

Pekerja Kanak-Kanak & Orang Muda

Ordinan Buruh (Sarawak Bab 76)

Kanak-Kanak

Umur di bawah 15 tahun

Kanak-kanak boleh terlibat dalam pekerjaan berikut:

- ✓ Kerja ringan bersesuaian dengan keupayaan dalam perusahaan keluarganya.
- ✓ Hiburan awam (berdasarkan lesen yang diluluskan).
- ✓ Pekerjaan dilaksanakan di sekolah, institut latihan atau kapal latihan yang diluluskan/ditaja Kerajaan Persekutuan / Kerajaan Negeri.
- ✓ Perantis (kontrak perantisan bertulis yang diluluskan).

Nota: Umur minimum bagi kerja ringan tidak boleh kurang daripada 13 tahun.

TIDAK DIBENARKAN

- ✗ Bekerja antara jam 8 malam hingga 7 pagi.
- ✗ Bekerja lebih 3 jam berturut-turut tanpa rehat sekurang-kurangnya 30 minit.
- ✗ Bekerja lebih 6 jam sehari.
 - Jika bersekolah, tidak melebihi 7 jam termasuk waktu persekolahan.
- ✗ Memulakan kerja tanpa tempoh rehat atau bebas daripada pekerjaan selama 14 jam berturut-turut.
- ✗ Bekerja melebihi 6 hari seminggu.

Nota: Tempoh masa bekerja dalam hiburan awam ditetapkan dalam Lesen Hiburan Awam yang dikeluarkan oleh Pengarah di bawah seksyen 74D.

Orang Muda

Umur 15 tahun tetapi belum mencapai 18 tahun

Orang muda boleh terlibat dalam pekerjaan berikut:

- ✓ Semua pekerjaan yang dibenarkan untuk kanak-kanak tanpa mengira perusahaan keluarga atau bukan keluarga.
- ✓ Pekerjaan di pejabat, kedai (termasuk hotel, restoran dan gerai), gudang, kilang, bengkel, stor, rumah penginapan, teater, pawagam atau persatuan.
- ✓ Pekerjaan dalam industri yang bersesuaian dengan kapasiti orang muda.
- ✓ Pekerjaan di atas kapal di bawah kawalan keluarga/penjaga.
- ✓ Pekerjaan berbahaya dibenarkan dengan pengawasan yang ketat di bawah kontrak perantisan / latihan vokasional.

TIDAK DIBENARKAN

- ✗ Bekerja antara jam 8 malam hingga 6 pagi.
- ✗ Bekerja berterusan lebih 4 jam berturut-turut tanpa rehat sekurang-kurangnya 30 minit.
- ✗ Bekerja lebih 7 jam sehari.
 - Jika bersekolah, tidak melebihi 8 jam termasuk waktu persekolahan; atau
 - Jika terlibat dalam kontrak perantisan, waktu kerja tidak boleh melebihi 8 jam sehari.
- ✗ Memulakan kerja tanpa tempoh rehat atau bebas daripada pekerjaan selama 12 jam berturut-turut.
- ✗ Bekerja melebihi 6 hari seminggu.

PEKERJAAN YANG DILARANG

Kanak-kanak atau orang muda tidak boleh bekerja dalam pekerjaan yang tidak dibenarkan di bawah Ordinan:

- Jadual Kedua dan Jadual Ketiga di bawah Ordinan Buruh (Sarawak Bab 76)
- Akta Kilang dan Jentera 1967 [Akta 139]
- Akta Keselamatan dan Kesihatan Pekerjaan 1994 [Akta 514]
- Akta Elektrik 1949 [Akta 447]

PENALTI

Kesalahan Pertama

- ❖ Tidak melebihi 2 tahun penjara
- ❖ Tidak melebihi RM50,000.00 atau kedua-duanya

Kesalahan Seterusnya

- ❖ Tidak melebihi 5 tahun penjara
- ❖ Tidak melebihi RM100,000.00 atau kedua-duanya



JADUAL KEDUA

Employment in which children or young persons shall not be required, permitted to be or engaged in-

1. All kind of employment that make use of, procure, or offer children or young persons for prostitution.
2. All kind of employment as social escorts or guest relation and any other related activities.
3. All kind of employment that require children or young persons to involve in the production or trade of alcoholic beverages.
4. All kind of employment that related to gambling and lotteries activities.
5. All kind of employment that require children or young persons to work in any activities related to massages services or reflexology services.
6. All kind of employment that make use of, procure, or offer children or young persons for any kind of job related to pornography.
7. All kind of employment that make use of, procure, or involve children or young persons for the production and trade of drugs, narcotics, psychotropic substances and other addictive substances which are prohibited under any written law in operations.
8. All kind of activity that make use of, procure or involve children or young persons to conduct begging for gain.

