator training for instrument rating or conversion training to new types of aircraft.

(12) No employee shall be required to fly in any other operating capacity during his six month's licensing period without being given a sufficient number of piloting hours in that period necessary to maintain his current pilot's category.

(13) No employee shall be required to exercise simultaneously the privileges of two licences, other than a radio telephone license, unless the crew complement for the operation or aircraft concerned has been agreed to by the employer and the employee.

(14) Except with the prior permission of his employer, no employee shall fly in an operational capacity for any other employer or in any air race or in any other private capacity.

Short-time

11. (1) No employer shall place any of his employees on short-time without the prior written approval of the Minister, who may, if he is satisfied that:-

- (a) it is economically necessary for the establishment to work short-time;
 - (b) the establishment will be able to resume normal working hours within the foreseeable future;
 - (c) it would not be in the interests of the employees to be discharged;
- Grant written approval authorising the employer to place on short-time such employees as may be specified in the approval for such period as may be prescribed in the approval.

(2) Approval granted in terms of subsection (1) shall state:-

- (a) the name and address of the employer;
- (b) the class or classes of employees affected; and
- (c) the period for which short time may be applied.

(3) The employer shall give at least one week's notice to each employee concerned of the requirement to work short-time.

(4) Notwithstanding section 23, the employee may, at any time during the one week's notice of short-time referred to in subsection (3), give his employer notice of termination of his contract of employment as from the time such short-time is to commence.

(5) During a period of short-time an employee shall be paid for not less than the hours worked by him:
Provided that no employee shall receive less than three-fifths of his current weekly wage.

(6) An employer shall give the employees concerned at least one working day's notice of resumption of normal hours of work.

Conversion of rates

12. (1) For the purposes of converting a weekly wage to:-

(a) the hourly equivalent, the weekly wage shall be divided by the number of hours ordinarily worked in a week; or

(b) the daily equivalent, the weekly wage shall be divided by the number of days ordinarily worked in a week; or

(c) the monthly equivalent, the weekly wage shall be multiplied by four and one-third.

(2) Computations analogous to those set out in subsection (1) shall be used when converting monthly rates.

(3) In any calculation under this section any fraction of a cent shall be taken as a cent.

Payment of overtime

13. An employee who works overtime shall be paid for such overtime at the following rates for every hour or part thereof to the nearest quarter of an hour worked:-

(a) from Monday to Saturday inclusive, at one and one half times his current hourly wage: and

(b) on a Sunday, an industrial holiday or a rest day, at double his current hourly wage;

Provided that a rest day granted in lieu of a Saturday or Sunday shall, for the purpose of calculating overtime, be deemed to be a Saturday or Sunday, as the case may be.

Deductions

14. No deduction or set off of any description shall be made or allowed from any remuneration, other than a bonus, due to an employee, except:-

(a) where an employee is absent from work on any working day, a *pro rata* amount of his wage for the period of such absence only;

(b) by a written stop-order for contributions to insurance policies, pension funds or medical aid societies;

(c) where a levy is raised on an employer for fuel consumed by an employee housed in a hostel, irrespective of whether the levy is raised as a separate item or as an element in a composite rental, an amount not exceeding twenty cents per month;

(d) amounts recovered for payments made in error or over-payment in wages;

(e) unpaid leave of absence in terms of subsection (11) of section 20;

(f) by written consent of the employee, for repayment of money lent or services rendered by an employer; or

(g) any amount which an employer is compelled by law or legal process to pay on behalf of an employee.

Payment of wages

15.(1) Every employer shall pay wages to each employee, weekly or monthly, as the case may be, on or by due date:

Provided that payments for overtime, bonuses, shift work compensation and allowances shall be made to each employee, weekly or monthly, as the case may be, within three working days of due date.

(2) When the services of an employee are terminated, payment of all remuneration due shall be made on termination unless the services of such employee are terminated summarily, in which case, payment shall be made within twenty-four hours of such termination.

(3) All remuneration shall be paid either in cash or by cheque and shall be accompanied by a wage-slip showing:-

- (a) the name, occupation and grade of the employee;
- (b) the wage rates;
- (c) the period for which payment is made;
- (d) the total number of hours or days worked;
- (e) the amount of overtime;
- (f) the amount of any other payment, bonus, commission or allowance whether paid to or on behalf of the employee;
- (g) any deduction permitted in terms of section 14; and
- (h) the net amount received by the employee.

(4) No employer shall give, and no employee shall accept, any consideration other than cash or cheque in payment of remuneration.

(5) If an employee considers that a payment made to him is less than the amount he should have received, he shall notify his/her employer at the time when payment is made.

