

Office Attendants (Remuneration Order) Regulations 2000

GN No. 67 of 2000

Repealed by [GN No. 326 of 2013]

THE INDUSTRIAL RELATIONS ACT

Regulations made by the Minister under section 96 of the Industrial Relations Act

1. These regulations may be cited as the **Office Attendants (Remuneration Order) Regulations 2000.**

2. In these regulations-

"continuous employment" means the employment of an employee under a contract of service or under more than one contract of service where the interval between one contract of service and the next does not exceed 28 days;

"earnings" means-

- (a) basic wages; and
- (b) remuneration paid under paragraphs 4 (I), 10, 11, 12 and I7(1)(a) and (3) of the Second Schedule;

"Head Office Attendant" means a person engaged under a contract of service, express or implied, for the purpose of supervising Office Attendants working under him, transmitting to them orders received from his employer or superior, and performing such other duties as may be required of him by his employer;

"Office Attendant"--

- (a) means a person employed under a contract of service, express or implied, for the purpose of performing one or more of the following duties: - running errands, watching premises during business hours, cleaning premises, operating a telephone switchboard, working a lift, answering calls or bells, keeping records, obtaining receipts for articles delivered, greeting callers and attending to their requests, supplying information to callers and directing them to persons called upon and doing other similar duties;
 - (b) includes a Head Office Attendant;
 - (c) does not include a person employed in the sugar industry or tea industry or by any parastatal body or local authority.
3. (1) Subject to paragraph (3) and regulation 5, an Office Attendant shall be remunerated at the rates specified in the First Schedule and shall be governed by the conditions of employment specified in the Second Schedule.

- (2) The rates specified in the First Schedule are inclusive of the additional remuneration payable under the Additional Remuneration Act 1999.
- (3) Where a scale of wages applies to an Office Attendant, his entry point in the scale shall be determined having regard to the number of completed years of service he reckons with his employer in the particular category, and every office Attendant shall receive one increment for every completed year of service.
4. An agreement by an Office Attendant to relinquish his right to a paid leave or to forego such leave shall be void.
5. Nothing in these regulations shall-
- (a) prevent an employer from paying to an Office Attendant remuneration at a rate higher than that specified in the First Schedule or from granting him conditions of employment more favourable than those specified in the Second Schedule;
- (b) authorise an employer to reduce an Office Attendant's remuneration or to alter his conditions of employment so as to make them less favourable.
6. The Messengers (Remuneration Order) Regulations 1983 are revoked.
7. These regulations shall be deemed to have come into operation on 01 May 2000.

Made by the Minister on 16 May 2000.

FIRST SCHEDULE
(regulations 3 and 5)

Head Office Attendant	Monthly Basic Wages Rs
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1 st year	4105
2 nd year	4140
3 rd year	4175
4 th year	4210
5 th year	4250
6 th year	4290
7 th year	...	...	...	...	4330
8 th year	...	...	...	...	4375
9 th year	...	...	...	...	4420
10 th year and thereafter	...	..	..	..	4465

Monthly Basic Wages
Rs

Office Attendant

1 st year			...	3665
2 nd year	...	...	...	3695
3 rd year	...	...	...	3725
4 th year	...	...	...	3755
5 th year		...	...	3790
6 th year	...	...	...	3825
7 th year	...	...	...	3860
8 th year	...	...	...	3900
9 th year	...	...		3940
10 th year and thereafter		...		3980

SECOND SCHEDULE (regulations 2, 3 and 5)

1. Appointment of Head Office Attendant

- (1) An employer who employs more than 5 Office Attendants shall employ one Head Office Attendant for every 5 Office Attendants
- (2) A Head Office Attendant shall be selected having regard to seniority, efficiency and merit.
- (3) A Head Office Attendant shall be responsible to his employer for the proper performance of the duties of Office Attendants working under his supervision.
- (4) A Head Office Attendant shall not be required to supervise more than 5 Office Attendants.

2. Appointment of Temporary Office Attendant

An Office Attendant may be engaged temporarily or on probation at daily rates for a period not exceeding 90 days in a year, whether consecutive or not.

3. Normal Working Hours

- (1) A normal working week shall consist of 5 days of 8 hours and one day of 5 hours exclusive of one hour for lunch which shall be granted between 9 a.m. and noon.
- (2) Except on the five-hour day, the employer shall grant his Office Attendant 15 minutes for a tea break in the afternoon.

