L.N. 112 of 1990

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

Beverage Industries Wages Council Wage Regulation (Amendment) Order, 1990

IN exercise of the powers conferred by section 8 of the Conditions of Employment (Regulation) Act, the Minister for Social Policy, having received proposals from the Beverage Industries 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 and commencement. L.N. 29 of 1980. Amends

1. (1) This order may be cited as the Beverage Industries Wages Council Wage Regulation (Amendment) Order, 1990 and shall be read and construed as one with the Beverage Industries Wages Council Wage Regulation Order, 1980, hereinafter referred to as "the principal order".

(2) This order shall come into force on the 23rd July, 1990.

Amends paragraph 1 of the Schedule to the principal order.

2. In paragraph 1 of the Schedule to the principal order, in the definition of "whole-time employee" for the words "thirty-five hours" there shall be substituted the words "thirty hours".

Amends paragraph 2 of the Schedule to the principal order.

3. Paragraph 2 of the Schedule to the principal order shall be amended as follows:—

(a) in sub-paragraph (a) thereof, for the words "forty-five hours" there shall be substituted the words "forty hours"; and

(b) in sub-paragraph (b) thereof, for the words "sixty hours" there shall be substituted the words "fifty-two hours".

Substitutes paragraph 3 of the Schedule to the principal order.

4. For paragraph 3 of the Schedule to the principal order there shall be substituted the following:—

"Minimum remuneration of whole-time employees.

3. The minimum weekly remuneration payable to whole-time employees, both males and females, shall be that shown hereunder:

(a)	watchmen	Lm34.13 x 25c—Lm34.63
(b)	other employees:	
	(i) aged 20 years or over ...	Lm34.13 x 25c—Lm34.63

(ii) aged 18 years or 19 years Lm32.88

(iii) aged 17 years Lm30.24

(iv) aged under 17 years Lm29.13:

Provided that, where the remuneration is incremental, the increment shall be awarded annually.".

Substitutes paragraph 6 of the Schedule to the principal order.

5. For paragraph 6 of the Schedule to the principal order there shall be substituted the following:—

"Minimum overtime rates.

6. (1) Whole-time employees, other than watchmen, outside workers or shift wokers, shall be entitled to overtime remuneration as follows:—

(a) for all time worked in excess of forty hours in any calendar week ..... time-and-a-half;

(b) for all time worked in excess of eight hours on any day of a five-day week ..... time-and-a-half;

(c) for all time worked in excess of eight hours on any day of a five-and-a-half day week ..... time-and-a-half;

(d) for all time worked on any customary holiday, when such day falls on any day other than Saturday and Sunday ..... time-and-a-half;

(e) for all time worked on Sundays or when a customary holiday falls on a Saturday ..... double-time:

Provided that any overtime due in accordance with the provisions of item (b) or (c) of this sub-paragraph shall only be payable if the total time worked in any calendar week is not less than 40 hours and so long as any reduction, in such number of hours is not the result of an employer's order or as a consequence of a customary holiday occuring on a working day.

(2) Whole-time outside workers may be entitled to overtime remuneration on a commission basis:

Provided that such overtime remuneration may be offset against any commission paid to the employee so long as the amount of such commission is not less than the overtime remuneration due to him at the following rates:

(a) for all time worked in excess of forty hours in any calendar week .. time-and-a-half;

(b) for all time worked on any customary holiday, when such day falls on any day other than Saturday and Sunday ..... time-and-a-half;

(c) for all time worked on Sundays or when a customary holiday falls on a Saturday ..... double time.

(3) Shift workers shall be entitled to overtime remuneration as follows:—

(a) for all time worked in excess of forty hours in any calendar week .. time-and-a-half;

(b) for all time worked on any customary holiday, when such a day falls on any day other than a Sunday . time-and-a-half;

(c) for all time worked on a Sunday being in excess of forty hours in any calendar week ..... double-time.

(4) Watchmen shall be entitled to overtime remuneration as follows:—

(a) for all time worked in excess of fifty-two hours in any calendar week time-and-a-half;

(b) for all time worked on any customary holiday, including Sundays, in excess of fifty-two hours in any calendar week ..... double-time.".

6. For paragraph 7 of the Schedule to the principal order there shall be substituted the following:— Substitutes paragraph 7 of the Schedule to the principal order.

"Vacation Leave.

7. (1) In addition to the minimum weekly rest to which whole-time employees may be entitled under paragraph 5, whole-time employees shall be entitled to the National Holidays and to all public holidays with full pay, and to the following vacation leave not being less than:—

(a) four working weeks and one working day during the calendar years 1988 and 1989;

(b) four working weeks and two working days during the calendar year, 1990;

(c) four working weeks and three working days during the calendar year, 1991;

(d) four working weeks and four working days during the calendar year 1992 and during any calendar year thereafter:

Provided that when a whole-time employee is in employment for less than twelve months during any calendar year, he shall be entitled to such part of the said vacation leave as is in proportion to the number of months in employment.

(2) For the purpose of this paragraph "vacation leave" means leave with pay which may be availed of on days agreed upon between the employer and the employee, provided that one day vacation leave during 1988 and 1989, two days vacation leave during 1990, three days vacation leave during 1991 and four days vacation leave during 1992 and during any calendar year thereafter shall not form part of any shutdown and shall be granted by the employer as optional leave in addition to any optional leave the employee may have been entitled to on the 9th November, 1988.".

Substitutes paragraph 8 of the Schedule to the principal order.

7. For paragraph 8 of the Schedule to the principal order there shall be substituted the following:—

"Sick Leave.

8. Whole-time employees shall be entitled to twelve days sick leave on full pay in every calendar year less any sickness benefit to which they may be entitled under the Social Security Act, 1987, provided a medical certificate certifying incapacity for work covering the whole period is produced to the employer:

Provided also that when a whole-time employee is in employment for less than twelve months during any calendar year, he shall be entitled to such part of the said sick leave as is in proportion to the number of months in employment.".

Amends paragraph 10 of the Schedule to the principal order.

8. In paragraph 10 of the Schedule to the principal order, for the words "National Insurance Act, 1956," there shall be substituted the words "Social Security Act, 1987,".

Ippubblikat mid-Dipartiment ta' l-Informazzjoni – Kastilja — *Published by the Department of Information – Castille*
Mitbugħ fl-Istamperija tal-Gvern — *Printed at the Government Printing Press*

Prezz 2c — *Price 2c*