(6) Notwithstanding subsection (3), the Minister may, on application by an employer, authorise such employer to use some other system of informing his employees of the make-up of their remuneration.

(7) Any allowance prescribed in the Fifth Schedule, which is payable to employees, may be paid monthly in arrear.

(8) Any alteration in wages or allowances prescribed in the Fifth Schedule which occurs:-

- (a) on or before the fifteenth day of a calendar month, shall be paid on or before the last day of such month; or
- (b) after the fifteenth day of the calendar month, shall be paid during the following month.

Subsistence, accommodation and travel allowances

16. (1) An employee who is required to work so far from his usual place of work as to necessitate his sleeping away from home shall be conveyed to and from such place

at the employer's expense, and shall be paid, in addition to his wages, for the time during which s/he is away from home:-

(a) all proved necessary travelling , accommodation and subsistence expenses; or

(b) a minimum of five dollars per day unproved expenses.

(2) Where transport is required by an employee who is required to work away from his normal place of work, the form of transport to be used shall be mutually agreed upon by the employer and the employee, and payment thereof shall be as follows:-

(a) where public transport is used, an employee shall be paid the cost of such transport; and

(b) where an employee uses his own vehicle, he shall be paid thirty-one cents per kilometre.

Responsibility allowances

17.(1) An employee who is employed for five or more consecutive working days in an acting capacity is any of the occupations for which a responsibility allowance is prescribed in the Fourth Schedule shall be paid the appropriate allowance at the rate of two hundred and sixtieth of the prescribed annual allowance for each working day in which he so acts:

Provided that an employee already receiving a responsibility allowance shall only be paid the higher allowance during his acting appointment.

(2) On completion of six consecutive months' acting appointment, an employee shall be confirmed in that appointment.

Shift work compensation

18. (1) An employee whose occupation is listed in the Fourth Schedule, who is placed on a roster for shift work duties shall be given at least fourteen day's notice thereof.

(2) An employee shall be paid compensation for night shift and Sunday shift, at the rate of one-fifth of his current hourly wage for every hour or part of an hour worked on shift duty, calculated at the nearest quarter of an hour.

(3) An employee who has not received notice in terms of subsection (1) shall be paid, in addition to the compensation payable in terms of subsection (2), disturbed shift compensation at the rate of two dollars per day for five days.

(4) Two consecutive rest days in lieu of Saturday and Sunday shall be given to an employee who works a shift or part of a shift on Saturday and Sunday:

Provided that:-

(i) a rest day granted in lieu of a Saturday or Sunday shall, for the purpose of calculating overtime, be deemed to be a Saturday or Sunday, as the case may be; and

(ii) where a rest day falls on an industrial holiday, a further rest day shall be given to the employee or, at the employer's discretion, he shall be paid in lieu thereof for one day at double his current daily wage.

Piece-work, task-work and work on a ticket system

19. No employer shall give out and no employee shall perform work on a:-
- (a) piece-work basis;
 - (b) task-work basis;
 - (c) ticket system.

Vacation leave

20.(1) In this section, "continuous service", for the purpose of calculating the accrual of vacation leave, includes any period of national service rendered in terms of the National Service Act, 1979 other than Phase 1 service as defined in that Act.

- (2) An employee shall accrue vacation leave at the following rates:-
- (a) in the case of an employee working a five-day week, one and a quarter working days for every month of continuous service; and
 - (b) in the case of an employee working a six-day week, one and a half working days for every month of continuous service; and
 - (c) in the case of an employee who is a skilled worker listed in the Fourth Schedule, two working days for every month of continuous service; and
 - (d) in the case of an employee in any occupation listed in the Fifth Schedule, three working days for every month of continuous service:
- Provided that, for the purpose of calculating the accrued vacation leave, any portion of a month in excess of two weeks shall, on termination of service, be regarded as a full month.

- (3) Vacation leave shall:-
- (a) accrue to an employee from the commencement of his employment; and
 - (b) continue to accrue to an employee during any period of absence on vacation leave.

- (4) An employee:-
- (a) whose occupation is listed in the Third Schedule, may not take vacation leave during the first year of his employment; and
 - (b) whose occupation is listed in the Fourth Schedule, may not take vacation leave during the first six months of his employment;
- Without the consent of his employer.

- (5) Subject to subsection (4), an employee may proceed on vacation leave within six weeks of his applying therefor:-
- (a) where undue hardships would be caused to the employer, the employee may proceed on vacation leave within nine weeks of his applying therefor; and
 - (b) where the employer's undertaking has an annual shutdown, the employee may be required to take his vacation leave during the shut-down; and

(c) an employee engaged in work with a seasonal peak may be required to take vacation leave during the off season.