4. Extra Work

- (1) Subject to subparagraph (2), an Office Attendant who-
 - (a) works on a public holiday, shall be remunerated-
 - (i) for the first 8 hours, at twice the basic rate;

(ii) thereafter, at 3 times the basic rate;

(b) performs more than a normal dory's work on any other day, shall be remunerated at one and a half times the basic rate.

(2) An Office Attendant who performs extra work after 7.00p.m. shall in addition to any remuneration payable under subparagraph (1), be paid a meal allowance of 25 rupees per day.

5. Notional Calculation of Basic Rate

For the purpose of determining remuneration due for extra work or for any other cause-

(a) a month shall be deemed to consist of 26 days;

(b) a day shall be deemed to consist of 8 hours.

6. Sharing Services of Office Attendants

Where the services of an Office Attendant are with his consent shared by 2 or more employers, the employers shall be jointly and severally liable for the remuneration and conditions of employment of the Office Attendant.

7. Payment of Wages

(1) An Office Attendant shall be paid his wages during working hours-

(a) in the case of a monthly paid Office Attendant, not later than the last day of the month; and

(b) in the case of a temporary Office Attendant or an Office Attendant on probation, not later than the last working day of the week.

(2) Every employer shall, at the time of paying the wages of an Office Attendant, issue to him a pay slip stating inter alia-

(a) the name of the Office Attendant and his category;

(b) his total wages and each item of allowance;

(c) all deductions made and the reasons therefor;

(d) the total number of days on which he was present at work;

(e) the number of hours of extra work performed and the corresponding extra payment at corresponding rates; and

(f) his social security number.

8. Travelling Benefits

- (1) Every Office Attendant shall either be entitled to free transport or, where no free transport is available, be paid the return bus fare if the distance between his residence and the place where he reports for work exceeds 3.2 km.
- (2) Where an Office Attendant is required by his employer to attend or cease work at any time when no public bus service is available, the employer shall, irrespective of the distance between the place of residence and the place of work, provide appropriate free means of transport from the employee's residence to or from his place of work or both, as the case may be, provided that in these cases transport shall be provided up to the nearest practicable place from the employee's residence.
- (3) Subject to the distance limit specified in subparagraph (1), every Office Attendant who attends work by his own means of transport shall be entitled to an allowance equivalent to the corresponding return bus fare.

9. Outfitting

- (1) An Office Attendant shall be entitled to-
 - (a) 2 uniforms, 2 pairs of shoes and one head gear every year; and
 - (b) a raincoat every 4 years.
- (2) The head gear may be retained by the Office Attendant when a fresh issue is made.
- (3) The outfitting specified in paragraph 1 (a) shall be issued not later than 31 July in every year.

10. Annual Leave

- (1) Where an Office Attendant has remained in continuous employment with the same employer for 12 consecutive months, he shall be entitled to 14 working days' leave on full pay in the following 12 months.
- (2) Seven days of the leave specified in subparagraph (1) may be taken consecutively.
- (3) Subject to subparagraph (4), where an Office Attendant has not taken or been granted all the leave to which he is entitled under subparagraph (1), he shall be paid a normal day's wages in respect of each day's annual leave still due at the end of that period.
- (4) Subparagraph (3) shall not apply where, before the expiry of the period of 12 months, an Office Attendant has-
 - (a) been dismissed from his employment for misconduct; or
 - (b) broken his agreement.

11. Sick Leave

- (1) Subject to subparagraph (2), where an Office Attendant who has remained in continuous employment with the same employer for 12 consecutive months is sick, he shall, during the following 12 months, be entitled to-
 - (a) 21 days' sick leave on full pay; and
 - (b) a further period of 15 days on half pay in respect of any time which is-
 - (i) wholly spent in a clinic or hospital; or
 - (ii) certified by a medical practitioner of the clinic or hospital as being necessary for the recuperation of his health after his discharge from the clinic or hospital
- (2) Where an Office Attendant absents himself on grounds of sickness, he shall notify his employer of the fact not later than the second day of absence and, if he remains sick for more than 4 consecutive days, he shall forward a medical certificate to that effect so as to reach his employer on the fifth day of absence.
- (3) An employer may, at his own expense, cause a medical practitioner to examine an Office Attendant who is absent on grounds of sickness.

12. Special Leave

An Office Attendant shall, on giving notification to his employer, be entitled to not more than 2 days' leave on full pay on the occasion of-

- (a) his marriage;
- (b) the marriage of his child, brother or sister;
- (c) the death of his spouse, parent, child, brother or sister.