JADUAL KETIGA LIST OF HAZARDOUS WORK

A. WORK RELATED TO MACHINES, INSTALLATIONS AND OTHER EQUIPMENT

1. Machinery -
 - (a) Any machine tools or production machine which can pose high risk such as drilling machines, grinding machines, cutting machines, lathes machines, scraping machines, power press machine, knitting machines, weaving machines, packaging machines and bottling machines;
 - (b) Steam boiler or internal combustion engine such as diesel engines, turbines and engines for generating electricity;
 - (c) Hoisting and loading machine such as lift, hoist, crane, escalators, conveyor belts, gondolas and forklift; or
 - (d) High pressure vessels.
2. Heavy-duty machine such as tractors, rock breakers, graders, asphalt mixers, piling machine and agriculture machinery.
3. Installations such as pressure pipe, electricity, firefighting system and electricity transmission lines.

B. WORK CONDUCTED IN A HAZARDOUS ENVIRONMENT

1. Work that is exposed to physical hazards—
 - (a) Underground work, underwater or in a confined space such as a well or a tunnel;
 - (b) Working at height which can lead to serious bodily injury;
 - (c) Working environment which involves electricity at high voltage power line;
 - (d) Working in a caisson with limited ventilation;
 - (e) Work that uses electric welding machines or gas welding machines;
 - (f) Work in an environment with extreme temperature and moisture or high-speed wind;
 - (g) Work in an environment with noise or vibration where intensity exceeds the permissible exposure limits;

JADUAL KETIGA LIST OF HAZARDOUS WORK

B. WORK CONDUCTED IN A HAZARDOUS ENVIRONMENT (continue...)

- (h) Work to handle, store, use and transport radioactive substances;
- (i) Work that produces ionizing radiation or work in an environment with ionizing radiation;
- (j) Work in a dusty environment that is detrimental to health;
- (k) Work which may lead to electrocution, fire or explosion;
- (l) Manual handling works which may pose high risk such as lifting, lowering, pushing, pulling, carrying or moving a load.

2. Work that is exposed to chemical hazards—

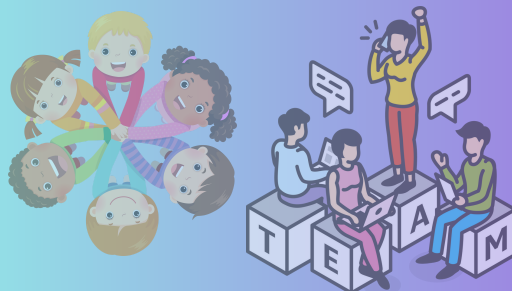
- (a) Work in relation to production, processing, handling, storage, transport, removal, disposal or treatment of hazardous chemical as defined in the Occupational Safety and Health (Classification, Labelling and Safety Data Sheet of Hazardous Chemicals) Regulations 2013 [P.U. (A)310/2013];
- (b) Work in relation to production, processing, handling, storage, transport, removal, disposal or treatment of pesticides and scheduled waste as defined in the Pesticides Act 1974 [Act 149] and the Environmental Quality (Scheduled Wastes) Regulations 2005 [P.U. (A) 294/2005].

3. Work that is exposed to biological hazards—

Work in an environment that relates to germs, bacteria, viruses, fungi, parasites and other biological agents such as works in clinical laboratories, slaughter house, meat processing place and silo or storage for storing crops.

C. WORK INVOLVING CERTAIN HAZARDOUS CONDITION AND OF HAZARDOUS NATURE

1. Construction work including construction of building, bridges, roads or irrigation project.
2. Working timber industry such as cutting, transporting and unloading trees.
3. Work offshore such as working on a petroleum platform
4. Work above or near water where the risk of drowning exists such as lifeguard, fishing activities and work in water treatment plant.



LAMAN SESAWANG
JTK SARAWAK



BUKU PANDUAN
CEGAH & BANTERAS
AMALAN BURUH
PAKSA & JENAYAH
PEMERDAGANGAN ORANG