(6) An employee proceeding on vacation leave shall, upon application to his employer, be paid his current wage and allowance, for the period of such leave prior to his going on leave.

(7) Subject to subsection (8), an employee whose occupation is listed in the Third or Fourth Schedule:-

(a) and who has accumulated vacation leave, may, with the consent of his employer, elect to be paid in lieu of any vacation leave, or portion thereof, in addition to his current wage, in place of proceeding on such leave; and

(b) may, with the consent of his employer, elect to accumulate vacation leave in excess of thirty-six days.

(8) An employee who is a skilled worker listed in the Fourth Schedule:-

(a) shall be granted by his employer and shall take a minimum of ten consecutive days on vacation leave in each year of service; and

(b) subject to paragraph (a), may accumulate the balance of vacation leave which has accrued to him during a period of three years of service; and

(c) shall be informed by his employer, in writing, if the employer is unable to permit him to take the accumulated leave referred to in paragraph (b); and

(d) who is unable, in terms of paragraph (c), to take the accumulated vacation leave referred to in paragraph (b), shall be entitled to payment in lieu of such vacation leave or may continue to accumulate vacation leave during the following year of service.

(9) An employee whose occupation is listed in the Fifth Schedule:-

(a) shall be granted by his employer and shall take a minimum of fourteen consecutive days of vacation leave in each year of service; and

(b) may, with the consent of his employer, take vacation leave in excess of the fourteen consecutive days of vacation leave referred to in paragraph (a); Provided that he gives his employer a reasonable period of notice requesting such additional vacation leave; and

(c) who is unable, due to the existence of his employment, to take vacation leave in excess of the fourteen consecutive days of vacation leave referred to in paragraph (a), shall, if he so requests, be entitled to payment in lieu of such accumulated vacation leave at the time of proceedings on vacation leave in terms of paragraph (a); and

(d) may, with the consent of his employer, accumulate vacation leave in excess of sixty days up to a maximum of ninety days.

(10) An employee whose employment is terminated for any reason whatsoever, whether by himself or by his employer, shall be paid the cash equivalent of any accumulated vacation leave on termination.

(11) An employer may, at his discretion, grant unpaid leave to an employee.

(12) If an employer's undertaking observes a holiday or an industrial holiday, other than an annual shutdown, such holiday or industrial holiday shall not be set off against an employee's accumulated vacation leave.

Industrial holidays

21. (1) All days specified or declared in terms of the Public holiday and Prohibition of Business Act [Chapter 292], as public holidays, shall be industrial holidays.

(2) Subject to subsection (3), every employee shall be granted leave of absence on industrial holidays and shall be paid his normal daily wage for every industrial holiday.

(3) An employer may request an employee to work on an industrial holiday, in which event he shall either:-

(a) with the consent of the employee, grant the employee leave of absence on another day instead of the industrial holiday and pay him not less than his daily wage in respect of the industrial holiday and that other day; or

(b) pay the employee for work done on the industrial holiday, in addition to his normal daily wage in respect of that industrial holiday, for each hour of work done during the ordinary hours of work of the employee for the day of the week on which the industrial holiday falls, at no less than double the current rate of wages of the employee.

Benefits during sickness

22. (1) If an employee, whilst at work, claims to be unfit for work owing to sickness or accident, his employer shall grant to the employee such facilities as may be necessary to enable such employee to be examined by a medical practitioner.

(2) Upon being medically examined, an employee shall obtain a medical certificate stating:-

(a) whether or not s/he is fit for work; and

(b) if s/he is not fit for work, the period for which s/he is likely to be unfit for work;

And shall produce such certificate on his return to work if requested to do so by his employer.

(3) If an employee whose occupation is listed in the Fifth Schedule has obtained, from a medical practitioner, a certificate that s/he is unfit for work, he shall be paid his current wage by his/her employer whilst unfit for work for the period stated by the medical practitioner, but not exceeding, in aggregate, thirty working days in any one year of service.

(4) If an employee whose occupation is listed in the Third or Fourth Schedule has obtained, from a medical practitioner, a certificate that s/he is unfit to work, he shall be paid his current wage by his employer whilst he is unfit for work for the period

stated be the medical practitioner, but not exceeding, in aggregate, twenty-six working days in any one year of service.

(5) If an employee whose occupation is listed in the Fifth Schedule:-

(a) has been paid his wages in terms of subsection (3) for a continuous period of thirty working days or a number of periods aggregating thirty working days in any one year of service; and

(b) is, within that year of service again certified by a medical practitioner as being unfit for work;

He shall be paid by his employer for such period or periods as the medical practitioner may certify him to be unfit, as follows:-

(i) thirty working days at half his current wage; and

(ii) thirty working days at one quarter of his current wage within any one year of service.

