

L.N. 264 of 2000

**CONDITIONS OF EMPLOYMENT (REGULATION) ACT
(CAP. 135)**

**Private Security Services Wages Council
Wage Regulation Order, 2000**

IN exercise of the powers conferred by article 8 of the Conditions of Employment (Regulation) Act, the Deputy Prime Minister and Minister for Social Policy, having received proposals from the Private Security Services Wages Council concerning the Conditions of Employment of the employees in relation to whom the said Wages Council operates, has made the following order:-

Citation,
commencement
and application.

1. (1) The title of this Order is the Private Security Services Wages Council Wage Regulation Order, 2000.

(2) This Order shall come into force on the 1st January, 2002 save for the provisions of article 8 of this Order which shall come into force on the 1st January, 2003:

Provided that during the period between the 1st January, 2002 and the 1st January, 2003, the applicable overtime rates for whole-time employees shall be at a normal flat rate for each hour of work or part thereof.

(3) The provisions set out in this Order shall apply to all employees in respect of whom the Private Security Services Wages Council operates.

Interpretation.

2. In this Schedule unless the context otherwise requires:-

“Act” means the Conditions of Employment Regulation Act;

“week” means a calendar week;

“day” means a period running from midnight of one day to midnight of the next following day;

“weekly day of rest” means a period of twenty-four consecutive hours commencing at the time at which the employee would normally commence his turn of duty;

“time-and-a-half” and “double-time” mean respectively one and a half times, and twice, the minimum time rate applicable to the employee;

“part-time employee” means an employee who works for less than 40 hours per week averaged over a period of six weeks:

Provided that:—

(a) when the employee is employed in such part-time employment on a variable time schedule, the number of hours of work per week shall be the average number of hours of work per week calculated over a six week period; and

(b) when the employee has still to complete a period of six weeks, the average number of hours of work per week shall be calculated over the number of weeks in employment;

“whole-time employee” means an employee who is contracted to work for not less than 40 hours per week averaged over a period of six consecutive weeks;

“wage” means any financial remuneration or earnings payable in money by an employer to his employee;

“period of employment” means the time in any day during which employees are at the disposal of the employer, but inclusive of the intervals allowed for meals and rest;

“half-day” means a period of twelve consecutive hours;

“hours of work” means the time on any day on which employees are on duty in accordance with the normal hours of work described as per article 3 of this Order;

“customary holidays” means the days (other than Sundays) declared for the time being to be public holidays by or under the National Holidays and other Public Holidays Act;

Cap. 252.

3. The minimum weekly wage shall be related to an average of 40 hours per week calculated initially over a period of six consecutive weeks, and thereafter commencing on the following first Monday, provided that the hours of work shall not exceed 48 hours in any one week.

Minimum remuneration for whole-time employees.

4. The minimum weekly wages payable to whole-time employees shall be as follows:

(a) Wardens Lm 65

(b) Other employees.....Lm 50.

Minimum wages for part-time employees.

5. Part-time employees shall be paid *pro rata* at a basic hourly rate not less than that applicable to whole-time employees, that is, the rate per week shown in article 4 hereof, divided by forty:

Provided that:-

(i) those part-time employees who work an average of more than 30 hours per week but less than 35 hours per week spread over a six-week period are entitled to a *pro rata* of the bonus granted to whole-time employees according to the Act and of the weekly allowance granted to whole-time employees in terms of article 4 of the Weekly Allowance National Standard Order, 1988;

(ii) those part-time employees who work an average of 35 hours or more per week spread over a six-week period are entitled to the full bonus granted to whole-time employees according to the Act and to the full weekly allowance granted to whole-time employees in terms of article 4 of the Weekly Allowance National Standard Order, 1988.

L.N. 112 of 1988.

Minimum daily rest.

6. Whole-time employees shall be entitled to intervals for meals and rest of 30 minutes in the aggregate on any one day, taking into account the exigencies of the work.

Minimum weekly rest.

7. A whole time employee shall be entitled to one day of rest every week provided that:-

(a) this day of rest is predetermined by a roster; and

(b) this day of rest is given after not more than six consecutive working days.

Minimum overtime rates.

8. In the case of whole-time employees, overtime rates shall be payable as follows:-

(a) for all time worked in excess of 13 hours in any one day time-and-a-half;

(b) for all time worked in excess of 48 hours in any one week time-and-a-half;

(c) for all time worked in excess of an average of 40 hours per week spread over six consecutive weeks time-and-a-half;

(d) (i) for all time worked on the first pre-determined day of rest time-and-a-half;

(ii) for all time worked on the second or only pre-determined day of rest double time:

Provided that when an employee is called for work on any day of rest, a minimum of 3 hours are to be paid at the appropriate rate shown in this same paragraph;

(e) for all extra hours worked on a customary holiday, over and above the normal hours double time.

Provided that nothing in this article shall be interpreted as conferring a right upon any person to be paid more than once at overtime rates in respect of the same hours worked.

9. Vacation leave entitlement shall be four working weeks and four working days and all customary holidays with full pay. If an employee is required to work on a customary holiday as part of his normal hours of work, he shall be entitled to another day off to be availed of in agreement with his employer. Vacation leave.

10. Whole-time employees shall be entitled to 15 working days sick leave with full pay in every calendar year less any amount of any sickness benefit to which such employee may be entitled in terms of the Social Security Act, and to a further 15 working days sick leave on half pay, less half the sickness benefit to which such employee may be entitled in terms of the Social Security Act: Sick leave.
Cap. 318.

Provided that a medical certificate covering the period of absence is produced to the employer:

Provided further that for the first six months of employment, whole-time employees shall be entitled to a maximum of six working days sick leave with full pay less any sickness benefit to which such employee may be entitled in terms of the Social Security Act.

11. A whole-time employee shall be entitled to a maximum of one year injury leave on full pay, less the full amount of any injury benefit to which such employee may be entitled in terms of the Social Injury leave.

Security Act, provided that such injury occurs during the actual discharge of such employee's duties and is not due to contributory negligence on his part or to any contravention by him of safety rules laid down by the employer or by law.

Special leave.

12. A whole-time employee shall be allowed three working days leave on full pay on the occasion of his marriage and two days leave on full pay on the occasion of the birth of a child to his wife.

Jury service.

13. Whole-time employees called for jury service shall be allowed all necessary time-off to enable them to attend to such service in Court without loss of pay.

Bereavement
leave.

14. A whole-time employee shall be allowed three days leave on full pay on the occasion of the death of any of the following relatives:- the wife, husband, father, mother, (or the person who at the time is acting as the father or mother), son, daughter, brother or sister.