



# THE CEYLON GOVERNMENT GAZETTE

EXTRAORDINARY

No. 9,586 — SATURDAY, JULY 27, 1946.

Published by Authority.

## PART I.—GENERAL.

(Separate paging is given to each Part in order that it may be filed separately.)

### GOVERNMENT NOTIFICATIONS.

#### THE WAGES BOARDS ORDINANCE.

##### Notification.

IN accordance with the provisions of section 26A of the Wages Boards Ordinance, No. 27 of 1941, the Wages Board for the Tea Growing and Manufacturing Trade hereby notifies its intention to make, by virtue of the powers vested in it by sections 20, 24, 25 and 26, the decisions set out in the following Schedule, which shall apply to workers engaged in the Cocoa, Cardamom and Pepper Growing and Manufacturing Trades, to which trades the powers, duties and functions of the said Wages Board extend by virtue of the Order published in *Gazette* No. 9,546 of April 26, 1946.

Objections to the proposed decisions will be received by the Chairman of the Board until 12 noon on 21st August, 1946. Every such objection must be made in writing and must contain a statement of the grounds upon which such objection is taken.

Colombo, July 26, 1946.

A. E. CHRISTOFFELSZ,  
Chairman, Wages Board for the Tea Growing and Manufacturing Trade.

##### Schedule.

##### Part I.

##### Direction under Section 20 (2) (b).

The special allowance shall be computed and published monthly by the Commissioner of Labour.

The special allowance for a normal working day in any month shall be computed on the cost of living index number for the month immediately preceding that month.

##### Definition of a normal working day (section 24).

The number of hours constituting a normal working day (inclusive of one hour for a meal) shall be nine.

##### Part II.

The minimum rate of wages for time work shall consist of—

- (1) a basic rate, and
- (2) a special allowance, as set out hereunder.

1.	2.	3.
Class of worker.	Basic Rate for a normal working day.	Rate of Special Allowance for a normal working day in any month.
Male worker not under 16 years of age ..	58 cents	Where the cost of living index number for the preceding month is 215, the special allowance shall be— for a male worker not under 16 years of age .. 67 cents for a female worker not under 15 years of age .. 54 cents for a child worker .. 47 cents Where the cost of living index number for the preceding month is above or below 215, the rates of the special allowance hereinbefore prescribed shall be increased or decreased, as the case may be, for each complete unit of 5 points by which the index number exceeds or falls short of 215 (no account being taken of any fraction of that unit) by an amount computed at the rates set out hereunder as illustrated in tables below*. 3 cents in the case of a male worker not under 16 years of age. 2 cents in the case of a female worker not under 15 years of age. 2 cents in the case of a child worker. * Tables illustrating the application of the preceding paragraph. 1.—Special allowance in the event of a rise in the index number.
Female worker not under 15 years of age ..	46 cents	
Child worker ..	41 cents	

Index numbers.	Special allowance		
	for a male worker not under 16 years of age.	for a female worker not under 15 years of age.	for a child worker.
	Cents.	Cents.	Cents.
215-219 ..	67	54	47
220-224 ..	70	56	49
225-229 ..	73	58	51
230-234 ..	76	60	53
235-239 ..	79	62	55

Index numbers.	Special allowance		
	for a male worker not under 16 years of age.	for a female worker not under 15 years of age.	for a child worker.
	Cents.	Cents.	Cents.
215-211 ..	67	54	47
210-206 ..	64	52	45
205-201 ..	61	50	43
200-196 ..	58	48	41
195-191 ..	55	46	39

\* "Child worker" means a male worker under 16 years of age or a female worker under 15 years of age.

Notwithstanding anything to the contrary contained in the preceding provisions of this Part, the minimum rate of wages for time work for any worker engaged in watching (field) and cattle keeping on a Sunday shall be one and a half times the minimum rate of wages for time work fixed for such worker in respect of a normal working day.

### Part III.

#### Overtime Rates.

In respect of each hour of work in excess of the normal working day, the minimum overtime rate shall be the minimum hourly rate (ascertained by dividing the daily minimum rate of wages for time work by 8) increased by—

- (a) 25 per cent. of such minimum hourly rate, in case such work is performed between the hours 7 A.M. and 7 P.M.; and
- (b) 50 per cent. of such minimum hourly rate, in case such work is performed between the hours 7 P.M. and 7 A.M.

In the computation of the overtime rate—

- (1) a fraction of a cent which is less than one-half of a cent shall not be taken into account;
- (2) one-half of a cent shall be calculated according to the even number rule, that is, to the nearest even number; and
- (3) a fraction of a cent which is greater than one-half of a cent shall be counted as one cent.