(6) If an employee whose occupation is listed in the Third or Fourth Schedule and who has been in continuous service for six months or more:-

(a) has been paid his/her wage in terms of subsection (4) for a continuous period of twenty-six working days or for a number of periods aggregating twenty-six working days in any one year of service; and

(b) is within that year of service again certified by a medical practitioner as being unfit for work;

He shall be paid half his current wage by his employer for such period or periods as the medical practitioner may certify him to be unfit, but not exceeding, in aggregate, twenty-six working days within any one year of service.

(7) The benefits payable to an employee in terms of this section shall be paid on a *pro rata* basis to an employee:-

(a) who is receiving the benefits prescribed in subsections (3) to (6) and who would be working short-time if he were not sick; or

(b) who qualifies to receive the benefit prescribed in subsection (3) to (6) whilst short-time is being worked.

(8) When an establishment returns to normal working hours, an employee receiving sick benefits reduced in terms of subsection (7) shall receive thereafter the full benefits prescribed in this section.

(9) Subject to the Minister's prior approval, an employer shall be entitled to terminate an employee's contract of employment upon fulfilment of subsection (3) and (5) or subsections (4) and (6) as the case may be.

(10) An employee whose occupation is listed in the Third or Fourth Schedule and who is unfit for normal duties on account of sickness or convalescence may be offered light duties at the employer's discretion, and any such period of duty shall not be deemed to be a period of sick leave.

(11) If an employee whose occupation is listed in the Fifth Schedule is unfit for flying duties only, an employer may offer such employee other employment on

administrative duties, and any such period of duty which is offered by an employer and accepted by an employee shall not be deemed to be a period of sick leave.

(12) No allowances shall be paid for any period of duty referred to in subsection (11).

(13) All periods of sick leave or convalescence shall be certified by a medical practitioner.

Provided that the employer may waive the requirement of a medical practitioner for any period of absence of three consecutive working days or less.

(14) An employer may, at any time, require an employee to be examined by a medical practitioner nominated by the employer.

(15) A certificate issued by a State Registered Nurse or a suitably qualified person shall be accepted in place of a medical certificate when no medical practitioner is available.

(16) An employee shall not be entitled to the benefits of this section if his sickness was self-induced or his injury was wilfully self-inflicted.

(17) Subsections (3) to (9) shall not apply to an employee whose sickness is covered by the Accident Prevention and Workers Compensation Scheme, published in Statutory Instrument 68 of 1990, the State Service (Disability Benefits) Act [Chapter 274], or any similar enactment relating to compensations.

Contract and notice

23. (1) An employer shall inform every employee, in writing, upon engagement, of the nature of his contract, including:-

- (a) his occupation or grade; and
- (b) his wage and allowances and when they will be paid; and
- (c) the period of notice required to terminate the contract of employment; and
- (d) the ordinary hours of work; and
- (e) the details of any medical aid or pension scheme; and
- (f) the provision for benefits during sickness; and
- (g) the provision for vacation leave.

(2) Every contract of employment shall provide that an equal period of notice to terminate such contract shall be given by either party, which shall be not less than the interval of time separating one due date of payment from the next:

Provided that:

(i) where a month's notice has been agreed to, it shall be taken to run from the first day of the month following the date on which notice is given: and

(ii) it shall not be necessary for an employee to give notice where he is unable to do so because of some personal emergency or compelling necessity.

(3) Subject to subsection (9) of section 22, neither the employer nor the employee shall give notice of termination of employment during any period of vacation leave,

sick leave or any period of absence from work which has been approved by the employer, except by mutual agreement, in writing.

(4) An employee who has given or received notice to terminate employment shall not be permitted to take vacation leave during the currency of such notice period, except by mutual agreement, in writing.

(5) An employee who has given or received notice of termination of employment shall, on the last day of such notice, be paid by the employer all remuneration due to him.

(6) Subject to subsection 20, an employee who had given or received notice to terminate employment shall, upon termination of his employment, be paid such leave-pay as may have accrued to him at the date of termination.

(7) Nothing contained in this section shall effect the right of the employer to dismiss as employee or of the employee to terminate his employment summarily on grounds recognised by law as justifying instant termination of a contract of employment.

(8) An employer may, in lieu of notice of termination of employment, discharge his obligations by paying an employee his full wage and allowances for the period of notice required to be given in terms of this section.

