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No. 1810/21 – MONDAY, MAY 13, 2013

(Published by Authority)

## PART I : SECTION (I) – GENERAL

### Government Notifications

My No.: CA/ Estate/ 01/ 2013.

#### THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

THE Collective Agreement entered into between the Employers' Federation of Ceylon. No. 385 J3, Old Kotte Road, Rajagiriya of the one part and Ceylon Workers' Congress, No. 72, Ananda Coomaraswamy Mawatha, Colombo 07, the Lanka Jathika Estate Workers Union, No. 60, Bandaranaikepuram, Sri Jayawardenapura Mawatha, Rajagiriya and the Joint Plantations Trade Union Centre, No. 89, Dharmapala Mawatha, Matale of the other part on the 04 th day of April, 2013 is hereby published in terms of Section 06 of the Industrial Disputes Act, Chapter 131, of the Legislative Enactments of Ceylon (Revised Edition 1956).

V. B. P. K. WEERASINGHE,  
Commissioner of Labour.

Department of Labour,  
Labour Secretariat,  
Colombo 05.  
30th April, 2013.

#### Collective Agreement No. 10 of 2013

#### PLANTATION WORKERS WAGES COLLECTIVE AGREEMENT 2013

THIS AGREEMENT made and entered into between the Employer's Federation of Ceylon, having its registered office at No. 385, J3 Old Kotte Road, Rajagiriya of the First Part (hereinafter called and referred to as the party of the First Part, which term shall mean and include the member Companies whose names are mentioned in the annexed Schedule) and the Ceylon Workers' Congress, having its registered office at No. 72, Ananda Coomaraswamy Mawatha, Colombo 7, the Lanka Jathika Estate Workers Union, having its registered office at No. 60, Bandaranaikepuram, Sri Jayawardenapura Mawatha, Rajagiriya and the Joint Plantations Trade Union Centre, having its registered office at No. 89, Dharmapala Mawatha, Matale of the Second Part (hereinafter jointly and severally called the party of the Second Part).

WHEREAS negotiations took place between the said parties for a revision of the Wage Collective Agreement entered into between them on 6th June 2011 (Collective Agreement No. 22 of 2011) in respect of the manual grade employees in the Tea and Rubber plantations under the management of the said Companies and a revised agreement has been reached in respect of wages and other relevant payments, it is agreed by and on behalf of the parties concerned as follows :

1. The employees working on daily rates of pay in a manual capacity shall with effect from 1 st April, 2013 receive the following remuneration package.

1A - PG1634 -445 (2013/05)

This Extraordinary Gazette can be downloaded from [www.documents.gov.lk](http://www.documents.gov.lk).

**A. Tea**

- i. A daily wage of Rs. 450/- on which EPF and ETF benefits shall be paid.
- ii. A daily Attendance In centive of Rs. 140/- shall be paid to workers whose attendance is 75% and over of the number of days work offered per month. In computing the number of days work offered, work offered on Sundays, Poya days and other statutory holidays shall not be counted.

When the required 75% attendance works out to a decimal of a full figure, the figure shall be rounded down to the completed full figure, before the decimal point, e.g., if 25 days work is offered, and the 75% outturn equals 18.75 days, the qualification period for Attendance Incentive shall be 18 days.

In the case of the worker who has qualified for the payment of Attendance Incentive, during the preceding 3 month period, but he/she is hospitalized in the qualifying month, such worker will be considered for the payment of Attendance Incentive as if he/she has worked on the days he/she was Hospitalized and the relevant days would be notionally added for qualification for Attendance Incentive. It is mandatory for the period of hospitalization to be supported by documentary evidence confirming in-house treatment at a government/ registered hospital.

- iii. A fixed price share Supplement of a sum of Rs. 30/- per day
- iv. The payment referred to at (ii) and (iii) above shall not constitute part of an employee's earings for the payment of any consequential benefits such as EPF, ETF etc. thereon.
- v. The over kilo rate for Tea shall be increased to Rs. 20/-
- vi. The new rate set out in 1A(iii) shall come into effect from 1st April 2013.
- vii. For work performed on a Sunday the Employer shall pay 1 - 1/ 2 times of the basic wage of Rs. 450/- and the fixed PSS of Rs. 30/-.

