GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT No. 50 of 2023

The Employment Code Act, 2019 (Act No. 3 of 2019)

The Employment Code (Shop Workers Minimum Wages and Conditions of Employment) Order, 2023

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

1. (1) This Order may be cited as the Employment Code (Shop Workers Minimum Wages and Conditions of Employment) Order, 2023

Title and commencement

- (2) This Order shall come into operation on 1st January, 2024.
- 2. (1) This Order shall apply to an employee.

Application

- (2) This Order shall not apply to—
 - (a) a person employed in, or in connection with, the motor trade industry or the petroleum industry;
 - (b) a person employed in—
 - (i) a shop for charitable purposes from which no profit is derived;
 - (ii) the hawking of newspapers;
 - (iii) the sale of agricultural produce on behalf of a bona fide farmer or a bona fide market gardener; or
 - (iv) the hawking of agricultural produce on behalf of a bona fide farmer or market gardener;
 - (c) a person who holds a hawker's licence;
 - (d) a person employed in-
 - (i) the reception, storage and treatment of fish, meat, poultry, game, fruit and other perishable foodstuff;
 - (ii) the delivery of ice to hospitals or nursing institutions during the day or night; or
 - (iii) the sale of any programmes, catalogues or refreshments in a theatre, concert hall or other place of amusement during a performance;

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- (e) a person in management;
- an employee whose conditions of service are more favourable than the applicable gross pay in this Order;
- (g) an employee who is unionised and whose conditions of service are negotiated through the process of collective bargaining in accordance with the Industrial and Labour Relations Act; or
- (h) an employee in a sector where the Minister has prescribed the minimum wage.
- (3) The provisions of this Order shall not be used as the basis for any negotiations in a contract of employment for an employee that is exempt under sub paragraph (2).

Interpretation

- 3. In this Order, unless the context otherwise requires-
 - "assistant bicycle assembler" means an employee who-
 - (a) assembles perambulators, go-carts, scooters, express wagons, cars or any other similar wheeled vehicles or toys propelled by hand or by foot, where the assembly does not involve the adjustment of precision bearings, chains or built in wheels or the setting and tightening of spokes; or
 - (b) under general supervision, assembles bicycles from semi knocked down units or any components parts, where the assembling does not involve truing of bicycle wheels, the final adjustment of precision bearings, chains or built in wheels or the setting and tightening of spokes;
 - "assistant clerk" means an employee engaged in clerical work who has three years' experience in such work and whose minimum education qualification is a Grade nine certificate;
 - "assistant dispatch clerk" means an employee who, under the supervision of, and subject to checking by a dispatch clerk, makes up, packs or dispatches goods received or held in stock for dispatch or who checks or weighs packages and who may mark to address packages;
 - "bicycle assembler" means an employee who assembles or carries out the following operations:
 - (a) truing bicycle wheels or making final adjustments to an assembled bicycle; or
 - (b) adjusting precision bearings, chains or built in wheels or setting and tightening spokes;