(9) Any contract of employment which is for a stipulated fixed period shall specify the date of commencement and the date of termination thereof, and no further notice to terminate the contract shall be required from either party.

(10) An employee whose occupation is listed in the Third or Fourth Schedule may be required, at the employer's option, to serve a probationary period of not more than three calendar months from the date of his initial engagement.

(11) After completion of any probationary period required to be served in terms of subsection (10), the employer shall give to the employee confirmation, in writing, of his appointment.

(12) During the probationary period referred to in subsection (10), either party may give one week's notice to terminate the contract of employment.

(13) No employer shall give notice of termination of employment without the prior written approval of the Minister.

Continuous service

24. (1) Continuous service shall be deemed to be broken only by the death, resignation, retirement or discharge of the employee concerned:
Provided that an employee who is discharged and re-engaged by the same employer within two months of such discharge shall be deemed not to have broken his continuous service.

(2) A period of absence without the permission of the employer or a period of absence between discharge and re-engagement of less than two months shall not affect the calculation of any benefit in terms of section 4, 5, 20, 27 and 28.

(3) If, upon the change of ownership of an establishment, an employee enters the service of a new owner, his service with the previous owner shall be reckoned as service with the new owner and shall be deemed not to have been broken by such change of employer:

Provided that, if an employee is paid by the previous owner, a gratuity in terms of section 27 or 28, in respect of his service with that owner, the gratuity payable by the new owner on the termination of employment of such employee may be reduced by the amount of the gratuity paid by the previous owner.

Record of service

25. (1) An employee whose services are terminated, for any cause whatsoever, may request a record of service from his employer.

(2) The record of service supplied by the employer in terms of subsection (1) shall specify the period of service of the employee and the occupation and grade in which he was employed.

Protective clothing, uniforms and tools

26. (1) An employee shall wear, when on duty, such attire or uniforms or insignia as required by an employer.

(2) Such attire or uniforms or insignia as are required to be worn in terms of subsection (1) shall be provided and maintained by the employer without cost to the employee to the employee.

(3) An employer shall provide all necessary protective clothing as may be required for an employee to carry out his duties, which shall include overalls, dustcoats, fuel tank safety clothing, inclement weather apparel, rubber gloves and any such items as may be required from time to time.

(4) The employer shall provide all special and expendable tools and equipment as are required by the employee to carry out the function of his trade or the job for which he has been engaged.

(5) Uniforms, protective clothing, tools and equipment provided by the employer in terms of this section shall remain the property of the employer, and shall be returned to him in good condition, subject to fair wear and tear, on the termination of an employee's employment.

Gratuities on termination of employment

27. (1) An employee whose occupation is listed in the Third or Fourth Schedule and who has completed five or more years of continuous service shall, on the termination of his employment, irrespective of the circumstances of such termination, be paid a gratuity of not less than the amount derived by multiplying the appropriate percentage of the employee's current monthly wage on termination of employment by the number of completed years of service, as set out in the Sixth Schedule.

(2) If an employee who has completed five or more years of continuous service dies before receiving a gratuity in terms of subsection (1), there shall be paid to his estate the sum which the employee would have received if his contract of employment had terminated on the day of his death.

(3) Notwithstanding subsections (1) and (2), no gratuity shall be payable to, or to the estate of, an employee in terms of this section if the employer has made provision for him by means of a pension or gratuity scheme registered as a Fund in terms of the Pension and Provident Funds Act, 1976, which provides benefits which are not less than favourable than those prescribed in this section.

Pensions and gratuities

28. (1) This section shall apply to employees whose occupations are listed in the Fifth Schedule.

(2) If an employer is a contributing member of a pension scheme registered and approved in terms of the Pension and Provident Fund Act, 1976, an employee shall be a joint contributor.

(3) If an employer and employee do not contribute to any pension scheme referred to in subsection (2), the employee shall, on the termination of his service, be paid by his employer a gratuity amounting to not less than five *per centum* of his annual basic salary for each year of continuous service.

(4) On engagement, an employee shall be given a summary of the rules of a pension scheme referred to in subsection (2).

(5) Subject to the rules of a pension scheme referred to in subsection (2), additional voluntary contributions may be made to the pension scheme by an employee.

Insurance

29. (1) This section shall apply to employees whose occupations are listed in the Fifth Schedule.

(2) An employer shall provide, at his cost, insurance cover for each employee against accidental death or permanent disablement resulting from an accident whilst on duty.

(3) The minimum cover for permanent total disablement or death shall be twice the annual basic salary of the employee concerned.

(4) An employee shall, at his request, be provided with a copy of the schedule of compensation.

Medical aid

30. Every employee may belong to a recognised medical aid scheme, and every employer of any such employee may be a joint contributor to such medical aid scheme.

