

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 106 OF 2020

The Employment Code Act, 2019
(Act No. 3 of 2019)**The Minimum Wages and Conditions of Employment
(Truck and Bus Drivers) Order, 2020**

IN EXERCISE of the powers contained in section 106 of the Employment Code Act, 2019, the following Order is made:

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| <p>1. This Order may be cited as the Minimum Wages and Conditions of Employment (Truck and Bus Drivers) Order, 2020.</p> | <p>Title</p> |
| <p>2. In this Order, unless the context otherwise requires—</p> <p>“bus” means a public service vehicle licensed to carry forty or more passengers;</p> <p>“dangerous goods” means substances or articles that pose a risk to people, property or the environment, due to their chemical or physical properties;</p> <p>“driver” means a person employed as a truck or bus driver;</p> <p>“goods” means substances or articles to be transported as distinct from passengers;</p> <p>“management” has the meaning assigned to it in the Industrial and Labour Relations Act; and</p> <p>“truck” means a public service vehicle licensed to carry goods.</p> | <p>Interpretation</p> <p>Cap. 269</p> |
| <p>3. (1) This Order applies to a truck and bus driver.</p> <p>(2) Despite sub-paragraph 1, this order does not apply to a driver—</p> <p>(a) employed in management; and</p> <p>(b) whose wages and conditions of employment are—</p> <p style="padding-left: 40px;">(i) regulated through the process of collective bargaining under the Industrial and Labour Relations Act; or</p> | <p>Application</p> <p>Cap. 269</p> |

- (ii) governed by an agreement providing conditions that are more favourable than the minimum conditions set out in this Order.
- Basic pay 4. The minimum monthly basic pay to be paid to a driver of a
(a) **truck** is three thousand Kwacha; and
(b) **bus** is two thousand two hundred Kwacha.
- Wages and other benefits 5. The wages or any benefit enjoyed by a driver before the coming into question of this Order shall not be reduced as a result of the application of this Order.
- Statement details 6. An employer shall, when wages fall due, give the driver a pay statement containing the following details:
(a) **the driver's name and address;**
(b) the driver's occupation;
(c) the number of ordinary hours worked by the driver where an hourly rate is applicable;
(d) where applicable, the number of overtime hours worked by the driver;
(e) the driver's wages before deductions; and
(f) where applicable, the amount of deductions made on the wages and the actual amount of wages paid to the driver.
- Annual leave 7. (1) An employer shall grant leave of absence on full pay to a driver, other than a part time driver, who has completed six months' continuous service at the rate of two days per month in accordance with the following conditions:
(a) in computing the period of leave, Sundays and public holidays shall be excluded; and
(b) the employer may give reasonable consideration to the exigencies and interest of the employer's business in agreeing to the date when an employee may take leave.

(2) A driver who is proceeding on annual leave shall be paid all the money due to that driver, including holiday allowances, prior to proceeding on leave.

(3) The holiday allowance referred to in sub- paragraph (3) shall be thirty percent of a driver's one month basic pay.
- Funeral assistance 8. An employer shall, in the event of the death of a driver, a driver's spouse or driver's **registered child**, provide the following in the form of a funeral grant:
(a) a standard coffin; and
(b) a cash grant of one thousand five hundred Kwacha.

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| <p>9. A driver whose duty station is beyond a three kilometer radius from the driver's area of residence shall be paid a monthly allowance of one hundred and fifty three Kwacha sixty ngwee for transport expenses, unless the employer provides transport for that employee.</p> | <p>Transport allowance</p> |
| <p>10. A driver is entitled to a lunch allowance of one hundred and eighty Kwacha per month, unless the employer provides a canteen at which the driver may obtain wholesome and adequate meals provided free of charge.</p> | <p>Lunch allowance</p> |
| <p>11. An employer shall pay a driver who spends a night away from home to attend to any business of the employer, a subsistence allowance of not less than three hundred ninety Kwacha per night.</p> | <p>Subsistence allowance for local trips</p> |
| <p>12. An employer who requires a driver to provide that driver's own tools to execute the employer's duties shall pay the driver an allowance of eighty Kwacha per month.</p> | <p>Tool allowance</p> |
| <p>13. An employer shall provide a driver who does work which is likely to be injurious to the driver, appropriate protective clothing.</p> | <p>Protective clothing</p> |
| <p>14. A driver shall be paid the following risk allowances for carrying an abnormal load or dangerous goods:</p> <p style="margin-left: 40px;">(a) for local trips, not less than one Kwacha fifty ngwee per kilometer; and</p> <p style="margin-left: 40px;">(b) for international trips not less than ten cents per kilometer.</p> | <p>Risk allowance for carrying abnormal load and dangerous goods</p> |
| <p>15. A driver shall be paid a cross border subsistence allowance of not less than twenty-five United States dollars per night.</p> | <p>Cross border subsistence allowance</p> |

LUSAKA
14th December, 2020
[DL.64/9/9]

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

