

## GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 70 OF 2018

**The Minimum Wages and Conditions of  
Employment Act**  
(Laws, Volume 15, Cap. 276)

**The Minimum Wages and Conditions of Employment  
(Shop Workers) (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:

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| <p>1. This Order may be cited as the Minimum Wages and Conditions of Employment (Shop Workers) (Amendment) Order, 2018, and shall be read as one with the Minimum Wages and Conditions of Employment (Shop Workers) Order, 2011, in this Order referred to as the principal Order.</p>  | <p>Title<br/>SI No. 1 of<br/>2011</p>                            |
| <p>2. The principal Order is amended by the revocation of paragraph 2 and the substitution therefor of the following:</p>   | <p>Revocation<br/>and<br/>replacement<br/>of paragraph<br/>2</p> |
| <p>2. This Order applies to employees employed in a shop or in connection with the business of a shop, but does not apply to—</p> <p>(a) a person employed in or in connection with the motor trade industry or petroleum industry;</p> <p>(b) a person employed in—</p> <p style="padding-left: 40px;">(i) a bazaar or sale of work for charitable or other purposes from which no private profit is derived;</p> <p style="padding-left: 40px;">(ii) the hawking of newspapers;</p> <p style="padding-left: 40px;">(iii) the running of coffee stores;</p> <p style="padding-left: 40px;">(iv) the sale of agricultural produce on behalf of a <i>bona fide</i> farmer or a <i>bona fide</i> market gardener on any land occupied by the farmer or market gardener;</p> | <p>Application</p>   |

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- (v) the hawking of agricultural produce on behalf of a *bona fide* farmer or market gardener;
- (vi) manufacture of bread or bread stuff;
- (vii) reception, storage and treatment of fresh milk products;
- (viii) reception, storage and treatment of fish, meat, poultry, game, fruit and other perishable foodstuff;
- (ix) printing of newspapers;
- (x) the delivery of ice to hospitals and nursing institutions during the day or at night; or
- (xi) sale of any programmes, catalogues or refreshments in a theatre, concert hall or other place of amusement during any performance;
- (c) a person in management; and
- (d) an employee in an occupation where the wages and conditions of employment are—
- (i) regulated through the process of collective bargaining under the Industrial and Labour Relations Act; or
- (ii) governed by an 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.
- Cap. 269
- Amendment of paragraph 3  
Cap. 1
3. Paragraph 3 of the principal Order is amended by the insertion of the following new definitions in the appropriate places:
- “child” has the meaning assigned to it in the Constitution; and
- “dependent” means a person who is eighteen years old or below and resides in the home of the shopworker but is not that shopworker’s child;
- Amendment of Schedule
4. The Schedule to the principal Order is amended by the—
- (a) revocation of paragraph 1 and the substitution therefor of the following:
1. The minimum monthly wages to be paid to employees are as set out below—
- (a) grade I—one thousand and fifty kwacha (K1,050.00) per month, for a person employed:
- Minimum monthly wage

- (i) in the bailing or wrapping of articles and goods or opening, closing and repairing packages;
  - (ii) as a delivery vehicle assistant or a general worker, not elsewhere specified;
  - (iii) as a handy person;
  - (iv) as an office orderly; or
  - (v) as a watchperson;
- (b) grade II—one thousand two hundred and seventy-eight kwacha (K1,278.00) per month, for a person employed—
- (i) in the operating of a mechanically operated passenger or goods lift;
  - (ii) as a driver of a motor cycle, motor scooter or motorised three-wheeled vehicle;
  - (iii) as a sales assistant; or
  - (iv) as a packer;
- (c) grade III—one thousand five hundred and four kwacha and fifty ngwee (K1,504.50) per month, for a person employed as—
- (i) an assistant bicycle assembler;
  - (ii) an assistant dispatch clerk;
  - (iii) a driver of a motor vehicle requiring an ordinary driving licence;
  - (iv) a shelf packer;
  - (v) a shoe repairer
  - (vi) a tailor's assistant; or
  - (vii) a window dresser's assistant;
- (d) grade IV—one thousand six hundred and twenty-nine kwacha (K1,629.00) per month, for a person employed as a—
- (i) bicycle assembler;
  - (ii) checkout operator;

- (iii) driver of a motor vehicle requiring a heavy duty or public service vehicle licence;
  - (iv) telephone operator;
  - (v) typist; or
  - (vi) picture framer;
- (e) grade V—two thousand and thirty-one kwacha (K2,031.00) per month, for a person employed as—
- (i) a dispatch clerk;
  - (ii) a ledger clerk;
  - (iii) a costing clerk;
  - (iv) an order person;
  - (v) a sales person;
  - (vi) a tailor; or
  - (vii) an upholsterer;
- (f) grade VI—two thousand one hundred and sixty-seven kwacha and fifty ngwee (K2,167.50) per month, for a person employed as—
- (i) an audio visual equipment repairer;
  - (ii) a machine operator; or
  - (iii) a watch repairer;
- (g) grade VII—two thousand three hundred and eighty kwacha and fifty ngwee (K2,380.50) per month, for a person employed as a—
- (i) credit controller;
  - (ii) supervisor;
  - (iii) window dresser;
  - (iv) shorthand typist; or
  - (v) cashier; and
- (h) grade VIII—two thousand four hundred and eighty-one kwacha (K2,481.00) per month, for a person employed as a book keeper.;
- (b) deletion of paragraph 3(4) and the substitution therefor of the following:

(4) An employee who is required to work between the hours of 18.00 hours and 06.00 hours shall be paid—

(a) an hourly rate of pay in accordance with the employee's category; 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(2) and the substitution therefor of the following:

(2) Subject to subparagraph (3), 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.

(3) Despite subparagraph (2), 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 sick spouse, child or dependent is hospitalised recommending that leave be granted.;

(4) Days taken as leave under subparagraph (2) 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.

(e) 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.; and
- (f) deletion of paragraph 13 (c) and (d).
- (g) 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;
- (h) in paragraph 15, of the word “twenty” and the substitution therefor of the word “eighty”; and

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

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