Copy of regulations

31. (1) Every employer shall exhibit a copy of these regulations and any amendments thereto in a place easily accessible to every employer.

(2) Every employer shall exhibit a notice, in the form set out in the Seventh Schedule, showing the number of ordinary working hours per week and the normal daily times of starting and finishing work in his establishment for each class or group of employees whose occupations are listed in the Third and Fourth Schedules.

(3) No person shall, without lawful cause, alter, deface or remove or cause to be altered, defaced or removed, the copy of the regulations referred to in subsection (1), save on the instructions of an employer in giving effect to his responsibilities in terms of subsection (1).

Repeals

32. The regulations specified in the Eight Schedule are repealed.

FIRST SCHEDULE (Sections 3 and 4)

Job functions and job classifications: journeyman

(a) Job functions

- Aircraft trimming and upholstering.
- Avionics.
- Aircraft maintenance
- Airframe overhaul and repair
- Aero-engine maintenance and installation
- Aero-engine overhaul and repair
- Aero-engine accessory overhaul and repair
- Aircraft accessory overhaul and repair
- Aircraft radio/radar overhaul and repair
- Aircraft radio/radar maintenance and installation
- Aircraft electronic component maintenance and installation
- Aircraft electronic component overhaul and repair
- Aircraft electrical component overhaul and repair

Aircraft electrical component maintenance and installation
 Aircraft instruments overhaul and repair
 Aircraft instruments maintenance and installation
 Aircraft welding
 Aircraft sheetmetal shaping, riveting, forming and/or assembling
 Aircraft component viewing
 Tool and equipment manufacture
 Lathe turning
 Machine milling
 Machine grinding
 Machine shaping
 Machine boring
 Aircraft painting, signwriting and spray painting and finishing
 Plant manufacture and maintenance
 Welding
 Electro plating and aircraft material electro processing
 Building maintenance including –
 Bricklaying, carpentry, drainlaying, plumbing, plastering and electric
 Power and light maintenance and installation
 Motor transport maintenance, overhaul and repair
 Radome manufacture and repair (fibre glass)
 Flight engineer's duties
 Fitter armourer's duties.

(b) Job classifications

Avionics technician
 Aircraft technician
 Airframe technician
 Aircraft power plant and engine technician
 Aircraft instrument technician
 Aircraft electrical technician
 Aircraft radio and telecommunications technician
 Aircraft radar technician
 Aircraft stressed skin worker
 Aircraft welder and metal worker
 Aircraft fitter
 Aircraft materials, processor and electro plater
 Aircraft power plant and engine fitter
 Aircraft fitter
 Aircraft electrician
 Aircraft instruments fitter
 Aircraft painter and signwiter
 Carpenter
 Electrician
 Aircraft trimmer
 Painter
 Fitter armourer
 Aircraft fitter/machinist

Fight engineer
General and plant fitter
Motor mechanic
Aircraft sheetmetal worker
Welder
Instrument maker

SECOND SCHEDULE (Sections 3 and 4)

Operations which may be performed by a journeyman's assistant (learner), a journeyman's assistant and a journeyman's leading assistant.

1. Cleaning and blasting aircraft sparking plugs as directed by a journeyman
2. Dismantling of aero-engines and lapping cylinders under the direction and supervision of a working journeyman.
3. Buffing of propeller blades during repair and overhaul.
4. Rubbing down of propeller blades by hand.
5. Making jigs and fixtures employed for handling and executing electroplating and process work under the direction of a journeyman.
6. Waxing, de-waxing and preparation of items requiring electro-plating electro-processing and chemical treatment under the direction of a journeyman.
7. Attaching jigs to jobs for electro-plating and processing.
8. Wiring jobs for electro-plating.
9. Placing of lock rims and bolts *in situ* only on hub of aircraft wheels under the supervision of a journeyman.
10. Cleaning and greasing of bearings and greasing of aircraft wheels or greasing points of wheels, off aircraft, under the supervision of a journeyman.
11. Vapour and sand blasting or aircraft components.
12. Fettling of welds, by hand and mechanical means before welding.
13. Cleaning and lubrication of plant, equipment and machinery.
14. Performing any other operations supervised by a journeyman, but excluding journeyman's work.