Notwithstanding anything to the contrary contained in the preceding provisions of this Part, the minimum overtime rate for any worker engaged in watching (field) and cattle keeping on a Sunday shall, in respect of each hour of work in excess of the normal working day, be twice the minimum hourly rate applicable to him (such hourly rate being ascertained by dividing the daily minimum rate of wages for time work applicable to him by 8).

### Part IV.

#### Weekly holiday (section 24).

Every employer shall allow each Sunday as the weekly holiday to all workers employed under him: Provided, however, that an employer may employ any worker on a Sunday, subject to the conditions—

- (1) that a day within the six days next succeeding such Sunday shall be allowed to that worker as a holiday;
- (2) that in respect of work done on such Sunday—
  - (a) a worker who has worked for 9 hours (inclusive of one hour for a meal) or for any period that falls short of nine hours by reason of the failure of the employer to provide him with work shall be remunerated at  $1\frac{1}{2}$  times the minimum rate of wages for a normal working day,
  - (b) a worker who has worked for less than 9 hours (inclusive of one hour for a meal) by reason of his unwillingness to work, shall for each hour that he has worked, be paid  $1\frac{1}{2}$  times the hourly rate (ascertained by dividing the minimum rate of wages for a normal working day by 8),
  - (c) a worker who has worked for more than 9 hours (inclusive of one hour for a meal) shall be remunerated at twice the hourly rate (ascertained by dividing the minimum rate of wages for a normal working day by 8) for each hour of work in excess of 9 hours; and
- (3) that the remuneration due to a worker for work done on the weekly holiday during any period shall be paid within the time prescribed for the payment of wages for such period by section 2 (b) of the Wages Boards Ordinance.

The preceding provisions of this paragraph shall not apply to workers engaged in watching (field) and cattle keeping.

#### Annual holidays (section 25).

1. (a) If a male worker of not less than 16 years of age has been in continuous employment under the same employer and has worked for more than 228 days in any year (hereinafter called the "qualifying year"), he shall be allowed in the next succeeding year a holiday or holidays calculated at the rate of 1 holiday for each unit of 5 days by which the number of days on which the worker has worked exceeds 228: Provided, however, that it shall not be obligatory on an employer to allow any such holiday in respect of any period of work in excess of 288 days.

(b) If a female worker or a child worker has been in continuous employment under the same employer and has worked for more than 204 days in any year (hereinafter called the "qualifying year"), such worker shall be allowed in the next succeeding year a holiday or holidays calculated at the rate of 1 holiday for each unit of 5 days by which the number of days on which the worker has worked exceeds 204: Provided, however, that it shall not be obligatory on an employer to allow any such holiday in respect of any period of work in excess of 264 days.

2. (i) If a worker is entitled in any year to seven holidays he shall be allowed, and he shall take those seven holidays on consecutive days.

(ii) If a worker is entitled in any year to more than seven holidays he shall be allowed, and he shall take, at least seven of those holidays on consecutive days.

3. Subject to the provisions of paragraph 2, a worker shall be allowed his holiday or holidays on a day or days to be mutually agreed upon between him and his employer, but he shall not be allowed such holiday or holidays during the period April to June.

4. In respect of each holiday a worker shall be paid as remuneration his average daily wages ascertained by dividing the total wages (exclusive of overtime and bonuses) earned by him during the qualifying year, by the number of days on which the worker has worked during that year.

5. The remuneration due to a worker in respect of his holiday or holidays shall be paid to him before such holiday or holidays, but not earlier than 10 days before such holiday or holidays.

6. Where a worker leaves his employment of his own accord or is discontinued or is dismissed from employment he shall, at the date of such leaving, discontinuance or dismissal be remunerated for each holiday to which he was entitled at that date.

7. For the purposes of the foregoing provisions—

"child worker" means a male worker under 16 years of age or a female worker under 15 years of age;

"days on which the worker has worked" shall be deemed to include—

- (i) every holiday allowed by the employer to the worker under section 25;
- (ii) every holiday or day of absence from work to which a worker is entitled by or under the provisions of any written law other than the Wages Boards Ordinance;
- (iii) every day of absence on any grounds approved by the employer other than absence from the Island except on a holiday allowed by the employer under section 25;
- (iv) every day of absence due to any injury to the worker caused by an accident arising out of and in the course of his employment, provided such injury had been notified to the employer;
- (v) every day of absence due to any occupational disease specified in Schedule III. of the Workmen's Compensation Ordinance (Chapter 117);
- (vi) every day on which the employer fails to provide work for the worker; and
- (vii) every day of absence due to a strike or lockout that is not illegal, in case such days do not in the aggregate exceed 30 days a year;

but shall not include the day fixed as the weekly holiday under section 24.

"year" means a continuous period of 12 months.

8. The foregoing decisions shall not apply in respect of employment at any time more than twelve months prior to the date on which the decisions come into force.

