

- Additional Remuneration Act after discussions in tripartite committee; and
- (iv) more recently National Minimum Wage and the introduction of a Master Conversion Table to address the issue of wage relativity in the private sector.

3.2.4.2 The 4 layer systems illustrate the lack of coherence and consistency in the wage determination policy. In spite of the declared objective of the Employment Relations Act to promote and encourage collective bargaining in Mauritius, it is clear that the maintenance of the present system of wage determination will not provide a conducive and enabling business environment for the long term development of the sugar sector.

3.2.4.3 Given that collective bargaining has become mandatory under the Employment Relations Act 2008, the whole system should be streamlined to avoid any interference in the collective agreements duly signed by the parties. In the contrary, collective bargaining should not be mandatory.

### 3.3 Stand of the JTC on Labour Issues

3.3.1 Following consultations with the Ministry of Labour, Industrial Relations, Employment and Training and with the above objectives in mind, the JTC therefore recommends the following measures:

- (a) In order not to further impose the payment of a double wage compensation, the provisions of the Additional Remuneration Act should not apply to enterprises where terms and conditions of employment, including additional remuneration, are already regulated by duly signed collective agreements. In that regard, to provide
- (i) in section 95 of the Employment Relations Act that where there is a collective agreement which regulates terms and conditions of employment in an enterprise or industry, the relevant Remuneration Regulations shall not apply to that enterprise or industry; and
  - (ii) in section 57 of the Employment Relations Act, to add after subsection (2), the following new subsection
 

*" (3) A collective agreement shall not be affected following the coming into operation of any enactment, except where both parties to the agreement consent to the variation thereof."*
- (b) To repeal the relevant provisions of the SIE Act in relation to the