THIRD SCHEDULE (Sections 2, 3 and 4)

WAGES AND GRADING (COMMERCIAL EMPLOYEES)

<i>Classification of occupation in grades</i>	<i>Minimum monthly Wage \$ W.E.F 1/7/90</i>
Grade 1	263.00
General labourer	
Messenger	
Hangar and workshop labourer	
Grade 2	293.63
Driver	
Foreman of labourers	
Grade 3	303.76
Storeman's assistant	
Grade 4	303.76
Watchman	
Grade 5	
Telephonist	
Receptionist	
Clerk (class 2)	
Grade 6	364.50
Clerk (Class 1)	
Typist	
Grade 7	374.63
Storeman	
Grade 8	497.52
Shorthand typist	
Grade 9	547.27
Bookkeeper	

FOURTH SCHEDULE (Section 2, 3 and 4)

WAGES, GRADING AND ALLOWANCES (AIRCRAFT) ENGINEERING EMPLOYEES

<i>Classification of occupation in grades</i>	<i>Minimum monthly Wage \$</i>
Grade 1	1 183.62
Skilled worker	
Grade 2	421.60
Skilled worker's leading assistant	
Grade 3	378.67
Skilled worker	

Grade 4	328.06
Skilled worker	
Responsibility allowance	per annum
	\$
Leading hand	968.40
Line engineer	1 128.00
Charge-hand	1 461.60
Inspector	1 461.60
Aircraft maintenance licences or approvals	per month
Allowances (users only)	\$
"A"	26.40
"C"	26.40
"X"	26.40
"B"	52.80
"D"	52.80

FIFTH SCHEDULE (Section 2, 3 and 4)

WAGES, GRADING AND ALLOWANCES (PILOTS AND FLIGHT ENGINEERS)

Part 1

CLASS A EMPLOYEES

Grading and minimum wages

1. The grading of a Class A employee and the wage applicable to him shall be in accordance with the following table:

Grade	Minimum qualifications	Duties	Minimum Monthly Wage \$
(a) P.1.	Valid commercial pilot's licence	Under training Or performing Duties approved By employer	794.40
(b) P.2.	Valid commercial pilot's licence 501 to 1 000 flying hours	Command flying duties specified By employer	919.20

(c) P.3	Valid commercial pilot's licence 1001 to 2000 flying hours	Command flying duties specified By employer	1 108.80
(d) P.4	Valid commercial pilot's licence	Command flying duties specified By employer	1 231.20

Allowances

2. (1) When a Class A employee is required by his employer to undertake the following duties, he shall be paid monthly allowances as follows:

	<i>Monthly Allowance \$</i>
(a) to undertake flights in accordance with instrument Flight rules whilst such employee maintains an instrument Rating on his licence	52.80
(b) to undertake flying instructional duties –	
(i) as an instructor	52.80
(ii) as an assistant instructor	34.80
(c) to undertake administrative duties in addition to Flying duties	52.80

(2) A Class A employee who is entitled to the allowances referred to in subparagraphs (b) and (c) of subparagraph (1), and who performs both such duties, shall be paid the higher allowance only.

(3) A Class A employee who is qualified, and is the holder of a valid airline transport pilot's licence, shall be paid an additional licence allowance of ten dollars per month.

PART II

CLASS B EMPLOYEES

Grading and minimum wages

3. The grading of a Class B employee and the wage applicable to him shall be in accordance with the following table:

Grade	Minimum qualifications	Duties	Aircraft 5 670 kg To 13 608 kg All-up	Turboprop	Jet aircraft above 13 608 kg All-up mass

			mass		
(e) Trainee	Possession of valid commercial pilot's licence, radio-telephone licence and flying experience acceptable to employer	Training by employer for instrument rating, aircraft type conversion and radio communicator	\$ 808.10	\$ 808.10	\$ 917.70
(f) Second Officer Grade 1(A)	Possession of- (a) valid commercial pilot's licence (b) radio-telephone licence (c) 500 to 1000 pilot hours	Flying duties on service- (a) as communicator (b) according to experience	905.80	1 087.10	1 156.30
(g) Second Officer	Possession of- (a) valid commercial pilot's licence endorsed for- (i) group II type rating; (ii) instrument flight rating; (b) valid radio – telephone licence (c) 1 001 to 2 000 pilot hours	Flying duties on service- (a) as communicator (b) according to experience: First year of service Second year of service	971.70	1 087.10	1 279.60
			1 025.10	1 156.30	1 279.60
(h) First Officer Grade II	Possession of – (a) valid	Flying duties on service according to	1 176.30	1 355.70	1 452.50

	commercial pilot's licence with more than 2 000 pilot hours endorsed for- (i) one or more types; (ii) types of aircraft operated by the employer; (iii) instrument flight rating; (b) valid radio-telephone licence	experience : First year of service..... Second year of service Third year of service	1 230 60 1 296.90	1 416.70 1 481.10	1 609.80 1 636.50
(i) First Officer Grade III(A)	Possession of valid airline transport pilot's licence	Flying duties on service according to experience: First year of service..... Second year of service Third year of service Fourth year of service Fifth year of service Sixth year of service	1 532.30 1 525.60 1 599.00 1 672.30 1 608.50 1 681.90	1 568.70 1 606.40 1 666.20 1 732.70 1 782.90 1 852.10	1 741.30 1 782.70 1 843.50 1 902.40 1 961.40 2 005.50
Captain Grade (iv)	Possession of valid airline transport pilot's licence	Flying duties on service according to experience – First year of service.....	1 741.30	1 977.00	2 266.30