## THE WAGES BOARDS ORDINANCE.

## Notification.

I, Arthur Eric Christoffels, Commissioner of Labour, being the competent authority appointed under section 20 (2) of the Wages Boards Ordinance, No. 27 of 1941, by the Minister by notification published in *Gazette* No. 9,327 of November 3, 1944, do hereby declare that the cost of living index number for the month of July, 1946, applicable to workers in each of the trades specified in the Schedule hereto is 225.

A. E. CHRISTOFFELS,  
Commissioner of Labour.

Colombo, 26th July, 1946.

## Schedule.

1. The Tea Growing and Manufacturing Trade.
2. The Rubber Growing and Manufacturing Trade.
3. The Coconut Trade.
4. The Plumbago Trade.

L. D.—B. 80/44.

## SPECIAL ALLOWANCE PAYABLE TO WORKERS IN THE TEA GROWING AND MANUFACTURING, AND THE RUBBER GROWING AND MANUFACTURING TRADES.

IT is hereby notified under section 20 (2) (b) of the Wages Boards Ordinance, No. 27 of 1941, that the cost of living index number for the above trades for the month of July, 1946, being 225, the special allowance payable for a normal working day in the month of August, 1946, will be as follows:—

Class of Worker.	Special allowance for a normal working day.
Male worker not under 16 years of age ..	73 cents
Female worker not under 15 years of age ..	58 cents
Child worker ..	51 cents

A. E. CHRISTOFFELS,  
Commissioner of Labour.

Colombo, 26th July, 1946.

L. D.—B. 80/44.

## SPECIAL ALLOWANCE PAYABLE TO WORKERS IN THE COCONUT TRADE.

IT is hereby notified, under section 20 (2) (b) of the Wages Boards Ordinance, No. 27 of 1941, that the cost of living index number for the above trade for the month of July, 1946, being 225, the special allowance payable for a normal working day (to workers other than those employed on piece work) in the month of August, 1946, will be as follows:—

Class of Worker.	Special allowance for a normal working day.
Male worker not under 18 years of age (including a kangany) ..	71 cents
Female worker not under 18 years of age ..	51 cents
Worker (irrespective of sex) under 18 years of age ..	44 cents

A. E. CHRISTOFFELS,  
Commissioner of Labour.

Colombo, 26th July, 1946.

L. D.—B. 80/44.

## SPECIAL ALLOWANCE PAYABLE TO WORKERS IN THE PLUMBAGO TRADE.

IT is hereby notified, under section 20 (2) (b) of the Wages Boards Ordinance, No. 27 of 1941, that the cost of living index number for the above trade for the month of July, 1946, being 225, the special allowance payable for a normal working day in the month of August, 1946, will be as follows:—

Class of Worker.	Special allowance for a normal working day.
Male worker not under 18 years of age ..	47 cents
Female worker not under 18 years of age ..	39 cents
Worker (irrespective of sex) under 18 years of age ..	39 cents

A. E. CHRISTOFFELS,  
Commissioner of Labour.

Colombo, 26th July, 1946.

L. D.—B. 80/44.

## THE WAGES BOARDS ORDINANCE.

## Notification.

I, William James Albert van Langenberg, Acting Director of Statistics, being the competent authority appointed under section 20 (2) of the Wages Boards Ordinance, No. 27 of 1941, by the Minister by notification published in *Gazette* No. 9,327 of November 3, 1944, do hereby declare that the cost of living index number for the month of July, 1946, applicable to workers in each of the trades specified in the Schedule hereto is 227.

W. J. A. VAN LANGENBERG,  
Colombo, 26th July, 1946. Acting Director of Statistics.

## Schedule.

1. The Engineering Trade.
2. The Printing Trade.
3. The Tea Export Trade.
4. The Rubber Export Trade.

L. D.—B. 80/44.

## SPECIAL ALLOWANCE PAYABLE TO WORKERS IN THE ENGINEERING TRADE.

IT is hereby notified, under section 20 (2) (b) of the Wages Boards Ordinance, No. 27 of 1941, that the cost of living index number for the above trade for the month of July, 1946, being 227, the special allowance payable for a normal working day in the month of August, 1946, will be as follows:—

Class of Worker.	Special allowance for a normal working day.
Unskilled labourers ..	77 cents
Semi-skilled workers, Grade I. ..	87 cents
Semi-skilled workers, Grade II. ..	87 cents
Skilled workers ..	87 cents
Kanganies ..	87 cents
Watchers ..	87 cents
Trade learners and apprentices—	
1st year ..	25 cents
2nd year ..	33 cents
3rd year ..	46 cents
4th year ..	58 cents

A. E. CHRISTOFFELS,  
Commissioner of Labour.

Colombo, 26th July, 1946.

