

Government Notice No. 16 of 2022

THE WORKERS' RIGHTS ACT 2019

Regulations made by the Minister under sections 33 and 124 of the Workers' Rights Act 2019

1. These regulations may be cited as the Workers' Rights (Additional Remuneration) (2022) Regulations 2022.
2. In these regulations –
 - “Act” means the Workers' Rights Act 2019;
 - “export enterprise” has the same meaning as in the Export Enterprises (Remuneration) Regulations 2019;
 - “worker” –
 - (a) means a person who works or has worked under a contract of service or apprenticeship, whether –
 - (i) the contract is express or implied, oral or in writing; and
 - (ii) the person is paid daily, weekly, fortnightly, monthly or otherwise; and
 - (b) includes a part-time worker and an atypical worker; but
 - (c) does not include a public officer.
3. (1) For the purpose of section 33(1) of the Act –
 - (a) the additional remuneration shall, in relation to –
 - (i) a full-time worker, who earns a monthly basic wage or salary –
 - (A) of up to 13,000 rupees, be 500 rupees per month;

(B) above 13,000 rupees, be 400 rupees per month;

(ii) a part-time worker who earns a monthly basic wage or salary –

(A) of up to 13,000 rupees, be 3.85 per cent of that monthly basic wage or salary, rounded up to the next rupee, but the amount paid as additional remuneration shall not exceed 500 rupees per month;

(B) above 13,000 rupees, be 400 rupees per month;

(b) the appointed date shall be 1 January 2022.

(2) The payment of the additional remuneration specified in paragraph (1) payable to a worker, other than a migrant worker, employed on a full-time basis in an export enterprise shall, for the months of January 2022 to December 2022, consist of –

(a) where the worker earns a monthly wage or salary of up to 13,000 rupees, 360 rupees payable by the employer and 140 rupees payable in accordance with regulation 3 of the Workers' Rights (Payment of Special Allowance 2022) Regulations 2022; and

(b) where the worker earns a monthly wage or salary above 13,000 rupees, 260 rupees payable by the employer and 140 rupees payable in accordance with regulation 3 of the Workers' Rights (Payment of Special Allowance 2022) Regulations 2022.

4. For the purpose of determining the appropriate additional remuneration payable to a worker who is remunerated otherwise than on a monthly basis, a fortnight or a week shall be deemed to consist

of such number of days as is prescribed in any other enactment or agreed upon in relation to that worker.

5. (1) Subject to subparagraph (2), where a worker is remunerated on a piece rate basis at rates prescribed in –

- (a) the Banks Fishermen and Frigo-workers (Remuneration) Regulations 2019;
- (b) the Cinema Employees (Remuneration) Regulations 2019;
- (c) the Tea Industry Workers (Remuneration) Regulations 2019; or
- (d) any other enactment,

such rates shall, as from 1 January 2022, be increased by –

- (i) 3.85 per cent in respect of a worker drawing a basic wage or salary of up to 13,000 rupees per month, but the amount paid as additional remuneration shall not exceed 500 rupees per month;
- (ii) 3.08 per cent, in respect of a worker drawing a basic wage or salary above 13,000 rupees a month, but the amount paid as additional remuneration shall not exceed 400 rupees per month.

(2) The piece rates prescribed under subparagraph (1) shall include any previous additional remuneration granted under any other enactment.

6. These regulations shall be deemed to have come into operation on 1 January 2022.

Made by the Minister on 21 January 2022.