**B. Rubber**

- i. A daily wage of Rs. 450/- on which EPF and ETF benefits shall be paid.
- ii. A daily Attendance In centive of Rs. 140/- shall be paid to workers whose attendance is 75% and over of the number of days work offered per month. In computing the number of days work offered, work offered on Sundays, Poya days and other statutory holidays shall not be counted.

When the required 75% attendance works out to a decimal of a full figure, the figure shall be rounded down to the completed full figure, before the decimal point, e.g., if 25 days work is offered, and the 75% outturn equals 18.75 days, the qualification period for Attendance Incentive shall be 18 days.

In the case of the worker who has qualified for the payment of Attendance Incentive, during the preceding 3 month period, but he/she is hospitalized in the qualifying month, such worker will be considered for the payment of Attendance Incentive as if he/she has worked on the days he/she was Hospitalized and the relevant days would be notionally added for qualification for Attendance Incentive. It is mandatory for the period of hospitalization to be supported by documentary evidence confirming in-house treatment at a government/ registered hospital.


- iii. A fixed price share Supplement of a sum of Rs. 30/- per day
- iv. The payment referred to at (ii) and (iii) above shall not constitute part of an employee's earings for the payment of any consequential benefits such as EPF, ETF etc. thereon.
- v. The over kilo rate for Rubber shall be increased to Rs. 30/- per Kilo.
- vi. The new rate set out in 1B(iii) shall come into effect from 1st April 2013.

- vii. For work performed on a Sunday the Employer shall pay 1 - 1/2 times of the basic wage of Rs. 450 and the fixed PSS of Rs. 30/-.

**C. There will be no other payment in addition to the payments referred to in terms of items 1A and 1 B.**

2. The Provisions of this Agreement shall supersede and replace the provisions of the Plantation Workers' Wage Collective Agreement (No. 22 of 2011)
3. Parties agree that the remuneration package as determined under Clause 1 above shall remain in force until 31st March, 2015 and neither party shall in any manner add or attempt to add to, vary or alter this remuneration package or any of the direct monetary payments currently applicable to the employees.
4. The parties once again agree to co - operate and commit themselves in improving the efficiency and productivity of the estates and encourage more dialogue and settlement of operational issues at estate level in harmony.
5. This Agreement is entered into in accordance with Clause 6 of the Collective Agreement between the parties signed on 24th July, 2003 (Collective Agreement No. 13 of 2003) and until such time the provisions of the said Agreement is re - negotiated, the provisions of the said agreement shall apply other than in respect of matters covered herein.


IN WITNESS HEREOF PARTIES HAVE SET THEIR HANDS HEREUNTO ON THIS FOURTH DAY OF APRIL TWO THOUSAND AND THIRTEEN AT COLOMBO.


  
A THONDAMAN  
General Secretary  
Ceylon Workers Congress


  
K VELAYUDHAM  
General Secretary  
Lanka Jathika Estate Workers' Union


  
S RAMANATHAN  
President  
Joint Plantations Trade Union

**Witnesses:**

  
**P G CHANDRASENA**  
 Vice President  
 Joint Plantations Trade Union

  
**S. MURUGAIYAH**  
 Financial Secretary  
 Joint Plantations Trade Union

  
**RAVINDRA SAMARAWERA**  
 President  
 Lanka Jathika Estate Workers' Union

  
**K MARIMUTTU**  
 Vice President Admin.  
 Ceylon Workers Congress

#### SCHEDULE

##### Employers covered by this Agreement

- 1) Agalawatte Plantations PLC
- 2) Balangoda Plantations PLC
- 3) Bogawantalawa Tea Estates PLC
- 4) Elkaduwa Plantations LTD
- 5) Elpitiya Plantations PLC
- 6) Hapugastenne Plantations PLC
- 7) Horana Plantations PLC
- 8) Kahawatte Plantations PLC
- 9) Kegalle Plantations PLC
- 10) Kelani Valley Plantations PLC
- 11) Kotagala Plantations PLC
- 12) Madulsima Plantations PLC
- 13) Malwatte Valley Plantations PLC
- 14) Maskeliya Plantations PLC
- 15) Maturata Plantations PLC
- 16) Namunukula Plantations PLC
- 17) Pussellawe Plantations LTD
- 18) Talawakelle Tea Estates PLC
- 19) Udupussellawa Plantations PLC
- 20) Watawala Plantations PLC