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අති විශේෂ EXTRAORDINARY

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No. 1710/14 – THURSDAY, JUNE 16, 2011

(Published by Authority)

PART I: SECTION (I) – GENERAL

Government Notifications

My No. සා.ගි./වතු/01/2011.

THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

THE collective Agreement entered into between the Employers' Federation of Ceylon, No. 385 J 3, Old Kotte Road, Rajagiriya of the one part and the 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 Plantation Trade Union Centre, No. 89, Dharmapala Mawatha, Matale of the other part on 6th day of June 2011 is hereby published in terms of Section 06 of the Industrial Disputes Act, Chapter 131, of the Legislative Enactments of Ceylon (Revised Edition 1956)

HERATH YAPA,

Actg. Commissioner General of Labour.

Department of Labour,
Labour Secretariat,
Colombo 05.
16th June, 2011.

Collective Agreement No. 22 of 2011

PLANTATION WORKERS WAGES COLLECTIVE AGREEMENT 2011

This Agreement made and entered into between the Employers' 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 07, the Lanka Jathika Estate Workers Union, having its registered office at No. 60, Bandaranaikepuram, Sri Jayawardenapura Mawatha, Rajagiriya and the Joint Plantation Trade Union Centre, having its registered office at No. 89, Dharmapala Mawatha, Matale of the Second part (hereinafter jointly and severally called the part 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 16th September 2009 (Collective Agreement No. 14 of 2009) 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 1st April 2011, receive following remuneration package.

A. TEA

- i. A daily wage of Rs. 380 on which EPF and ETF benefits shall be paid;
- ii. A daily Attendance Incentive of Rs. 105 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, Poyadays 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 18.75days, 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 earnings 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. 17;
- vi. The new rate set out in 1A(iii) shall come into effect on the date of signing the Agreement;
- vii. For work performed on a Sunday the Employer shall pay 1 1/2 times of the basic wage of Rs. 380 and the fixed PSS of Rs. 30.

B. RUBBER

- i. A daily wage of Rs. 380 on which EPF and ETF benefits shall be paid;
- ii. A daily Attendance Incentive of Rs. 105 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 Rs. 30 Per day;
- iv. The payment referred to at (ii) and (iii) above shall not constitute part of an employee's earnings 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. 25 per kilo;
- vi. The new rate set out in 1B(iii) shall come into effect on the date of signing the Agreement;
- vii. For work performed on a Sunday the Employer shall pay 1 1/2 times of the basic wage of Rs. 380 and the fixed PSS of Rs. 30.

C. NOTIONAL ARREARS

In respect of the period 1st April 2011 to 31st May 2011 the employer shall pay notional arrears based on the wages and attendance incentive in terms of clause 1A(i and ii) and 1B (i and ii). This payment shall not constitute a part of the employees' earnings for the purpose of any consequential benefits such as EPF, ETF etc. The payment of notional arrears shall be made in the month of August 2011.

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

2. The provisions of this Agreement shall supersede and replace the provisions of the Plantation Workers' Wage Collective Agreement (No. 14 of 2009).
3. Parties agree that the remuneration package as determined under Clause 1 above shall remain in force until 31st March 2013 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 that 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
Thousand and Eleven/11

A. THONDAMAN
General Secretary
Ceylon Workers Congress


M. S. A. H. MOHIDEEN
Administrative Secretary
Lanka Jathika Estate Workers


S. RAMANATHAN
President
Joint Plantations Trade Union

Name: 
Designation: 



SCHEDULE**Employers covered by this Agreement**

1. Agalawatte Plantations PLC
2. Agarapatana Plantations Ltd
3. Balangoda Plantations PLC
4. Bogawantalawa Tea Estates PLC
5. Elkaduwa Plantations Ltd
6. Elpitiya Plantations PLC
7. Hapugastenne Plantations PLC
8. Horana Plantations PLC
9. Kahawatte Plantations PLC
10. Kegalle Plantations PLC
11. Kelani Valley Plantations PLC
12. Kotagala Plantations PLC
13. Madulsima Plantations PLC
14. Malwatte Valley Plantations PLC
15. Maskeliya Plantations PLC
16. Maturata Plantations Ltd
17. Namunukula Plantations PLC
18. Pussellawa Plantations Ltd
19. Talawakelle Tea Estates PLC
20. Udapussellawa Plantations PLC
21. Watawala Plantations PLC
22. Sri Lanka State Plantations Corporation
23. Janatha Estates Development Board.