

EMPLOYMENT RELATIONS PROMULGATION 2007
(PROMULGATION NO. 36 OF 2007)

Wages (Printing Trades) Regulations 2015

IN exercise of the powers conferred upon me by section 264(1)(w) of the Employment Relations Promulgation 2007, and following the advice of the Employment Relations Advisory Board, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Wages (Printing Trades) Regulations 2015.

(2) These Regulations shall come into force on 1st July, 2015.

Application

2. These Regulations shall apply to those workers whose minimum rate of remuneration without taking into consideration any allowance, bonus, overtime payment or additional payment whatsoever, whether in money or otherwise, does not exceed \$250.00 per week and who are employed in any undertaking or any part of an undertaking engaged in a printing process in respect of which a licence under the Business Licensing Act (Cap. 204) is in force or is required by law for such undertaking and their employers.

Interpretation

3. In these Regulations, unless the context otherwise requires—

“binding skilled” means a worker who is wholly or mainly employed in sewing, stitching, perfect binder, collator or gathering, guillotine and any other automated binding machine and includes personnel in the art of hand binding in this classification;

“binding un-skilled” means a worker who is wholly or mainly employed in the finishing process of collating, inserting, gathering or any other manual tasks without any prior experience in the trade of printing;

“casual worker” means a worker whose terms of engagement provide for the worker’s payment at the end of each day’s work and who is not re-engaged within the 24 hour period immediately following the payment;

- “cleaner” means a worker who cleans, especially whose regular work is cleaning buildings, equipment and related matters;
- “driver” means a worker who is wholly or mainly employed in driving a mechanically propelled vehicle for the transport of goods in connection with their sale, warehousing or sorting;
- “handyman” means a worker who is employed wholly or mainly in labour chores within the employer’s service otherwise not defined;
- “learner” means a worker who has worked in the industry for at least one year;
- “LMCCC” means the Labour Management, Consultation and Cooperation Committee;
- “overtime” means work performed in excess of the normal hours on a normal working day and all work performed on days other than a normal working day;
- “part-time worker” means a person who is employed under a contract of service on a part-time basis for a specified number of hours a day or specified number of hours or days a week;
- “pre-press” means a worker who is wholly or mainly employed in graphics, typesetting, proof reading or copy holding, photolithography or automated computer to plate processes;
- “printer” means a worker who is wholly or mainly employed as an off-setting machine operator and who should have 3 years’ experience in the industry;
- “printer assistant” means a worker who is wholly or mainly employed in assisting paper loading, ink filling or ink cleaning;
- “Promulgation” means Employment Relations Promulgation 2007;
- “public holiday” means any of the days specified in section 64 of the Promulgation or any day appointed by notification in the *Gazette* under section 66 of the Promulgation;
- “week” means a period of 7 consecutive days; and
- “worker” means a worker to whom these Regulations apply.

Rates of remuneration

4.—(1) The minimum hourly rates of remuneration to be paid to the class of workers specified in the first column of the Schedule, whether such workers are employed hourly, daily, weekly or for any period, shall be those contained in the second column of the Schedule.

(2) The minimum hourly rate of remuneration to be paid to casual and part-time workers is 25% more than the minimum rates specified in the second column of the Schedule.

Working week

5. A working week for a worker other than a casual worker shall consist of either five working days of 9 hours per day or six working days of 8 hours per day.

Public holidays

6.—(1) Subject to sub-regulation (2), every worker other than a casual worker must be paid in respect of each public holiday for the number of hours (exclusive of overtime) the worker would normally have worked on that day had it not been a public holiday.

(2) This regulation does not apply to a worker unless the worker—

- (a) worked for the employer throughout the last working day preceding the public holiday; and
- (b) presented himself or herself for work on the first working day after the public holiday.

(3) The requirement of sub-regulation (2) shall be deemed to have been complied with in any case where the worker is—

- (a) excused from presenting himself or herself for work by the employer;
- (b) prevented from presenting himself or herself for work by illness or injury verified by a medical certificate from a registered medical practitioner; or
- (c) prevented from presenting himself or herself for work by any other cause acceptable to the employer.

