



Republic of the Union of Myanmar

National Committee for Setting the Minimum Wage

Notification No. 1/2018

1379, First Waning Day of Pyatho

2 January 2018

Announcement on the Proposed Minimum Wage

1. The National Committee for Setting the Minimum Wage and the Union Territory, Regional and State Committees for Setting the Minimum Wage were formed and assigned duties according to the Minimum Wage Law of 2013 and its rules on 16 February 2017 and 20 June 2017, respectively.
2. In order to set the minimum wage for Myanmar workers according to the Minimum Wage Law 2013 and its rules, the five following tasks were performed:
 - (a) Task 1: Formation of committees for setting the minimum wage.
 - (b) Task 2: Holding of discussions and meetings with employers and workers in each region in order to set the minimum wage.
 - (c) Task 3: Data collection by distributing questionnaires on living expenses, conducting research and discussions for proposing the minimum wage based on feedback and remarks of employers and workers.
 - (d) Task 4: Announcement of the proposed minimum wage.
 - (e) Task 5: Announcement of the approved minimum wage.
3. According to the above process, the National Committee finished task 3 by engaging in activities to set the minimum wage and the national policy, instructing the Union Territory, Regional and State Committees to discuss with the employers and workers of the respective region and conducting surveys; now, it is working on the implementation of task 4. So far, four National Committee meetings and two hearings with employers and workers from Upper Myanmar and Lower Myanmar have been conducted.
4. Furthermore, a workshop was held at Chatrium Hotel in Yangon in which the National Committee members and the Union Territory, Regional and State Committee members, representatives from both houses of parliament, representatives from the relevant ministries, the International Labour Organisation (ILO) and other non-governmental organisations,



members of the cooperative committee for minimum wage and labour rights and representatives of employers and workers participated and gave their feedback and remarks.

5. The fourth meeting of the National Committee was held on 29 December 2017 and set the proposed minimum wage based on the results from the previous National Committee meetings, the suggestions of the Committee members, the hearings with representatives of employers and workers, workshops and tripartite meetings with representatives of the government, employers and workers and according to the minimum wage of government staff and the wage of daily-paid workers.
6. Therefore, the following proposed minimum wage and related conditions are set based on the above fourth meeting of the National Committee on 29 December 2017.
 - (a) The proposed minimum wage for the workers in Myanmar regardless of their location and type of work shall be Ks. 600 per hour and Ks. 4,800 for a day with eight working hours.
 - (b) Workers shall be entitled to overtime premiums according to the relevant law.
 - (c) Workers shall, according to section 14 (b) of the Minimum Wage Law 2013, be entitled to the same wage if their wage prior the coming-into-force of this law is higher than the minimum wage.
 - (d) A worker shall be entitled to the minimum wage set according to the law if his wage according to the labour contract is lower than the minimum wage.
 - (e) Furthermore, a worker shall also be entitled to either the minimum wage set according to the law or the wage (which is higher than the minimum wage) set by his employer [*literal translation*].
 - (f) Concerning part-time and hourly workers, a worker shall be entitled to the minimum wage for the time worked.
 - (g) Entitlement to the minimum wage shall be gender-neutral.
 - (h) If the proposed minimum wage is approved, employers shall pay their workers in a factory, workshop and workplace according to the approved minimum wage and their trainees according to Rule 43 (I) of the Minimum Wage Rules not less than 50% of the minimum wage and in the three months probation period not less than 75% of the minimum wage.
 - (i) A worker shall perform their jobs to meet the required production standards according to Rule 44 (a) of the Minimum Wage Rules.



- (j) The minimum wage, once approved, and overtime premiums are required according to the law. However, an employer may make additional payments such as an attendance gratification, bonus and cost of living allowance based on the success and profit of the business.
 - (k) With regard to the setting and amending of the minimum wage, workers who are Myanmar nationals and working in joint ventures and foreign-invested businesses shall be entitled to the same wage as foreign workers based on their expertise.
 - (l) The approval of the minimum wage by notification shall not affect any rights of workers with regard to holidays and leave.
 - (m) With regard to workers who are Myanmar nationals and work in special economic zones, their related management committee shall propose the minimum wage based on the types of business to the National Committee for Setting the Minimum Wage.
 - (n) The setting of the proposed minimum wage shall not apply to small businesses with less than 10 workers and family businesses; the wages for workers working in such places shall be set by mutual agreement.
7. An organisation or person wishing to make a remark with regard to, comment on, object against or amend the proposed minimum wage shall fill in the following form and send it to the Union Territory Committee or Regional or State Committee for Setting the Minimum Wage with copies to the National Committee for Setting the Minimum Wage and the Department of Labour under the Ministry of Labour, Immigration and Population within two weeks, starting from the date of this notification.
8. The Union Territory Committee or Regional or State Committee for Setting the Minimum Wage shall scrutinise the comment, objection or amendment within 30 days of receiving the form and a *[new]* proposed minimum wage shall be submitted to the National Committee together with related evidentiary documents.
9. The National Committee for Setting the Minimum Wage shall, after announcing the proposed minimum wage for the awareness of the public, set the minimum wage with the consent of the Union Government after scrutinizing the comments and objections together with representatives from the government, employers and employees within 60 after the announcement.
10. Therefore, the proposed minimum wage for workers in Myanmar, regardless of the location and the type of work, shall be set at Ks. 600 per hour and Ks. 4,800 for a day with eight working hours according to section 5 (e) of the Minimum Wage Law 2013. This announcement shall not apply to small businesses with less than 10 workers and family businesses.



The National Committee for Setting the Minimum Wage

<p>To:</p> <p>Chairman Union Territory/Regional/State Committee for Setting the Minimum Wage City</p> <p style="text-align: right;">Dated: 2018</p> <p>Subject: Objection against or amendment of the proposed minimum wage</p>	<p>Attached form</p>										
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">No.</th> <th style="width: 45%;">Name and address of the organisation or person wishing to object or amend</th> <th style="width: 15%;">Name of the business/department</th> <th style="width: 20%;">Reason for the objection or amendment</th> <th style="width: 15%;">New proposed rate</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		No.	Name and address of the organisation or person wishing to object or amend	Name of the business/department	Reason for the objection or amendment	New proposed rate					
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