

L.N. 6 of 1996

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

**Sextons and Custodians Wages Council
Wage Regulation Order, 1996**

IN exercise of the powers conferred by section 8 of the Conditions of Employment (Regulation) Act, the Minister of Education and Human Resources, having received proposals from the Sextons and Custodians Wages Council concerning the Conditions of Employment of the employees in relation to whom the said Wages Council operates, has made the following order:—

1. This order may be cited as the Sextons and Custodians Wages Council Wage Regulation Order, 1996 and shall come into force on the 1st February, 1996. Citation and commencement.

2. The provisions set out in the Schedule hereto shall apply to all employees in respect of whom the Sextons and Custodians Wages Council operates. Application of Order.

SCHEDULE

1. This Wages Council Order operates for Sextons and Custodians of churches, museums or buildings open for exhibitions to the public. Applicability.

The word “Custodian” includes, besides a person wholly employed for the custody of a church, museum or building, any person principally, or mainly engaged in the cleaning, maintenance or security of such church, museum or building.

2. In this Schedule, unless the context otherwise requires — Interpretation.

“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.

“hours of work” means the time on any day during which the employees are at the disposal of the employer, exclusive of intervals allowed for meals and rest;

“part-time employee” means an employee who is not a whole-time employee;

“time-and-a-half” and “double-time” mean respectively one and a half times and double the actual time rates applicable to the employee;

“wages” means remuneration or earnings payable in money to an employee by an employer;

“week” means a calendar week;

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

“whole-time employee” means an employee who works for more than twenty hours spread over a period of six days in any one week with the same employer.

Hours of work.

3. The hours of work of sextons shall be 520 hours (40 hours x 13 weeks) spread over a period of 13 weeks commencing from the first week of every quarter, provided that the hours of work shall not exceed 60 hours in any one week, with one day of rest every week.

The hours of work shall be spread over 6 days, so that sextons shall be entitled to at least one day of rest in every period of seven consecutive days.

The hours of work of custodians shall be forty (40) hours spread over a period of six (6) days, so that custodians shall be entitled to one day of rest in every period of seven consecutive days.

Minimum wages.

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

Age 18 and over	Lm42.38c per week
Age 17 to 18 years	Lm39.47c per week
Under 17 years	Lm38.25c per week.

Part-time employees shall be paid pro-rata at an hourly rate or part thereof not below the National Minimum Wage (as per Legal Notice

186 of 1994 or any other notice substituting same) as determined in accordance with the same paragraph and divided by forty.

5. Whole-time employees shall be allowed intervals for meals and rest of not less in the aggregate than an hour on any one day. Minimum daily rest.

6. Whole-time employees shall be entitled to one day of rest in every period of seven consecutive days. Minimum weekly rest.

7. Whole-time sextons shall be entitled to the payment of overtime at time-and-a-half for any hours worked in excess of sixty hours in every one week and/or for any hours worked in excess of 520 hours over any period of 13 consecutive weeks, exclusive of one day of rest every week. Minimum overtime rate.

Whole-time custodians shall be entitled to the payment of overtime at time-and-a-half for any hours worked in excess of forty hours in every one week, exclusive of one day of rest every week.

Whole-time employees shall be entitled to the payment of overtime at double time for any hours worked on the weekly day of rest.

8. Vacation Leave entitlement shall be regulated in terms of the National Standard Order, Legal Notice 38 of 1989, or any other order substituting same, that is four working weeks and four days. Vacation leave.

If any employee is required to work on a customary holiday, he shall be entitled to another day off to be availed of in agreement with his employer.

9. After one year's service, a whole-time employee shall in every calendar year be entitled to twenty days sick leave on full pay less the full amount of any sickness benefit to which such employee may be entitled in terms of the Social Security Act, and twenty days sick leave on half pay less half the amount of any sickness benefit to which such employee may be entitled in terms of the Social Security Act; provided that a medical certificate covering the period of absence is produced to the employer. Sick leave.
Cap. 318.

10. Whole-time employees shall be entitled to two days leave with pay on the occasion of the death of any of these relatives: father, mother or the legal custodian of the employee, wife, husband, son, daughter, brother or sister. Bereavement leave.

11. Whole-time employees shall be entitled to two days leave with pay on the occasion of the birth of a child to the wife. Birth leave.

- Marriage leave. 12. Whole-time employees shall be entitled to three working days leave on full pay on the occasion of their marriage.
- Injury leave. 13. Whole-time employees shall be entitled to a maximum period 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 Security Act, if he is injured during the actual discharge of his duty and not due to contributory negligence on his part or to any contravention of safety rules laid down by the employer.
- Leave for jury service. 14. Whole-time employees called for jury service shall be allowed all the necessary time off on full pay to attend the Court on such service.