		Second year of service	1 812.30	2 041.50	2 316.90
		Third year of service	1 898.90	2 123.90	2 577.20
		Fourth year of service	1 983.90	2 186.30	2 458.60
		Fifth year of service	2 053.90	2 267.50	2 518.60
		Sixth year of service	2 144.50	2 318.40	2 575.10

Allowances

4. (1) When a Class B employee is required by his employer to undertake the following duties, he shall be paid monthly allowance as follows:-

Monthly allowance ***\$***

(a) to undertake administrative duties in addition To flying duties	52.86
(b) to undertake flying instructional duties	70.80

(2) A Class B employee who is entitled to the allowances referred to in subparagraph (a) and (b) of subparagraph (1), and who performs both such duties, shall be paid the higher allowance only.

(3) A Class B employee who is required by his employer to maintain a valid flight navigator's licence or who is required by his employer to perform the duties of a flight navigator shall be paid by his employer an allowance of twenty dollars for every month during which he performs such duties.

SIXTH SCHEDULE (Section 27)

GRATUITIES ON TERMINATION OF EMPLOYMENT

Length of service
Years

Percentage of monthly wage
on termination of
employment

8
9
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SEVENTH SCHEDULE (*Section 31*)

FORM OF NOTICE

Name of establishment

In terms of section 31 of the Air Transport Industry Employment Regulations, 1984 –
(a) the number of ordinary working hours per week for each class or group of employees is

.....

.....

(b) the normal daily times of starting and times of finishing work for each class or group of employees are

.....

.....

(c) attention however is drawn to the following sections of the Industrial Conciliation Act which are not contained in the regulations and cover the requirements relating to maternity leave and nursing mothers.

In terms of section 18 of the Labour Relations Act, 1985 –

(a) a female employee who is pregnant and who furnishes to her employer a certificate signed by a registered medical practitioner or a State Registered Nurse or a suitably qualified person certifying that the birth of her child is likely to take place within the next forty-five days shall, at her request, be granted maternity leave from a date specified by her until at least forty-five days after the date of birth of her child;

(b) the aggregate of leave which an employee may take before and after the birth of her child shall not exceed ninety days:

Provided that –

(i) where the birth of her child in fact takes place after the expiry of the forty-five days, the period of ninety days shall be extended without pay by the number of days that have elapsed between the expiry of such period of forty-five days and the date of birth of the child;

(ii) where a registered medical practitioner or State Registered Nurse certified that, as a result of complications accompanying the birth of a child, the child's mother to convalesce for a specified period in excess of forty-five days after such birth, the period of ninety days shall be extended without pay to include the whole of such period;

(c) if, prior to going on maternity leave she agrees to forfeit the leave or vacation days which she was entitled to accumulate in the previous six months, she shall in addition to receiving all her normal benefits payable by the employer, be entitled to not less than seventy-five *per centum* of her normal pay which shall be payable as and when it would have been regularly payable had she not gone on such maternity leave;

(d) if she was not entitled to any leave or vacation days in terms of paragraph (c), or if she is unwilling to or unable to forfeit such leave or vacation days as referred to in

paragraph (c), she shall be paid not less than sixty *per centum* of her normal pay and benefits payable by the employer;

Provided that –

(i) where a female employee fails, for any reason other than death or dismissal by her employer to return to the employer's service for a period at least as long as that during which she was on maternity leave and on terms not less favourable than she enjoyed prior to going on such leave, she shall be liable for payment to the employer of all the wages and benefits she received from the employer in consideration of such leave;

(ii) the frequency of paid maternity leave that a female employee may take in terms of this subsection shall not exceed once every twenty-four months and a total of three times with respect to her total service to any one employer;

(e) during the period when a female employee is on maternity leave, her normal benefits and entitlements, including her rights of seniority or advancement and accumulation of pension rights, shall continue uninterrupted in the manner in which they would have continued had she not gone on such leave, and her period of service shall not be considered as having been interrupted, reduced or broken by the exercise of her right to maternity leave;