

## GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 71 OF 2018

**The Minimum Wages and Conditions of  
Employment Act**

(Laws, Volume 15, Cap. 276)

**The Minimum Wages and Conditions of Employment  
(General) (Amendment) Order, 2018**

IN EXERCISE of the powers contained in section 3 of the Minimum Wages and Conditions of Employment Act, the following Order is made:

- |  |   |
|--|---|
| <p>1. This Order may be cited as the Minimum Wages and Conditions of Employment (General) (Amendment) Order, 2018, and shall be read as one with the Minimum Wages and Conditions of Employment (General) Order, 2011.</p>   | <p>Title<br/>S.I. No. 2<br/>of 2011</p>                 |
| <p>2. Paragraph 2(1) of the principal Order is amended by the deletion of item (d) and the substitution therefor of the following:</p> <p style="padding-left: 40px;">(d) in any occupation where wages and conditions of employment are—</p> <p style="padding-left: 80px;">(i) regulated through the process of collective bargaining under the Industrial and Labour Relations Act; or</p> <p style="padding-left: 80px;">(ii) governed by any agreement between an employer and employee providing for conditions which are not less favourable to the employee than the minimum conditions set out in this Order.</p> | <p>Amendment<br/>of paragraph<br/>2</p> <p>Cap. 269</p> |
| <p>3. Paragraph 3 of the principal Order is amended by the insertion in the—</p> <p style="padding-left: 40px;">(a) definition of “qualified clerk”, between the words “whose” and “qualification”, of the word “minimum”; and</p>   | <p>Amendment<br/>of paragraph<br/>3</p>                 |

(b) appropriate places, of the following new definitions:

“assistant sales person” means an employee engaged in attending to customers in a business, but who does not completely effect a credit sale or register cash received;

“child” has the meaning assigned to the word in the Constitution;

“dependent” means a person who is eighteen years old or below and resides in the home of the employee but is not that employee’s child;

“packer” means a person who packs and prepares goods for transportation or sale;

“pump attendant” means a person who works at a filling station or garage where fuel is served to customers and whose duties include, filling customers’ vehicles with fuel to the requested level, taking cash and providing change or preparing bank fuel charge slips, checking the oil and water levels of vehicles and cleaning windscreens;

“sales person” means a person employed to—

(a) attend to customers in a business for the purpose of completely effecting a sale;

(b) display goods; or

(c) keep and control stock; and

“service station attendant” means a person who works at a filling station or garage where fuel is served to customers, performs services other than accepting payment and whose tasks include, checking the oil and water levels of a vehicle, cleaning windscreens, checking the air pressure of tyres and pumping them if necessary and changing flat tyres;.

Cap. 1

Amendment  
of Schedule

4. The Schedule to the principal Order is amended by the—
- (a) deletion of paragraph 1(1) and the substitution therefor of the following:
- (1) The minimum wages, excluding any amount paid in lieu of rations, are as follows:
- (a) Category I—five kwacha and forty-eight ngwee (K5.48) per hour or one thousand and fifty kwacha (K1, 050.00) per month, for a person engaged as—

- (i) a general worker, not elsewhere specified;
  - (ii) a cleaner;
  - (iii) a handy person;
  - (iv) an office orderly; or
  - (v) a service station attendant;
- (b) category II—five kwacha and forty-eight ngwee (K5.48) per hour or one thousand and fifty kwacha (K1,050.00) per month, for a person engaged as a watchperson or a guard;
- (c) category III—six kwacha and fourteen ngwee (K6.14) per hour or one thousand two hundred and seventy-eight kwacha (K1,278.00) per month, for a person engaged as—
- (i) an assistant sales person;
  - (ii) a packer; or
  - (iii) a book binder;
- (d) category IV—seven kwacha and twenty-eight ngwee (K7.28) per hour or one thousand five hundred and three kwacha (K1,503.00) per month, for a person engaged as a—
- (i) driver; or
  - (ii) pump attendant;
- (e) category V—eight kwacha and forty-nine ngwee (K8.49) per hour or one thousand six hundred and twenty-nine kwacha (K1,629.00) per month, for a person engaged as a—
- (i) typist; or
  - (ii) receptionist or telephonist;
- (f) category VI—nine kwacha and seventy-six ngwee (K9.76) per hour or two thousand and thirty-one kwacha (K2,031.00) per month, for a person engaged as a sales person; and

(g) category VII—eleven kwacha and fifty-three ngwee (K11.53) per hour or two thousand one hundred and sixty-seven kwacha and seventy ngwee (K2,167.70) per month, for a person engaged as a qualified clerk.;

(b) deletion of paragraph 2(5) and the substitution therefor of the following:

(5) An employee required to work between the hours of 18:00 hours and 06:00 hours shall be paid—

(a) an hourly rate of pay in categories I and II; and

(b) shift differential at the rate of fifteen percent of the employee's hourly rate of pay for each hour worked between those hours.;

(c) deletion of paragraph 5(2);

(d) deletion of paragraph 6(1) and the substitution of the following:

(6) (1) Subject to subparagraph (2) an employee who is unable to execute the employee's normal duties due to illness or accident not occasioned by the employee's default shall on production of a medical certificate from a registered medical doctor or health facility designated by the employer and where the employee has completed a continuous period of service of not less than six months be granted paid sick leave at the following rates:

(a) at full pay during the first three months; and

(b) thereafter, at half pay for the next three months.

(e) of paragraph 6(3) and the substitution therefor of the following:

(3) Subject to subparagraph (4), an employer shall, where an employee has a sick spouse, child or dependent, grant that employee leave of absence for a period not exceeding fifteen working days in any period of twelve months to provide attention to the sick spouse, child or dependent.

(4) Despite subparagraph (3), an employer may, before granting leave of absence under that subparagraph, require the employee to produce a certificate from a registered medical doctor or health facility at which the spouse, child or dependent is hospitalised recommending that leave be granted.;

(5) Days taken as leave under subparagraph (3) shall—

(a) not be deducted from an employee's accrued leave days; and

(b) be computed separately for each year and shall not be cumulative.

(f) the insertion after paragraph 7, of the following new paragraph:

7A. (1) Subject to subparagraph (2), a male employee is entitled to paternity leave of five continuous working days if that employee—

Paternity  
leave

(a) has served the employer for a continuous period of not less than twelve months immediately preceding the date of commencement of paternity leave;

(b) is the father of the child in respect of whom paternity leave is sought; and

(c) has submitted to the employer, the birth record of the child in respect of whom paternity leave is sought.

(2) Despite subparagraph (1), an employer and a male employee may, in relation to paternity leave, enter into an agreement that is more favourable to the male employee.;

(g) in paragraph 8(1), by the deletion of the word "fifty-five" and the substitution therefor of the word "sixty";

(h) deletion of paragraph 13 and the substitution therefor of the following:

13. An employer shall, in the event of the death of an employee, employee's spouse or employee's registered child, provide the following in the form of a funeral grant:

Funeral  
Assistance

(a) Standard Coffin; and

(b) Cash grant of K1,500.00.;

- (i) in paragraph 14, of the words “one hundred and “two kwacha and forty ngwee” and the substitution therefor of the words “one hundred and fifty-three kwacha and sixty ngwee;
- (j) in paragraph 15, of the word “twenty” and the substitution therefor of the word “eighty”; and
- (k) in paragraph 16, of the words “one hundred and ninety-five” and the substitution therefor of the words “two hundred and fifty”.

LUSAKA  
7th September, 2018  
[DL.64/9/9]

J. N. SIMUKOKO,  
*Minister of Labour and  
Social Security*