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No. 1600 /17 – WEDNESDAY, MAY 06, 2009

(Published by Authority)

PART I : SECTION (I) – GENERAL

Government Notifications

My No.: CI/1782.

THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

THE Collective Agreement entered into between CPC Agrifoods Ltd., No. 40, York Street, Colombo 01 of the one part and Commercial and Industrial Workers' Union, No. 17, Barracks Lane, Colombo 02 of the other part on 26th March, 2009, is hereby published in terms of Section 06 of the Industrial Disputes Act, Chapter 131 of the Legislative Enactments of Ceylon (Revised Edition 1956).

W. J. L. U. WIJAYAWEERA,
Commissioner General of Labour.

Department of Labour,
Labour Secretariat,
Colombo 05.
24th April, 2009.

Collective Agreement No. 04 of 2009

This Collective Agreement entered into between CPC Agrifoods Ltd., a Company duly registered in Sri Lanka having its Registered Office at No. 40, York Street, Colombo 01, hereinafter referred to as of the "the Employer" and the Commercial and Industrial Workers' Union, a Trade Union duly registered in Sri Lanka having its Registered Office at No. 17, Barracks Lane, Colombo 2, hereinafter referred to as the Union.

Whereas the Union by their letter dated 29th August, 2008, forwarded a list of demands to the Employer and after several meetings with the Union the Employer and the Union have now agreed on the following terms of settlement, it is hereby recorded as follows:

1. **Title.** – This Agreement shall be known as CPC Agrifoods Ltd., and Commercial and Industrial Workers Union Wage Agreement on behalf of the Union members in CPC Agrifoods Factory at Katana.
2. **Employers Covered and Bound.** – This Agreement shall bind the CPC Agrifoods Ltd., hereinafter referred to as the Employer.
3. **Union and Employees Covered and Bound.** – This Agreement shall cover and bind the Commercial and Industrial Workers' Union hereinafter referred to as the Union and members of the Union who are employed by the said employer in the Employer's aforesaid Factory.
4. **Date of Operation and Duration.** – This Agreement shall be effective from 1st October, 2008, and shall thereafter continue in force unless terminated by the party giving notice of termination in terms of the Industrial Disputes' Act, subject to the condition that no party shall give notice to the other before 30th September, 2010.

5. General Terms and Conditions.-

- (i) The terms of this Agreement shall be deemed to be included in all contracts of employment of those covered by this Agreement.
- (ii) The parties mutually agree that Union Members' performance will be evaluated by the employer through the prevalent performance evaluation scheme, in order to give an opportunity to the members of the union to earn an additional increment to their basic wage depending on marks obtained by such member.
- (iii) The union agrees that the said performance evaluation criteria on which the union members are to be evaluated accepted the criteria unconditionally and agreed to its continued implementation.


6. Wages.- The wage revision applicable to the employees covered by this Agreement shall be as set out below:

- (i) With effect from 1st October, 2008, the wages of all employees currently in employment to-date shall be increased by a sum equal to Six percent (06%) of the basic wage payable to such employee as at September, 2008.
- (ii) In addition to the wage revision set out in (i) above, the employees will be eligible for a wage revision subject to an evaluation of their performance up to a maximum of four percent (4%) with effect from 1st October, 2008. The revision will be solely dependent on the performance evaluation conducted by the Management and the wage for the purpose of such revision will be the basic wage as at September, 2008.
- (iii) With effect from 1st October, 2009, the wages of all employees who received a wage revision in terms of (i) above, shall be increased by a sum equal to five percent (05%) of the basic wage payable to such employee as at September, 2009.
- (iv) In addition to the wage revision set out in (iii) above, the employees will be eligible for a wage revision subject to an evaluation of their performance up to a maximum of five percent (05%) with effect from 1st October, 2009. The revision will be solely dependent on the performance evaluation conducted by the Management and the wage for the purpose of such revision will be the basic wage as at September, 2009.
- (v) The arrears of wages for the period 1st October, 2008 to 31st March, 2009 inclusive of consequential benefits thereon by way of EPF, ETF, overtime, based on the increase in terms of Clause 6(i) and (ii) above will be paid by the Employer by 10th April, 2009 with employee wages for the month of April.

7. The Union and its members agree and undertake that they will not during the operation of this Agreement seek to vary or alter any of the provisions contained herein or make any demands for a revision of wages or any other payment and shall not resort to any trade union action on such matters.

In Witness whereof the parties aforesaid have hereunto set their hands at Colombo, on this 26th day of March, 2009.

For and on behalf of
CPC Agrifoods Limited.


Name: C 
Designation: Managine Director

Witnesses:

(1) 
Name: A. P.

Designation: Deputy General Maneger, Cargills Ceylon Pvt.

For and on behalf of
Commercial and Industrial Workers Union.


Designation: General Secretary

(2) 
Name: Sai

Designation: Branch President

My : CI/343.

THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

Notice of repudiation of the Collective Agreement No. 14 of 2008 received by me from the Managing Director, Aqua Packaging Limited, under Section 9 (1) of the Industrial Disputes Act, Chapter 131, entered into between Aqua-Packaging Limited, 122 Kew Road, Colombo 02 of the one part and Inter Company Employees' Union No. 158/18, E. D. Dabare Mawatha Colombo 05 of the other part on 10th June, 2008 and published in the *Gazette of the Democratic Socialist Republic of Sri Lanka Extraordinary*, No. 1561/8 of 05th August, 2008, is hereby published in terms of Section 9 (2) (b) of the said Act.

In terms of Section 9(2)(b) of the Industrial Disputes Act, Chapter 131, it is also hereby declared that the aforesaid Collective Agreement, No. 14 of 2008, shall cease to be in force effective from 30th April, 2009.

W. J. L. U. WIJAYAWEERA,
Commissioner General of Labour.

Department of Labour,
Labour Secretariat,
Colombo 05.
31st March, 2009.

INDUSTRIAL DISPUTES ACT, No. 43 of 1950

Notice of Repudiation of Collective Agreement No. 14 of 2008

Aqua Packaging Ltd.,
122, Kew Road,
Colombo 2.
06th March, 2009.

The Commissioner-General of Labour,
Labour Secretariat, Narahenpita,
Colombo 05.

NOTICE is hereby given of the repudiation of Collective Agreement No. 14 of 2008, dated 10th June, 2008, binding on Aqua-Packaging Ltd., and the Inter Company Employees' Union, published in the *Government Gazette Extraordinary*, No. 1561/8 of 5th August, 2008.

SARATH WIJESINGHE,
Managing Director,
for and on behalf of Aqua Packaging Ltd.

Copies to : The President,
Inter Company Employees' Union.

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