L. D.—B. 80/44.

## SPECIAL ALLOWANCE PAYABLE TO WORKERS IN THE PRINTING TRADE.

IT is hereby notified, under section 20 (2) (b) of the Wages Boards Ordinance, No. 27 of 1941, that the cost of living index number for the above trade for the month of July, 1946, being 227, the special allowance payable for the month of August, 1946, will be as follows:—

Class of Worker.	Special allowance.				
	Rs.	c.	Rs.	c.	Rs.
Class A worker other than learner or apprentice ..	50	0			
Class B worker other than learner or apprentice ..	37	50			
Class C worker other than learner or apprentice ..	31	25			
Class D worker other than learner or apprentice ..	25	0			
Class E worker ..	23	45			
Class F worker ..	11	25			
Class G worker ..	25	0			
	1st Year.	2nd Year.	3rd Year.	4th Year.	5th Year.
	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.
Class A learner or apprentice ..	15	0	20	0	25
Class B learner or apprentice ..	11	25	18	75	22
Class C learner or apprentice ..	12	50	15	60	18
Class D learner or apprentice ..	10	0	12	50	15

A. E. CHRISTOFFELS,  
Commissioner of Labour.

Colombo, 26th July, 1946.

L. D.—B. 80/44.

## SPECIAL ALLOWANCE PAYABLE TO WORKERS IN THE TEA EXPORT TRADE.

IT is hereby notified, under section 20 (2) (b) of the Wages Boards Ordinance, No. 27 of 1941, that the cost of living index number for the above trade for the month of July, 1946, being 227, the special allowance payable for a normal working day in the month of August, 1946, will be as follows:—

Class of Worker.	Special allowance for a normal working day.
A. Male workers not under 18 years of age—	
(a) Grade II. ..	77 cents
(b) Intermediate Grade ..	87 cents
(c) Grade I. ..	87 cents
(d) Box makers and repairers ..	87 cents
(e) Watchers ..	87 cents
B. Female workers not under 18 years of age	65 cents
C. Workers (irrespective of sex) under 18 years of age—	
Over 14 years but under 15 years ..	40 cents
Over 15 years but under 16 years ..	45 cents
Over 16 years but under 17 years ..	50 cents
Over 17 years but under 18 years ..	60 cents

A. E. CHRISTOFFELS,  
Commissioner of Labour.

Colombo, 26th July, 1946.

L. D.—B. 80/44.

SPECIAL ALLOWANCE PAYABLE TO WORKERS IN THE  
RUBBER EXPORT TRADE.

IT is hereby notified, under section 20 (2) (b) of the Wages Boards Ordinance, No. 27 of 1941, that the cost of living index number for the above trade for the month of July, 1946, being 227, the special allowance payable for a normal working day in the month of August, 1946, will be as follows:—

Class of Worker.	Special allowance for a normal working day.
A. Male workers not under 18 years of age—	
(a) Grade II. ..	77 cents
(b) Intermediate Grade ..	87 cents
(c) Grade I. ..	87 cents
(d) Watchers ..	87 cents
B. Female workers not under 18 years of age	65 cents
C. Workers (irrespective of sex) under 18 years of age—	
Over 14 years but under 15 years ..	40 cents
Over 15 years but under 16 years ..	45 cents
Over 16 years but under 17 years ..	50 cents
Over 17 years but under 18 years ..	60 cents

Colombo, 26th July, 1946. A. E. CHRISTOFFELSZ,  
Commissioner of Labour.

## MISCELLANEOUS DEPARTMENTAL NOTICES.

**Dearness Allowance payable on Estates to Labourers to whom Wages Boards Decisions do not apply.**

IT is hereby notified for general information that as the Index Number for estate labourers for the month of July, 1946, is 225, the Dearness Allowance payable for each working day in July, 1946, to labourers to whom minimum wages

under the Wages Boards Ordinance are not payable is as follows:—

	Up-country. Cents.	Mid-country. Cents.	Low-country Cents.
A male labourer ..	51	49	47
A female labourer ..	40	39	38
A child labourer ..	40	39	38

The classification of an estate as Up, Mid or Low shall be as in Notification No. 281 of December 21, 1940, published in the *Government Gazette* of December 23, 1940.

Colombo, July 26, 1946. A. E. CHRISTOFFELSZ,  
Commissioner of Labour.

Cost of Living Index Number, Working Class,  
Colombo Town.

Group.	Weight.	Index Number July, 1946.
Food ..	63.66	113
Fuel & Light ..	7.26	111
House Rent. ..	7.08	122
Clothing ..	8.78	173
Miscellaneous ..	13.24	154
<b>Total ..</b>	<b>100.00</b>	<b>124</b>

Index Number, July, 1946 (Average Price  
November, 1942 = 100) .. 124

INDEX NUMBER, JULY, 1946  
(AVERAGE PRICE, NOVEMBER, 1938-  
APRIL, 1939 = 100) .. 227