13. Funeral Expenses

- (1) Where an Office Attendant who has been in continuous employment with the same employer for not less than 12 consecutive months dies, the employer shall pay an amount of 2,500 rupees to-
 - (a) his spouse; or
 - (b) if he leaves no spouse, to any person, designated by his employer, who has borne the funeral expenses.
- (2) In this paragraph-

"spouse" means the person with whom the Office Attendant had contracted a civil or religious marriage and with whom he was living under a common roof at the time of his death.

14. End of Year Bonus

- (1) An Office Attendant who has remained in continuous employment with the same employer for one year shall be entitled, at the end of that year, to a bonus equivalent to one-twelfth of his earnings for that year.
- (2) Every Office Attendant who,--
 - (a) takes employment during the course of the year;
 - (b) is still in employment as at 31 December; and
 - (c) has performed a number of days' work equivalent to not less than 80 per cent of the working days during his employment in that year, shall be entitled at the end of that year to a bonus equivalent to 1/12 of his earnings for that year.
- (3) All bonuses under this paragraph shall be paid not later than 5 clear working days before 24 December.

15. Driving Allowance

An Office Attendant who is required in addition to his normal duties to drive a private car shall be paid an allowance of 15 per cent of his basic wages every month.

16. Cleaning of Sanitary Conveniences

- (1) An Office Attendant who opts to clean sanitary conveniences regularly shall-
 - (a) be paid an extra allowance of 200 rupees per month; and
 - (b) be issued with a pair of rubber gloves.
- (2) The gloves shall be replaced as and when they become unserviceable.

17. Medical Expenses

An Office Attendant who has remained in continuous employment with the same employer for 12 months shall be entitled to a sum not exceeding 300 rupees a year for medical expenses incurred by him during that year and which are supported by appropriate documents.

18. Maternity Benefits

- (1) Subject to subparagraph (2), where a female Office Attendant has remained in continuous employment with the same employer for 12 months immediately preceding her confinement, she shall, on production of a medical certificate, be entitled to--
 - (a) 12 weeks' leave on full pay to be taken at her discretion before and/or after

confinement provided that at least 6 weeks' leave shall be taken immediately following the confinement; and

(b) an allowance of 1,000 rupees payable within 7 days of her confinement.

- (2) Where a female Office Attendant who has at any time had 3 confinements is pregnant, she shall not be entitled to the benefits specified in subparagraph (1) but she shall be entitled to only the leave specified in subparagraph (1)(a) without pay.
- (3) Where a Government Medical Officer certifies that a female Office Attendant has suffered from a miscarriage, the female Office Attendant shall be entitled to not less than 2 weeks' leave on full pay immediately after the miscarriage.

19. Overseas Leave

- (1) Every employer shall grant to every Office Attendant reckoning continuous employment with him for a period of at least 15 years one overseas leave of at least 2 months to be wholly spent abroad.
- (2) At least one month of the leave specified in subparagraph (1) shall be with pay, such pay being effected in advance and at least 7 days before the Office Attendant proceeds abroad.
- (3) For the purposes of annual and sick leave and end of year bonus, such leave shall be deemed to constitute attendance at work.

20. Gratuity at Death or on Retirement before 60

- (1) Subject to subparagraph (2), every employer shall pay a gratuity where an Office Attendant-
 - (a) dies; or
 - (b) retires before the age of 60 on ground of permanent incapacity to perform his work duly certified by a Government Medical Officer, provided the Office Attendant has been in continuous employment for not less than 10 years with the employer.
- (2) Where the death of an Office Attendant occurs after the age of 60, the gratuity under subparagraph (1) shall be payable only if the Office Attendant has not been paid severance allowance by the employer in accordance with the Labour Act on or after reaching the age of 60.
- (3) The gratuity shall be paid-
 - (a) in a lump sum and calculated according to the formula $N \times W/2$, where "N" means the number of years of service and "W" means the last monthly wage;
 - (b) to the Office Attendant or the deceased Office Attendant's spouse or where he leaves no spouse, in equal proportions to his dependents;

- (c) irrespective of any benefits the Office Attendant or the deceased Office Attendant's spouse or his dependents, as the case may be, may be entitled to under the National Pensions Act.

(4) For the purpose of subparagraph (3)-

- (a) "spouse" means the person with whom the deceased Office Attendant had contracted a civil or religious marriage and with whom he was living under a common roof at the time of his death;
- (b) "dependant" means any person who was living in the deceased Office Attendant's household and was wholly or partly dependent on his earnings at the time of his death.