Overtime

7.—(1) Overtime remuneration shall be paid to a worker other than a casual worker as follows—

- (a) for all time worked in excess of 9 hours for workers whose employment contract is fixed on five working days in a week;
- (b) for all time worked in excess of 8 hours for workers whose employment contract is fixed on six working days in a week; and
- (c) for all time worked on a Sunday or a public holiday.

(2) The remuneration payable under sub-regulation (1) shall, in the case of public holidays, be in addition to that payable under regulation 6.

(3) The rate of remuneration payable under sub-regulation (1) shall be—

- (a) in respect of overtime worked on a day other than Sunday or a public holiday—
 - (i) one and a half times the worker's normal hourly rate of remuneration for the first 4 hours; and
 - (ii) twice the worker's normal hourly rate thereafter; and
- (b) in respect of overtime worked on a Sunday or a public holiday, twice the worker's normal hourly rate of remuneration.

- (4) A minimum of 4 hours overtime remuneration at the rates specified in sub-regulation (3) is to be paid in respect of any overtime worked on a public holiday or a Sunday.

Meal allowance

8. Every worker who is required to work overtime in excess of 2 hours on any normal working day shall be entitled to a meal allowance of \$6.00 or a decent hot meal.

Sick leave

9.—(1) Where a worker who has completed more than 3 months continuous service with the same employer and who is incapable of work because of sickness or injury, the worker is entitled to paid sick leave of not less than 10 working days during each year of service.

(2) Sick leave entitlement must not be accumulated and unused sick leave for each year automatically lapses in the next year.

(3) For a worker to be entitled to sick leave, the worker must—

- (a) as soon as reasonably practicable notify the employer of his or her absence and the reason for it; and
- (b) produce, if requested by the employer, a written certificate signed by a registered medical practitioner, certifying the worker's incapacity for work.

Bereavement leave

10. A worker who has completed more than 3 months continuous service with the same employer is entitled to 3 days paid bereavement leave in a year, in addition to any other leave entitlement.

Occupational Health and Safety compliance

11.—(1) The employer has a duty of care responsibility under section 9 of the Health and Safety at Work Act 1996 to ensure, as far as possible, the workers' health, safety and welfare while at work.

(2) The Health and Safety at Work (General Workplace Conditions) Regulations 2003 specifies the conditions which must be followed by all employers in any work place to ensure that the workers are protected according to the requirements of the Health and Safety at Work Act 1996 where some of these requirements in these Regulations include the provision of personal protective equipment, which must be provided by the employer without any cost to the employees.

Grievance procedure

12. In the case of a grievance in the workplace, the parties shall resort to the grievance procedure in the employment contract or in the absence of such contract, shall use the procedure stipulated in Schedule 4 of the Promulgation.

Labour Management, Consultation and Cooperation Committee

13.—(1) All employers with more than 20 workers are required by section 9(1)(d) and (3) of the Promulgation to have a Labour Management, Consultation and Cooperation Committee to assist them to review and develop work practices in order to promote good faith employment relations and increase productivity.

(2) All employers must complete LMCCC forms as a general obligation to ensure the attainment of quality control.

Sexual harassment

14. All employers are required to develop and maintain a policy to prevent sexual harassment in the workplace.

Notices

15.—(1) An employer shall display a written notice in the workplace for the purpose of informing the workers of any wages regulations affecting them.

(2) An employer that fails to comply with sub-regulation (1) commits an offence and shall be liable to a fixed penalty of \$100.

(3) If the employer fails to pay the fixed penalty within the specified period of time, the offender shall be liable on conviction—

(a) for an individual, to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 2 years or both; or

(b) for a body corporate, to a fine not exceeding \$50,000.

Revocation

16. The Wages Regulation (Printing Trades) Order 2012 is hereby revoked.

Made this 23rd day of June 2015.

J. K. KONROTE

Minister for Employment, Productivity and Industrial Relations

SCHEDULE
(Regulation 4)

<i>Class of Workers</i>	<i>Minimum Hourly Remuneration No age discrimination</i>	
	<i>[First Column] Learner</i>	<i>[Second Column] Permanent</i>
Pre-press	\$2.72	\$3.28
Binding un-skilled	\$2.72	\$3.28
Binding skilled	\$2.72	\$3.28
Printer Assistant	\$2.72	\$3.28
Printer	\$2.72	\$3.28
Driver	—	\$2.72
Cleaner	—	\$2.72
Handyman	—	\$2.72

